

**From Wronged to Rights: Sexual and Gender-Based Violence in Freetown, through the
lens of the United Nations Convention on the Rights of the Child**

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A Thesis submitted for the degree of Doctor of Philosophy

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April 2019

Abstract

Sexual and gender-based violence against girls and young women is an entrenched and widespread problem in Sierra Leone. In this qualitative research, conducted in two Freetown slum communities, girls and young women faced sexual and gender-based violence in both their private and public spheres: in their homes, where girls are burdened with domestic duties and where desperate parents push their daughters into exploitative relationships with older men, transactional sex and prostitution; in their communities, where girls are intimidated on the street and where initiation into secret “Bondo” societies through Female Genital Mutilation (FGM) is an accepted part of a girl’s transition to womanhood; in schools, where girls face sexual harassment from their teachers and peers; and finally at an institutional level, where pregnant girls are denied their right to education and their protection in law from FGM. The culture of violence in Freetown communities is amplified by extreme poverty and by discriminatory social and cultural norms. These norms emphasise the inferior status of girls and women while laying down a morality trap: setting expectations that circumstances render impossible to achieve.

These forms of sexual and gender-based violence against girls and young women can be identified as violations of their rights under the basic principles of the Convention on the Rights of the Child (CRC, 1989), ratified by Sierra Leone in 1990. The CRC represents a useful lens through which to approach this topic since its framework can be applied effectively to both analysis of the underlying social problems and formulation of the response needed from state, civil society and non-governmental organisations (NGOs). One such NGO project, Defence for Children International-Sierra Leone’s Girl Power programme, is examined in detail in the thesis. Through adopting a human rights framework in its programmes with girls and young women, Girl Power demonstrates how such an approach can be used practically, to identify and address the causes and consequences of sexual and gender-based violence.

Acknowledgements

I owe an enormous debt of gratitude to everyone who supported me while I undertook this research. I would like to express special appreciation to my supervisor at the University of Essex, Dr Jackie Turton, for being a wonderful mentor, for her feedback, patience and generosity with her time. To Dr Andrew Fagan, I owe many thanks for giving me the opportunity to undertake this research and for his invaluable advice and feedback. Thanks also to Dr Julia Firmin, whose proofreading and editing skills greatly enhanced this thesis.

At the DCI International Secretariat in Geneva, I would like to thank Executive Director Ileana Bello and Advocacy Officer Anna Tomasi, who provided support and encouragement for the project from the outset. Special thanks to Executive Director DCI-SL, Abdul Manaff Kemokai, who went out of his way to organize the research visit in 2012. Huge thanks to the team at the DCI-SL office in Freetown: Hawanatu Nemata Mansaray, Ian Lee, Sara Safa, Allison Chandler, Amidu Koroma and Yvonne Shears, who set up the fieldwork, co-facilitated the groups, acted as interpreters and were the best possible hosts during my week in Freetown. I'm grateful to Manaff and the team for their support and generosity during the fieldwork and for the information and assistance that they have since provided regarding the Girl Power programme during the writing of this thesis.

Particular thanks is owed to all of those who participated in the research consultations in Freetown, especially the girls and young women from the Girl Power panels in Bonga Town and Rokupa – thank you for sharing your experiences with us. Many thanks to the other research participants, from NGOs, community groups and educational bodies, who provided invaluable insights into the issues facing girls and young women in Sierra Leone.

Finally, a very special thank you to my family – Ben, Rebecca, Patrick and Catherine – for sustaining me throughout.

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Abbreviations and Glossary of Terms

ACRWC	African Charter on the Rights and Welfare of the Child
ACPF	African Child Policy Forum
CEDAW	Convention on the Elimination of Discrimination against Women
CRA	Child Rights Act
DCI	Defence for Children International
DCI-SL	Defence for Children International, Sierra Leone national section
DEVAW	Declaration on the Elimination of Violence Against Women
ECPAT	End Child Prostitution and Trafficking
FGM	Female Genital Mutilation
HIV/AIDS	Human immunodeficiency virus/acquired immunodeficiency syndrome
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
NGOs	Non-Governmental Organisations
OHCHR	Office of the High Commissioner for Human Rights
SDGs	Sustainable Development Goals
UN	United Nations
UNCRC	United Nations Convention on the Rights of the Child
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNFPA	United Nations Fund for Population Activities
UNICEF	United Nations Children's Emergency Fund
WHO	World Health Organisation

Map of Sierra Leone



Source: United Nations (Map no. 3902 Rev. 6, September 2014).

Chapter 1: Introduction

1.1 Background to the Research

“Imagine a woman with five children, six, seven children, that’s the reality they’ve got to face. And some of these uncles what they’re offering them; it’s a way out, ok. It’s not that they’re not aware. Now, they’ve passed a law saying that the age of marriage is 18. It’s recognised. So, what are we doing, what is a child in this case? We let the girls know that they shouldn’t get married until they’re 18. They should not be forced into early marriage. So, the parents are saying to us - we’re trying, we should not force them into marriage but what happens when they become pregnant?” (Women’s education activist, Freetown, 2012)

After a week spent gathering data in Freetown, this statement summed up the complicated reality behind the opinions and statistics collected, to reveal the sheer toughness of life for many girls in Sierra Leone. The initial focus of this research centred on girls’ right to education, a cornerstone of the United Nations Convention on the Rights of the Child (CRC, Articles 28 and 29)¹. However, during the course of the fieldwork, it became clear that early disengagement from education was strongly linked to the vulnerability of girls and young women to different forms of sexual and gender-based violence, and the denial of other basic entitlements and protections guaranteed under the CRC. The quotation above represents feedback from one Non-Governmental Organisation (NGO) participant, but it is demonstrative of the hardships facing girls and their families, as well as the difficulties associated with transforming human rights legislation and policies into real-life changes for

¹ Sierra Leone ratified the CRC in 1990 and is obligated under international law to observe all of the provisions and protections for children’s rights guaranteed under the Convention.

vulnerable groups. The anecdotal evidence is also supported by official statistics: in Sierra Leone, 39 per cent of girls are married before their 18th birthday; 38 per cent of women become mothers by the age of 18; 89.6 per cent of girls and women aged 15-49 have undergone Female Genital Mutilation (FGM), while 45 per cent have experienced physical or sexual violence by an intimate partner over the course of their lives (Government of Sierra Leone, 2013). Meanwhile, 77 per cent of Sierra Leonean children are estimated to be living in poverty, defined by the government of Sierra Leone as denial of at least of one their basic rights with regard to food, water, sanitation, education, health, housing and information (Government of Sierra Leone: 2016).

In my research, the conditions facing girls and young women in two Freetown slum communities, Bonga Town and Rokupa, are analysed with regard to three multi-faceted themes, namely: an examination of the different forms of sexual and gender-based violence experienced by girls and young women in Freetown (Chapter 5); a discussion on the research findings from a human rights perspective, with special reference to the CRC (Chapter 6); and, how human rights-based approaches undertaken by social movements represented by Freetown's vibrant civil society and NGO community, have been used to address the causes of gender inequality and violence against girls and women in Freetown and across Sierra Leone (Chapter 7). Sexual and gender-based violence is viewed through the prism of the society in which the girls' lived, looking at different factors, including poverty, prejudicial social and cultural norms and systemic rights violations, which provide the conditions under which gender inequality and abuse continue to thrive. Underpinning all of these themes is the universal character of human rights², which guarantees the right to liberty, equality and

² That "the universal nature of these rights and freedoms is beyond question" is confirmed in the Vienna Declaration and Programme of Action (1993). <https://www.ohchr.org/en/professionalinterest/pages/vienna.aspx>

dignity to all people, regardless of their geographical, social or cultural perspectives. This is particularly important in an African setting, where there is friction with cultural relativists and where the human rights agenda is further complicated by debates as to their legitimacy in non-Western contexts, the legacy of colonialism, the presence of both weak and oppressive nation states, as well as the forces of development and modernisation (Pearce, 2001).

Far from the lofty ideals, far removed from the daily reality of life, I attempt to demonstrate the social relevance and impact of human rights principles through legislation, social policy and practice for vulnerable girls living in some of the worst conditions on earth. The forms of sexual and gender-based violence described here need to be understood through the lens of deeply entrenched social, cultural, economic and historical inequalities experienced by girls and young women in a specifically African context, largely on the basis of their age and gender. The supposed clash between human rights and traditional cultural norms in non-Western settings is also noteworthy, as many of the human rights abuses described by informants could be rightfully described as harmful cultural practices. The importance of the right to culture should not be ignored, particularly against the backdrop of increasing globalisation and large-scale migration within Sierra Leone, which has caused much upheaval to traditional ways of life. It has been established elsewhere that despite enduring tensions between cultural relativists and those who emphasise the principle of universalism, an embrace of modern human rights norms does not automatically entail a rejection of cherished beliefs and customs: cultural diversity should be recognised and valued (Fagan, 2017). However, with regard to practices such as FGM and early marriage, which are manifestly not compatible with the principles of dignity, equality and liberty of the person and which were regarded as having a detrimental impact on the lives of girls living in the Freetown slum communities, the emphasis here lies on engagement and dialogue at the level

of community and the state, with a view to the eventual elimination of these practices.

1.2 Research aims and focus

This thesis examines different forms of sexual and gender-based violence against girls and young women in Freetown through a human rights lens, with regard to social research practice; the use of the CRC as a tool to understand the social and cultural factors that contribute to violence against girls in Freetown slum communities; and finally, an examination of how human rights norms have been embraced in social policy and by civil society and NGOs in Freetown, in their efforts to affect change. With regard to social research practices, it was attempted from the beginning to embed the research methodology with an emphasis on children's right to participation, referencing Shier's 'pathways to participation' model (2001) to help ensure that the involvement of girls and young women in the process was worthwhile and meaningful. The research methodology references Articles 12 and 13 of the CRC, which set out the rights of children to be consulted on matters that affect their lives.

With regard to data analysis, the main principles of the CRC, with regard to the right to non-discrimination; the right to survival and development; the right to participation; the best interests of the child; and the right to protection from harm and abuse, were used as a foundation to categorise the forms of violence that emerged from the literature review and fieldwork. Finally, efforts to address sexual and sexual and gender-based violence in Sierra Leone are explored through discussing the state's strategies to implement women's and child rights laws and policies and the areas where the state is failing to meet its obligations; as well as an examination of the Girl Power programme (for a full explanation, see section 1.4),

which used a rights-based framework in its practical, policy and advocacy work to tackle forms of sexual and gender-based violence in Freetown. The research aims can be summarised as follows:

- To examine the views and experiences of girls and young women in Freetown in order to deepen understanding and awareness of their experiences of sexual and gender-based violence and discrimination;
- To investigate the social and cultural obstacles girls face in accessing their basic rights under the CRC, particularly with regard to sexual and gender-based violence in the contexts of the family, community, and the state in which they live;
- To investigate the role of the state and the extent to which it is honouring its obligations to guarantee girls' rights under the CRC through its policies and practices, particularly their right to protection from violence and discrimination;
- To examine the role of civil society, non-governmental organisations and community groups, in helping girls realise their rights under the CRC, with special reference to the Girl Power/Girls' Advocacy Alliance programme in Freetown; and
- To contribute to the evidence base on the situation regarding sexual and gender-based violence in the slum communities of Freetown and Sierra Leone more broadly, providing information in an area where qualitative data is relatively scarce.

I will examine girls' rights within the context of their relationships, intimate and familial, within their communities and with NGOs and the state, as well as the values and customs that affect their everyday lives. This approach mirrors other research undertaken in Sierra Leone, where recognition has been given to the significance of valuing people's everyday experiences, as opposed to concentrating on the macro political and economic context, where

statistics and information are often readily available. For example, when discussing the different diets of civilians, soldiers and politicians during Sierra Leone's civil war of 1991-2002, Shepler observes the importance of recognizing value of the everyday: "Most observers of post-war societies focus at the level of the state, or security, or legislative changes. This privileging of the formal leaves out the vast terrain of people's lived experiences, where we believe real social change takes place. We hope to turn from the masculine realms of politics and power toward the feminine realms of the everyday" (Shepler, 2011: 45). Although the women's rights agenda features prominently at the highest levels of international human rights law, the literature demonstrates how much can be learned about Sierra Leone through studying people's routine actions and decisions, the day-to-day events that typify their experiences (see also Jackson, 2004; Coulter, 2011). While a significant degree of immersion was not possible for this research, I attempt to capture a sense of the difficulties faced by girls in the slum communities visited, whose lives would be immeasurably improved by the development of policies, practices and structures to support their socio-economic and cultural rights.

1.3 Key definitions: childhood, human rights, sexual and gender-based violence and child sexual exploitation

A key aspect of this research is that it concerns adolescent girls who, in Sierra Leone, often exist in a grey area, treated as children under the law but often prematurely burdened with adult responsibilities as mothers or wives. The girls consulted were mostly under the age of 18 and so can be defined as children under the CRC, which refers to any child up to the age of 18. Naturally, "girls and young women" do not represent a uniform entity. However, the subjects of this research experienced sexual and gender-based violence as a result of their

status as teenage girls, from initiation ceremonies involving FGM through to systemic discrimination exemplified by the denial of the right to education to pregnant teenagers. Extreme poverty, low quality education and limited opportunities for employment in Freetown prevented boys and girls alike from achieving their full potential. However, girls were additionally affected by a range of social and cultural factors, which frustrated the efforts of those who wish to build their social capital and move beyond their traditional roles as wives and mothers. The conflict between girls' traditional, subservient status on one hand and modern influences promoting human rights and gender equality on the other, was very real.

Human rights

Achieving recognition and legitimacy for human rights in international, regional and domestic law is vital to their realization in policy and practice. However, in order to enable their embrace from the grassroots up, it is vital that the moral legitimacy of human rights is also realized to guarantee all girls and young women their right to dignity, liberty and equality, regardless of their social, cultural or geographical circumstances (Fagan, 2017). Throughout this thesis, a universalistic approach to human rights is emphasized, particularly as a rebuke to the use of cultural arguments to justify violence and discrimination against girls and women on the basis of their age and gender. The recurring themes that appear in this thesis, human rights and gender in particular, can be described as social constructs, which cannot be discussed independently of their current and historical contexts (Turner, 2006; Oakley, 2016). The social nature of rights stresses that the development of a human rights culture should emerge from the bottom-up (especially at community level, given its importance, in an African context), while ensuring that individual rights, particularly with

regard to the weak and vulnerable, are not overlooked.

As discussed in Chapter 4, the concept of human rights is wide-ranging in its scope, and various forms of rights - political and civil; social, economic and cultural - are at once globally recognized, while continuing to be contentious and debated at political and theoretical levels. For the purposes of this thesis, I engage with the internationally recognized definition of human rights as set out by the United Nations, which states that they are “rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more. Everyone is entitled to these rights, without discrimination” (United Nations, 2018).

Violence against women and girls has been recognised as a human rights violation in international standards including the Vienna Declaration (1993), as well as in domestic Sierra Leonean legislation. Girls’ rights are promoted and protected in international law through standards including the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and the CRC, although these instruments have been criticised for largely ignoring the particular needs of the girl child (CEDAW refers to adult women in general, except with regard to education; and while the CRC is described as “gender-neutral”, it is argued that issues affecting boys are given more prominence in the Convention) (Plan International, 2017: 6-7). However, the CRC is especially important to this thesis; as the standard bearer for children’s rights, it provides a useful lens through which to analyse the social problems that affect poor communities in Freetown, including poverty, inequality and child sexual exploitation, as well as offering a viable framework through which these challenges can be addressed.

Sexual and gender-based violence

For the purposes of this thesis, I use the definition of gender set out by Oakley as “a term that has psychological and cultural rather than biological connotations”, before stating that: “gender, like caste, is a matter of social ascription which bears no necessary relation to the individual’s own attributes and inherent abilities” (2016: 116; 146), encapsulating how interpretations of gender roles are dependent on their social context³. The violence described in my research can be defined as “gender-based” because of the obvious connection between gender and violence against girls and young women, perpetrated by men and boys in the context of a society (i.e. the slum communities) where gender inequality and forms of sexual and gender-based violence are accepted as the norm (Burman et al., 2011; Gilchrist, 2013; Firmin, 2013).

There is no doubt that the girls and young women in Freetown, investigated in this study, experienced different forms of violence on the basis of their being girls and young women. Discrimination and violence was found to permeate almost every aspect of girls’ lives, in both their private and public realms, encompassing a wide range of sexual and physical abuse, as well as violations of their basic entitlements to a decent standard of living, health and education. The victimisation of girls and young women as documented in this research is described in the literature as a serious social ill on a global scale, as “girls continue to be the most excluded group in the world.” (Plan International, 2017: 6). Engaging with participants

³ In the West, the terms “sex” and “gender” remain the source of debate, with “sex” traditionally denoting biological characteristics, as distinct from “gender,” which has been described as a social construct (Mikkola, 2017: 21). However, the experiences of the teenage girls described here (including FGM, pregnancy and menstruation), were indisputably linked to their biological sex. Girls were also socially groomed to accept traditional feminine roles, subordinate to their male peers. For the purposes of this thesis it is useful to maintain that sex and gender are “separate entities”, as set out by Oakley who states: “it is true that every society uses biological sex as a criterion for the ascription of gender, but, beyond that simple starting point, no two cultures would agree completely on what distinguishes one gender from another.” (2016: 115).

via the Girl Power project, which expressly targeted girls and young women living in severely deprived communities, offered a unique opportunity to research the attitudes and experiences of girls and young women considered at high risk of sexual and gender-based violence. However, the Girl Power project also sought to build the capacity of local communities and civil society to address these problems, and so community members, teachers and NGO staff were also vital contributors to the research.

The term “sexual and gender-based violence” was chosen as the most fitting and relevant description for the “broad range” of abuse and discrimination described by the research informants in Freetown. Article 2 of the Declaration on the Elimination of Violence Against Women (DEVAW, 1993) defines violence against women with regard to three specific contexts, as follows:

“Violence against women shall be understood to encompass, but not be limited to, the following:

1. Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;
2. Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;
3. Physical, sexual and psychological violence perpetrated or condoned by the state, wherever it occurs”.

All of the main violations against the rights of girls and young women described in the following chapters, from FGM to harassment at school, can be recognised and included under these broad definitions.

This research largely focusses on male violence against women and girls, reflecting the patriarchal nature of Sierra Leone society in general as well as the abuses experienced in private settings: “A gendered analysis of violence views men’s violence against women as a manifestation of male power that is replicated and endorsed through individual experiences and wider structural inequalities” (Lombard and McMillan, 2013: 9). The forms of sexual and gender based-violence discussed here were largely perpetrated by boys and men against girls and young women as their intimate partners; family members; teachers and members of school staff; community and NGO leaders; state bureaucrats and policy makers. While it could be argued that the female-led Bondo societies⁴ that perform FGM are responsible for some of the worst acts of violence against girls, it is also true that the Bondo are dominated by local (mainly male) chieftains and serve to sustain the patriarchal elements of traditional society, by cutting short girls’ childhoods and emphasising traditional female roles as wives and mothers.

It is important to add that while girls experience different forms of abuse and violence, they are not, and do not define themselves, as passive, helpless victims devoid of any sense of agency. In Freetown, my research showed that girls’ engagement in transactional sex and

⁴ The Bondo are female secret societies, followed by many girls and women in Sierra Leone: “In Sierra Leone, secret societies operate as an important site of political power, making decisions about how laws are carried out, as well as initiations. One of their primary functions is to promote solidarity within gender groups and age groups” (Pemunta and Tamanyang, 2017: 2).

relationships with older men in return for money or gifts offered a means of getting by in conditions where those without work and/or the support of partners or family usually could not afford to eat. The girls described in this thesis were not without agency, but their choices were made in the most constrained and desperate of circumstances.

Child sexual exploitation

The discourse on child sexual exploitation has been criticised as overly Western-focussed in its depiction of children as passive victims, with too little focus on the wider social, cultural and economic factors that draw children and young people into exploitative situations and relationships (Melrose, 2013). However, many of the forms of sexual and gender based violence described in this thesis could be accurately defined under this umbrella, a term which captures a range of behaviours and contexts, as well as the particular vulnerability to exploitation of girls living in deprived economic areas such as the slum communities, due to their inferior social status and their dependency on others for protection and sustenance (Melrose and Pearce, 2013).

There is no definition of child sexual exploitation set out under international law, with the UN Convention on the Rights of the Child referring to “all forms of sexual exploitation and sexual abuse”; “the exploitative use of children in prostitution or other unlawful sexual practices”; and “the exploitative use of children in pornographic performances and materials” (Article 34), which does not take into account the important differences between child sexual exploitation and sexual abuse.

The End Child Prostitution and Trafficking organization (ECPAT) offers a comprehensive

definition of child sexual exploitation, drawing upon an interagency group convened to establish a consensus on what the term should encompass, stating: “A child is a victim of sexual exploitation when he/she takes part in a sexual activity in exchange for something (e.g. gain or benefit) received by a third party, the perpetrator, or even the child him/herself” (ECPAT, 2016: 24). As ECPAT explains, this definition implies the element of exchange that is usually evident in cases of child sexual exploitation, which is how it differs from child sexual abuse. This definition would cover the forms of sexually exploitative relationships with older men described by informants to this research, and transactional sex (where girls were exchanging sex for food and phones, for example), as well as abuse through formal prostitution. Early marriage could also be described as a form of child sexual exploitation under this definition, as in traditional communities, girls are married off with a ‘bride price’, paid by the groom’s family to the girl’s parents; the element of exchange is very much evident here (Conteh, 2016). Again, it should be stressed that in all of these situations, even where it appears that children are making a “choice” to engage in sexual activity, they are still victims of abuse: they are making these choices under difficult conditions and there is normally an element of force, coercion or desperation present.

1.4 Research Strategy

A qualitative research methodology, using one-to-one interviews and focus groups, was designed to explore the attitudes and experiences of girls and young women in Freetown, focussing on the barriers to their right to education, with the Girl Power programme (see below) offering a case study where NGO and community groups have attempted to actualise human rights principles in practice. Follow-up interviews carried out two years after the original consultations with a number of the original Girl Power research informants,

examined the changes in the girls' lives, particularly with regard to the impact of the Ebola epidemic of 2014-15. The majority of the findings, however, stem from the original research visit of October 2012, which provided a snapshot of two African slum communities, drawn from testimonies of the girls and other community members, as well as the public servants and NGO workers who supported them.

The research was undertaken with the assistance of the International Secretariat of Defence for Children International (DCI IS), a Geneva-based NGO that works to promote and protect children's rights globally on a range of issues, from juvenile justice and child trafficking to violence against children. As an organisation, DCI was well placed to support the research, both in terms of its policy remit and direct interventions with vulnerable children and young people through its national sections around the world. The key research partner from the fieldwork stages onward was a national section of Defence for Children, DCI Sierra Leone (DCI-SL). DCI-SL acted as a gatekeeper throughout the course of the fieldwork in Freetown, in terms of setting up consultations, providing support with interpretation and facilitation and accessing appropriate contacts and participants for consultation, as well as conducting follow-up interviews with a number of the original participants. Their staff act directly as support and key workers and educators for girls, acting also as their legal defence when the children come into conflict with the law or where abuse is reported. In 2011, DCI-SL began rolling out a Dutch government-funded programme titled Girl Power, with a number of NGO partners including Plan International. Girl Power took a rights-based approach to tackling gender-based violence, working directly with vulnerable girls and young women to protect them against violence and boost their economic and educational opportunities, as well as building the capacity of local civil society to promote long-term change.

1.5 Limitations of the research

This research was designed as an exploratory study grounded in qualitative data: it was never intended as, and does not claim to be, a definitive report on the nature and extent of sexual and gender-based violence in Sierra Leone. Its hypothesis and findings are based on a relatively small number of semi-structured interviews and focus groups⁵ (in addition to evaluation data released by DCI-SL in relation to the Girl Power programme), which were analysed with reference to a human rights framework, specifically the CRC.

There were many limitations associated with the chosen research methodology. The entire ethos of the project was founded on adopting an inclusive, child-centred, human rights approach to the research. The rights-based framework provided the philosophical underpinning of the research: due to the focus on girls' rights it was essential that these values should be reflected in the research methodology. In reality, this child-rights focus was not always possible to realise. Owing to the constraints posed by time and distance, the research methodology and tools were chosen and designed almost exclusively by adults. Attempts were made to include feedback from girls and young women via the Girl Power groups, but it is fair to say that the research methodology was not truly participative in nature.

The fieldwork was concentrated in Freetown as it was not possible to undertake a planned visit to the provincial town of Moyamba, again due to time constraints. Therefore, the qualitative findings are skewed in favour of the views of those living in the capital, a significant fact due to the diversity of attitudes and experiences found in rural areas and those in the large city of Freetown: this is explored in more detail in Chapter 3. It was clear that the

⁵ A total of 52 participants took part in the research: 24 adults and 28 girls and young women.

experiences of girls in the poorest locations of Freetown differs significantly to those of their rural counterparts, where the hold of traditional customs and laws is even more powerful. In order to capture some understanding of the experiences of people outside of Freetown, DCI managers from the towns of Makeni and Kenema were interviewed and a visit taken to the village of Waterloo, situated 15 miles outside Freetown, to interview a local civil servant. However, the main focus of the research centres on the experiences of girls living in the urban slums of Freetown and secondary data and literature is used to support this particular context wherever possible.

With regard to the October 2012 fieldwork, I visited Sierra Leone for just over a week and was therefore unable to undertake any in-depth ethnographic research. However, due to the intensive timetable of research activities organised by DCI-SL, it was possible during this short time to gather a considerable amount of qualitative data. The data gathered during the fieldtrip is used to depict the experiences of ordinary people and the struggles they face, to illustrate the extent to which girls' basic rights are being violated by deeply-embedded and widespread forms of sexual and gender-based violence and discrimination. Due to the outbreak of Ebola in 2014/15, I was unable to undertake a planned second research visit. As a result, the follow-up interviews were undertaken by DCI-SL staff with a small number of the original Girl Power focus group members.

With regard to the discussion on realizing the principles of the CRC in practice, the research draws upon the case of the Girl Power project as a tool to demonstrate how the state, NGOs, and local community groups can work together to address gender-based violence. While this study examines some of the outcomes of Girl Power, with particular regard to the forms of sexual and gender-based violence that emerged from the fieldwork, it is not an evaluation of

the programme. Instead, the data provided by DCI-SL is used to examine the pitfalls and successes encountered by NGOs in their dealings with the state and in their attempts to address gross violations of children's rights - child sexual exploitation, early marriage, transactional sex, use of girls as domestic labour and FGM - at grass-root level.

Finally, a significant limitation of this research concerns the civil war (1991-2002), which features prominently in academic writing on Sierra Leone. The war has dominated the research discourse because of its devastating impact on the lives of people in Sierra Leone, who suffered mass displacement, mutilation and death during the conflict, as well as the destruction of county's infrastructure and public services. In the years preceding and during the war, Sierra Leone descended into anarchy as the apparatus of state broke down (see Forma, 2002; Peters, 2011) and the impact of this period with regard to its impact on the education system and sexual and gender-based violence is discussed briefly in Chapter 3. However, since the end of the war, Sierra Leone has enjoyed a remarkable period of peace, four elections have passed relatively peacefully and the country has long-since moved on from its post-conflict conditions. Due to the fact that the conflict was barely referred to by informants to the current research - perhaps because of their relative youth and/or a desire to move on – the impact of the conflict with regard to sexual and gender-based violence is not explored in detail in this thesis.

1.6 Thesis structure

Drawing on findings from consultations with girls and other stakeholders, as well as the key issues identified in the literature, this thesis focuses on how forms of sexual and gender-based violence in Freetown, including sexual exploitation, harmful traditional practices and

discrimination in social and economic spheres, represent a grave violation of girls' rights under the CRC and perpetuate the cycle of poverty among disadvantaged communities in the city.

Chapter 2 describes the philosophical underpinning of the research and its chosen methodology, explains the purpose of the study, and attempts to embed a human rights approach into its practical delivery, as well as the challenges encountered during this process. This is followed by an in-depth examination of the planning and delivery of the fieldwork, with regard to the process of attaining ethical approval, the development of the research tools and the partnership with DCI-SL. Practical considerations regarding the recruitment of participants, the consent process and the roles of the researchers are also discussed here. Finally, the chapter sums up the main difficulties and benefits associated with undertaking a qualitative research project of this nature, particularly as an outsider in an unfamiliar setting, and the lessons learned from my fieldwork experiences.

Chapter 3 examines the backdrop to this research with regard to life in Freetown and the policy and legislative landscape in Sierra Leone in general. It focusses in particular on the international and domestic laws that aim to improve the status and situation of girls and young women; providing a contextual analysis with regard to sexual and gender-based violence, briefly examining the impact of the civil war and the country's persistent rural/urban divide. This chapter will also explore how discriminatory traditional practices and laws continue to deny girls their rights in Sierra Leone.

Chapter 4 sets out the theoretical framework for the research, arguing that progressive realisation of human rights in law and norms is essential to overcoming the many social

problems that underlie the forms of sexual and gender-based violence against girls and young women, so prevalent in the Freetown communities. I will also make the case that while there remains a gulf between the standards set out in the CRC and other human rights instruments and the reality of girls' lives in the slums of Freetown, the advancement of human rights norms through laws and their embrace by social movements such as DCI-SL, render them a powerful force in an African context, with the potential to affect real change in people's lives.

Chapters 5 and 6 will describe how sexual and gender-based violence experienced by girls in Freetown represents a gross violation to their rights under the CRC. Using quotations, case studies and photographs, Chapter 5 will set out the main findings that emerged during the consultation process, where research informants identified how FGM, sexually exploitative relationships with older men, transactional sex, early marriage, pregnancy and young motherhood are trapping girls and young women in adult roles from an early age, causing them to withdraw from education and perpetuating the cycle of poverty and illiteracy.

Following on from this, Chapter 6 examines these forms of sexual and gender-based violence through the lens of the CRC, exploring how abuse and discrimination against girls represent violations of the basic principles of the CRC, including girls' right to non-discrimination; survival and development; participation; protection from harm and abuse; and the best interests of the child.

Finally, in Sierra Leone, as in many other African countries, the presence of weak and resource-poor governments has led to an enormous expansion in the presence of NGOs in order to fill the gap left by the state. Chapter 7 will examine how the state and civil society are responding to sexual and gender-based violence in Freetown. It describes some of the strategies and policies designed to realise progressive legislation and programmes, as well as

some of the areas where the state has been unwilling or unable to guarantee girls' rights. The role of NGOs and civil society is also explored in this Chapter, with special reference to the Girl Power programme; NGOs relationship with the state; their historical role in Sierra Leone and in Africa generally, and the part played by civil society in embedding human rights standards including the CRC in everyday life.

Finally, Chapter 8 provides a summary of the study's main conclusions and recommendations for further research.

Chapter 2: Methodology

2.1 Introduction

As with any piece of social research, the methodology chosen for this project was enmeshed with its aims, ethos, and the emergence of its central findings and themes. The qualitative approach, with its stress on listening to girls, represented an attempt to bridge the gap between human rights theory and research in practice. Early in the research process, the focus moved from an examination on the right to education of girls in juvenile detention, to concentrate in-depth on the forms of sexual and gender-based violence affecting vulnerable girls and young women in the slum communities of Freetown, Sierra Leone. This shift owed much to the methodology employed and my personal experiences during the fieldwork and analysis, which convinced me that the real value of the research lay in exploring the forms of sexual and gender-based violence that not only violated the right to education, but many other basic rights guaranteed under the UN Convention on the Rights of the Child, (CRC).

In this chapter, I will set out how the primary research was conceptualized, planned and delivered, as well as explain the rights-based approach which provides the philosophical foundations for the research and which dovetails with the theme of everyday realization of the CRC that underpins the entire thesis. Taking as its basis the duty to respect children's views, I will describe the processes through which the methodology developed with reference to the research tools, participants, context, analysis and the researchers' roles and experiences. Finally, I will discuss the challenges encountered during the planning and delivery of the research, and how these have also helped to shape the final thesis.

2.2. Background to the research

Researchers do not operate in a state of objectivity and isolation: their personal backgrounds; the people and the institutions that surround them; and the settings in which they work also have a profound impact on the outcomes of any research project. The development of the research on girls and young women in Freetown was shaped by my own actions, decisions, experiences and biases, as well as the influence of the NGO that supported the project, and the reality of undertaking consultations with a relatively large number of people in a short space of time, in a country (and a continent) that were completely new to me. This section provides a brief overview of the origins of the research proposal and its fieldwork process, with a view to explaining the various factors that affected its progress and eventual outcomes, which are discussed in greater detail later on.

The realization of this research owes much to Defence for Children International (DCI), a children's rights NGO whose International Secretariat in Geneva (DCI-IS) supported the project, in addition to a DCI national section, DCI-Sierra Leone (DCI-SL), which organized the fieldwork. The involvement of DCI-IS in my PhD research stemmed from my time working with them as a volunteer researcher in Geneva: in 2009, we produced a report titled *Education in Chains*, which drew on DCI national submissions from thirteen countries to the UN Special Rapporteur on the Right to Education, addressing access to schooling for children deprived of their liberty. When writing this report, it became clear that there was very little (qualitative or quantitative) data referring to the particular situation of girls in juvenile detention. Prompted by this, I suggested engaging with the various DCI national sections to undertake a project focusing on education provision for detained girls and young women, which could provide insightful and important data in an under-researched area of

study. DCI-IS agreed to support my PhD research proposal on the right to education of girls in detention, which was accepted by the Human Rights Centre at the University of Essex in 2011. Three DCI national sections in Africa (Ghana, Liberia and Sierra Leone), which were delivery partners in the Dutch-government funded Girl Power project, expressed an interest in hosting the fieldwork, with DCI-SL eventually chosen as the most suitable research partner. In time, following the advice of DCI-SL, the focus on education in detention was amended to a more general focus on the right to education of poor and vulnerable girls, which in turn developed into a study on sexual and gender-based violence affecting girls and young women following the fieldwork.

As described later in this chapter, the role of DCI-SL as a research partner was to have a significant impact on the delivery of the fieldwork, particularly with regard to the selection of participants. Prior to undertaking this research, I had never travelled to any African country in any capacity, let alone carried out an intensive consultation process in a potentially difficult setting such as the slum communities. However, through using DCI-SL as a local 'face' to organize the fieldwork on my behalf, I arrived in Freetown to a full schedule of interviews and focus groups, with easy access granted to well-informed NGO staff and public servants who worked directly with the target group I was interested in engaging. Via the Girl Power groups, I had the opportunity to speak to girls and young women from the slum communities in environments that were (by-and-large) favourable to gathering useful information. DCI-SL also provided much needed practical support with regard to transport, through acting as co-facilitators in the large focus groups and interpreters when local participants spoke Krio instead of English. In short, it would have been extremely difficult, if not impossible, to organize a short fieldwork trip of this nature in Africa as an independent researcher from a remote location, without the support of a local partner such as DCI-SL.

However, this approach, while convenient and efficient, was not without significant limitations. To start, when I requested the assistance of DCI-SL in organizing and selecting participants for the fieldwork, I also ceded much control of the recruitment process, which would have implications for the nature of the information that would be collected. In order to accommodate the schedule suggested by DCI-SL, the fieldwork also took place fairly early on in the course of my PhD, and as a result, I was still relatively new to studying and researching in an African context. Aside from a focus on girls and young women in the field of education and training, I offered no other criteria for recruitment of the participants. It is possible that the NGO staff and public servants involved may have been chosen by DCI-SL due to their close relationships with the organisation and the likelihood that these participants would provide positive feedback on the Girl Power programme. There were many slum projects working in the communities where the fieldwork took place; if there were organisations with dissenting views regarding the best way to empower and develop the slums, as well as smaller grassroots groups without connections to the programme, these perspectives were not captured by this research as they were not included in the consultations. Similarly, with regard to the girls and young women consulted, who were all Girl Power group members, it is very likely that the research excluded other, less vocal, even more hard-to-reach inhabitants of the slum communities, including those not involved in the programme and those might have less positive views regarding DCI-SL and Girl Power. While the presence of DCI-SL staff during the interviews and focus groups might have been helpful, particularly when interpreters were needed, it is also possible that their presence might have stifled the views of participants who wished to provide some critical feedback, especially when the roles and actions of NGO staff in slum communities were being discussed. In summary, the decision to undertake a short fieldwork visit to Sierra Leone

combined with my reliance on DCI-SL as a gatekeeper organization profoundly affected the data collection process, which should be borne in mind with regard to the research findings.

2.3 A rights-based approach to social research

It should be noted that the research methodology was influenced and informed by my background in sociology and previous experience as a social researcher. Although there is now a growing body of research examining the sociology of human rights, the discipline has been slower than others (such as anthropologists or political theorists) to engage with the growing domains of human rights theory and law: among other concerns, this has been attributed this to an unease over claims regarding the universalism of human rights, which represents “too basic a threshold” at which to study the unique aspects of different societies (Hynes et al., 2011: 2). However, sociology has much to offer in terms of both understanding and addressing human rights abuses as “a discipline devoted to the analysis of inequalities stemming from racism, class structure, sexism, homophobia, xenophobia and other forms of structural violence – [it] offers a coherent and useful vision of human rights in the contemporary world.” (Frezzo, 2015: xiii).

This project required a methodology that acknowledged thorough academic standards for social research, including the attainment of ethical approval; as well as providing data for the organisation that supported the research (Defence for Children, Sierra Leone, DCI-SL), that wished to use the research findings in their advocacy and policy development efforts; in addition to adhering to a children’s rights approach to research, which has “significant implications for research processes” (Lundy and McEvoy, 2011: 129). Viewing the subject of sexual and gender-based violence against girls and young women via a sociological

standpoint offered a means through which to analyse the various dynamics at the level of family, community and the state, as well as the social ills and inequalities that have contributed to the situation in the slum communities where violence and discrimination against girls and young women are largely accepted as social norms. While the girls involved in my research were not passive victims of their social environment, it would be difficult to separate their choices, attitudes and behaviours from their living conditions: “a sociologist might claim that human beings always make decisions and take action in the context of a range of predetermining conditions, including individuals’ socialisation, social class position, and generation” (Turner, 2006: 12).

This outlook was reflected in the design of the qualitative research tools, which concentrated on issues facing girls on account of their age and gender; the society in which they lived; their familial and communal relationships and the wider power dynamics at play; in addition to state policies and practices and the social movements (in particular local civil society and NGOs), whose projects often use human rights values and language to address the myriad of challenges facing girls and young women in the slum communities (see semi-structured interview questionnaires and focus group guides in Appendix 2).

2.4 The CRC and Pathways to Participation model

The research methodology took as its point of departure the notion that all children have a right to participate on matters that affect their lives, as active rights holders: “listening to children, including children who literally or metaphorically have no voice, is central to recognising and respecting their worth.” (Alderson and Morrow, 2004: 7, 29). As Shier (2001) outlines, the principles regarding the right to participation described in the CRC are so

familiar that it is difficult to appreciate their initial novelty; Article 12, in particular, is notable for setting standards for state parties in an area where the rights of children are often overlooked. Over the past two decades, a growing emphasis on rights-based approaches has led to a popularity in participatory research aimed at “empowering” children, although there is little evidence to suggest that the involvement of children in the design and direction of such projects is meaningful and that different participatory approaches are superior to other methods of conducting research with children (Holland et al., 2010: 361-362). Despite the difficulties involved in developing participatory research, it was attempted to place the fieldwork in Freetown within a rights paradigm, using Articles 12 and 13 of the CRC as a guide.

“Article 12:

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Article 13:

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child’s

choice.

2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

(a) For respect of the rights or reputations of others; or

(b) For the protection of national security or of public order (order public), or of public health or morals.”

Although the input of the adult informants was of immense value, the focal point of the project was the opportunity to listen to the girls whose daily and future lives were affected by the subjects discussed. Mirroring approaches taken in other child-centred studies, the methodology endeavoured to treat the Girl Power informants as “highly informed experts on their daily life”, rather merely consulting adults who speak on their behalf (Alderson and Morrow, 2004: 10). The opportunity to work alongside the (DCI-SL, Dutch funded programme) Girl Power project meant that young participants could be accessed and consulted through a scheme that they knew and trusted. It has been noted in the literature that research projects undertaken with children and young people are different to those with adults, due to the power imbalance that usually exists in researcher-child relationships (Punch, 2002; Holland et al., 2010). As the girls and young women who participated were living in slum areas and affected by poverty, social exclusion and educational disadvantage, special care was needed to ensure that they consented fully to participation and that the research process was an interesting and enjoyable process for them. As highlighted by Lundy and McEvoy, the CRC should not be taken as a literal “blueprint” for research with children and young people, as much will depend on the context of particular research projects. However, when invoking the principles of the Convention, due consideration must be

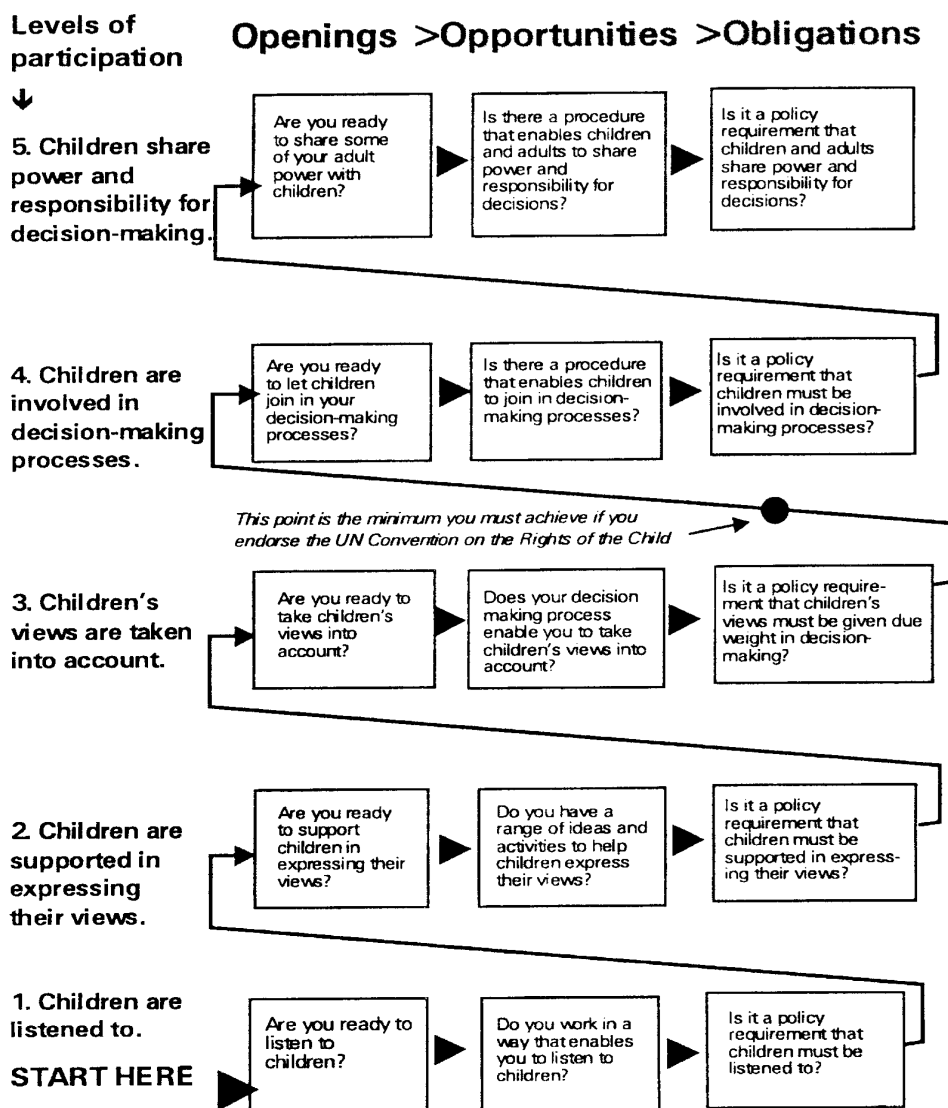
accorded to children's right to information and guidance, so as to help young participants to make "both a formed and informed view", as guaranteed under Articles 12, 13 and 17 (2011: 140). The current research aimed to address these concerns using a variety of methods, described in detail in later sections, as well as engaging with the girls and young people through DCI-SL, whose young key workers enjoyed informal and relaxed relationships with the girls who took part.

When planning the fieldwork, a considerable amount of desk research was undertaken relating to the right to participation and how to embed this in the methodology. Participation has been defined as "taking part in an activity or specifically to taking part in decision making"⁶; it is not necessarily the same as "consultation" and there are varying degrees to which children can participate (Thomas, 2007: 199). Drawing upon Hart's influential but contentious 'ladder of participation' paradigm (published in 1992, soon after the adaptation of the CRC), Shier developed the 'Pathways to Participation' model (2001), a non-hierarchical design which involved a series of questions to be posed when working with children with reference to the minimum standards for meaningful participation set out in the CRC. This simple but effective approach was ideal for the current research, helping to frame the areas where participation could be improved (for example, to ensure that young participants were supported in sharing their attitudes and experiences and shown to have their views taken seriously), while establishing the limitations to the girls' involvement. Shier's model also proved valuable when assessing the participatory nature of the Girl Power programme, as the model was developed as "a practical planning and evaluation tool that can be applied in almost all situations where adults work with children" (Shier, 2006: 16).

⁶ In Freetown, the emphasis rested on participation as taking part in the research project, rather than decision making.

Although Shier stressed that his model should not be used as a “point-scoring exercise” (2001: 116), it did illuminate the extent to which the research fieldwork was limited in its capacity to involve children, with progress in answering ‘yes’ stalling around Stage 4 (“Children are involved in decision-making processes”). The main channels through which the Girl Power members could engage with “decision-making” processes were via their choice to participate or not in the project; and subsequently, through providing feedback on the research tools via their DCI key workers.

Figure 2.1 Shier’s Pathways to Participation model (2001: 111)



The current research could be described as more consultative than participative as the young people and adults consulted were not involved in the research design or management. This was due to practical as well as geographic considerations as (other than my 2012 research visit), I was not based in Freetown, but thousands of miles away in Geneva. In addition, there were no “policy requirements” at any stage in the research process to allow for shared power and responsibilities between children and adults. However, efforts were made to incorporate child-centred methods into the research design. A number of key criteria identified in the literature were used to inform the research with children, including the use of appropriate research tools, obtaining informed consent, using accessible and appropriate language, and a suitable location for the groups (Punch, 2002: 325-329). The interview and focus group guides were sent in advance to DCI-SL so that staff could provide feedback and suggest changes to the research tools and to ensure that the topics and techniques would be appropriate for the different groups. In an effort to overcome the power imbalance between the researcher and informants, and to ensure that the girls had the opportunity to freely express their opinions and experiences, the discussions were led as much as possible by the research participants (professionals and girls and young women), with the researcher using prompts from the interview guides to stay on topic.

In order to ensure proper safeguards were in place, I was required to demonstrate why it was necessary to consult with vulnerable participants, such as the girls and young women in the slum communities. Their involvement was justified on two grounds, both rights-based.

Firstly, given the study’s focus on girls’ rights in a Sierra Leonean context and the willingness of the Girl Power members to participate, it would have been inappropriate to exclude their views and deny their agency on the grounds of protecting them from harm, especially when safeguards were put in place to minimize the risks to all participants.

Secondly, one of the main objectives of the research was to provide an opportunity for girls and young women to express their attitudes and experiences: it would have been unfair and unnecessary to deny girls the right to participate on the grounds of vulnerability. To record only the adult interpretations of the enablers and barriers to education would have gone against the ethos and spirit of the research, especially given (in hindsight) the different insights that emerged from the adult and girls' consultations.

2.5 Ethical protocols

The process of assessing the project for ethical approval provided an opportunity not only to "proof" the research from a child-rights perspective, but also to critically examine the rationale for researching a potentially sensitive subject area with vulnerable girls. Despite the project's commitment to taking a child-centred approach, the ethical examination of the research plans and materials highlighted a number of areas where children's rights could be undermined or where a conflict of rights could occur.

As Alderson and Morrow (2004) state, the ethical context will vary from project to project, depending on its approach, location and subject matter and so it was important to reflect in-depth on the possible challenges and pitfalls associated with the chosen methodology and the impact the research could have on both researchers and informants. In advance of the fieldwork for this project, ethical approval was secured from the University of Essex Ethical Committee, which examined the justification for the research, the methodology, the information and consent process, and the safeguards in place. The ethical approval documents submitted to the Committee were based upon the original premise of the research, which was to examine the right to education of girls deprived of their liberty. Amendments to

the research hypothesis that took place following the data analysis did not affect the research tools during the fieldwork in Freetown to any great extent.

The main issues flagged by the ethics Committee included the risks posed to participants and researchers, the role of guardians in the consent process, and payment to participants. A significant concern centred on the area of confidentiality and anonymity, particularly with regard to the disclosure of abuse or harm. The ethical approval application originally stated that participants' right to anonymity would be guaranteed, except in situations where they disclosed threats of serious harm. A member of the ethics board took exception to the reference to 'serious' harm, commenting: "*Of course anonymity is important, maybe even with respect to risk of harm, but I thought it slanted too far of there needing to be really quite a risk before action might be taken, and also, there is no indication of whether there are effective actions that might be taken*"⁷. As a result of this feedback, the application was amended to state that *any* disclosures of harm and abuse would have to be reported, while adding a segment on DCI-SL's links to child protection and specialist services that would provide protection and support to girls and young women in the event of a disclosure. This was clearly communicated to research participants before the fieldwork process and, in hindsight, it was a fortunate amendment given that the discussions on the right to education frequently touched upon girls' experiences of threatening and abusive behaviour in their schools and communities. In addition, I had not anticipated carrying out a discussion with such a large group as in Bonga Town, which took place in an open and public space, in the centre of the slum community. Although no personal accounts of harm or abuse were

⁷ Quotation is taken from feedback on my University of Essex Application for Ethical Approval of Research Involving Human Participants (June 2012).

disclosed during the groups (the girls generally used the collective term “we” when discussing their experiences of discrimination, threats and violence), it was fortunate that the blanket guarantee to anonymity and confidentiality had been removed and the limitations explained to the girls in advance of their giving consent to participate.

Another contentious subject that arose during the ethical approval process for the research was based on the reimbursement of participants. Special care was needed to ensure that incentives were not used to ‘bribe’, in particular young people, to get involved, especially those from poor and disadvantaged communities. However, it is important that the input of participants is recognised, and so, in advance of the fieldwork, DCI-SL staff were consulted to organize appropriate ways of acknowledging people’s contributions. While the adults (professionals and community group members) did not receive any direct personal reimbursement, contributions were made to their community organisations and NGOs, including the Girl Power participants in Bonga Town and Rokupa. The girls and young women each received a certificate following the focus group discussions, which acknowledged their input to the research, as well as a gift of stationary – pens, pencils and notebooks – a non-monetary incentive suggested by DCI-SL key workers that could be useful for the girls’ schoolwork. Finally, feedback was provided via a one-page summary of the research findings, alongside copies of a report based on the research titled *A Mountain to Climb*, which was published by the DCI International Secretariat in 2015. The publication and dissemination of the research findings and their use by NGOs, including DCI-SL, was an effective way of highlighting to research participants the value of their contributions, while raising awareness of issues of importance and providing an evidence base for advocacy and policy development. However, it was stressed to all the participants that the research would not lead to immediate changes for the better, so as not to raise expectations regarding the

outcomes.

The process of attaining ethical approval was worthwhile for a number of reasons. As a researcher, it was reassuring that the research methodology and tools had been assessed and approved by a group of objective outsiders, particularly from the viewpoint of safeguarding vulnerable participants. The process entailed considering the research from different angles, to explain why it was a meaningful undertaking and to consider its potential impact on those involved. Finally, analysing the research from an ethical perspective also provided an opportunity to put the child-rights ideals and language, set out in the research proposal, into practical reality and uncovered many of the project's limitations in this respect, particularly with regard to the right to participation.

2.6 Methodology: planning and delivery

In advance of designing the methodology for the project, I reflected on its purpose, approach and whether the project was really necessary and/or appropriate. Alderson and Morrow's guidance on planning a research project proved invaluable during this exercise, offering key points to consider when designing research tools, including:

- "Are the project questions worth asking and why?"
- Have they already been answered – has previous research on this question been checked in a thorough literature search?
- In whose interests are the questions being asked?
- How well do the research methods fit the aims of the research?
- Do the chosen methods offer the best, or at least the most reasonably efficient means of

answering the questions?

- What are the strengths and limits of the chosen methods?" (2004: 21).

During the planning stages, I considered each of these questions in turn to assess whether the research truly was a worthwhile undertaking, and, given the effort and expense involved, one that would contribute to the knowledge base on girls' rights in an African context. Each of these points is discussed in more detail in the following sections.

The justification for the research in Freetown was based on factors that fed into the choice of a qualitative methodology and the development of the research tools. Previous research undertaken with the DCI International Secretariat on the right to education of girls in detention had highlighted substantial gaps in both qualitative and quantitative data on the situation of girls and young women in juvenile justice systems, particularly in developing countries. The current research, an exploratory study with girls and adult participants in Freetown, offered an opportunity to plug this knowledge gap; to deepen understanding and raise awareness of girls' conditions and special needs, with a particular view to informing local NGO advocacy efforts and domestic debates around policy and practice. The earlier research had also unearthed a dearth of information on girls' right to education in Sierra Leone, particularly qualitative research that included the voices of girls and young women. Finally, the involvement of a local NGO, DCI-SL, allowed for the opportunity to access a traditionally marginalized group - girls living in slum communities. Adopting a flexible approach allowed the research framework to be modified when the emerging findings diverged from the original aims. The changing focus of the research ties in with what Alderson and Morrow term the element of "uncertainty" that underpins any research project: "if the research is worth doing, no one is yet certain what the research answers will be"

(2004: 12).

In keeping with this concept of “uncertainty”, the research methodology was approached with an open mind. While a detailed research plan was developed, due to my lack of personal familiarity with Freetown and the human rights situation in the country more broadly, a degree of flexibility and open-mindedness was required to make the most of the experience (Gokah, 2006). The qualitative nature of the research involved gathering information from one-to-one interviews and focus groups with disadvantaged girls and young women and other stakeholders, including teachers, civil servants and professionals from the NGO community. Photographs and observation notes were taken throughout the fieldwork process in Freetown. Case studies were collected through DCI-SL and, in advance of the fieldwork, a literature review was conducted alongside a review of domestic and international policies and legislation relevant to the research.

2.7 Research Tools

When designing the research tools, I had to consider the particular context of the research and the distinctive risks and benefits associated with the chosen methodology, particularly with regard to research involving children and young people (Punch, 2002). The focus group and interview guides were developed following a review of the literature focussing on social research with children, the right to education, and also drawing upon previous projects I had undertaken with DCI International Secretariat in Geneva and with Barnardo’s in the UK, on disengagement from education. The emphasis on juvenile detention was amended before the fieldwork following guidance from DCI-SL, who suggested accessing the Girl Power programme as a valuable resource, one with fewer risks for participants and researchers. The

research tools were designed to realize the aims and objectives of the study through examining key themes, including the barriers and enablers to the right to education, power dynamics in terms of “who decides” with regard to disengagement from schooling, existing support, the role of the state and gaps in provision. For the Girl Power groups, alternative methodologies on similar themes were developed and discussed with DCI-SL, finally settling on a mixed approach that combined small group creative exercises with a return to a bigger group for feedback and discussion. This was to prove very useful given the significant age variations, particularly in the Bonga Town group⁸. One of the objectives for the consultations was to not to stay too close to the interview script, in order to keep the discussions as natural and fluid as possible, to encourage lively group dynamics and to listen to as many diverse accounts as possible, an approach mirrored in other research undertaken with girls and young women: “we chose to conduct open conversations with girls in order to generate data which, we hoped, would move beyond that which we would be able to accumulate through other means. Our intention was to be responsive to the concerns of the girls, letting them talk their own way into, and about, what *they* considered important” (Burman et al., 2001: 4). This proved relatively easy during the interviews and community/NGO, as well as the Rokupa Girl Power group discussions where the majority of participants were aged 13-15 years. With the girls’ group in Bonga Town, however, it was often difficult to listen while staying on theme, mainly as a result of the large number of participants involved. I wished to avoid imposing my agenda (as an adult and an outsider) on the girls’ viewpoints and experiences, but also needed to safeguard their wellbeing in a public setting.

Due to practical considerations, it was decided with DCI-SL in advance of the fieldwork that semi-structured interviews would be used to consult with professional participants, while the

⁸ More detailed information regarding the Girl Power group participants is provided in section 2.9.

community groups and girls would be consulted via focus groups. Semi-structured interviews are frequently used in social research to gather information and range from “highly structured question and answer sessions to informal conversations” (Alderson and Morrow, 2004: 48). In Freetown, it was easier to use the interview questionnaire as a guide rather than sticking rigidly to the questions and all of the research informants proved willing and talkative participants. The main topics covered in the semi-structured interviews with professionals dealt with the nature of the organisations’ work with girls and young women; the education system in Sierra Leone; the obstacles facing girls with regard to education and employment; the policy environment; partnership work; and relationship with the community, and statutory bodies. With regard to community members, similar questions were posed regarding problems facing girls, education and employment, but an emphasis was also placed on local issues and the role of civil society.

While the interview/focus group guides covered similar topics, a mixed methodology was used for the groups with girls, in order to cater for the needs of a wide variety of participants in terms of age (5-22 years, although the majority were in their teens), their educational background, as well as the relatively large numbers involved in the focus groups (28 girls in total). The focus groups centred on girls’ perspectives on education, their involvement with the Girl Power programme and on gender roles. Given the relatively short window of time allotted to the consultations, the focus group approach was helpful in that it allowed us to collect a substantial amount of diverse data. However, the group discussions were also limiting, as for example, it was not appropriate to ask in-depth questions regarding issues around intimate relationships that were raised in the girls’ groups that may have been possible in a one-to-one interview.

For the girls' groups, attitudes towards the barriers and enablers to education were explored by asking the participants to divide into subgroups and to use their own experiences to develop a picture of what makes a 'good' school from a girl's perspective, and what makes a 'bad' school. In Rokupa, the girls were divided into two groups; in Bonga Town, into four. In Bonga Town, where eight of the 20 participants were aged 10 and under, DCI-SL key workers provided more hands-on assistance for the younger girls with the drawing exercise. The feedback from all of the subgroups (in both Rokupa and Bonga Town) was largely provided by older group members. The under-10s remained present throughout the focus group consultations, but they made very limited, if any contributions to the group discussions, probably due to the nature the subject matters being considered, or possibly because they did not feel empowered to speak in such a relatively mature group.

The emphasis on the right to education was chosen for two reasons: firstly, due to the research's focus on disengagement from schooling; and, secondly, the emphasis on education allowed the girls to discuss a universal experience that provided an insight into girls' lives, their communities and home life, without the need to touch upon personal issues. Following the drawing activities, the girls were invited to return to the main group to provide feedback on their pictures, which provoked animated and informative discussions. The drawing exercise was chosen for a number of reasons, but mainly because it is a form of consultation that is fun and interactive for children (Elden, 2012), and proved an effective means of engaging the younger girls in the Bonga Town group. As some of the girls had limited English and were more comfortable speaking Krio⁹, it helped overcome some of the linguistic obstacles encountered during the discussions where an interpreter was frequently

⁹ While not recognized as an official language in Sierra Leone, Krio, which is based on English, is the country's most widely used language, particularly in Freetown where the majority of the Krio population live (UNDP, 2019). More information is provided in Chapter 3).

required to step in. It also gave the participants the opportunity to articulate their opinions through creative expression and provided an excellent point of further discussion when their pieces were explored, compared and contrasted with those produced by the other subgroups.

Although the interviews and group guides focussed on education provision and largely avoided reference to past or personal topics to minimize risk of embarrassment or distress, issues related to forms of sexual and gender-based violence – mainly teenage pregnancy, use of girls as domestic labour at the expense of their schooling, sexual exploitation and transactional sex – were considered in all the discussions: as mentioned earlier, the older girls were the dominant contributors to the conversations in both Girl Power groups. The impact of discrimination and violence on girls' basic rights, not only the right to education, is so powerful and far-reaching that it would have been difficult to explore the barriers to schooling without reference to how these problems are affecting girls lives. During the interviews with professionals and community members, it was possible to probe, at some length, their attitudes and experiences of gender-based violence in the slum communities, given the privacy of the locations where we met (in each case, the NGO's offices).

In contrast, when sensitive subject matters arose during the Girl Power focus groups, such as inappropriate behaviour by male teachers and harassment from 'big men' in their community (influential adult males, including NGO workers), I was keenly aware that our public setting and the large size of the groups, could limit the anonymity and confidentiality agreed with the group members, which could in turn cause anxiety and embarrassment for girls during and after the consultations; an issue discussed elsewhere in the literature (see Burman et al., 2001). In this context, we faced a conflict between the girls right to participation and freedom of expression, and their right to protection and privacy (Gokah, 2006). Based on what I felt

was in the best interests of the girls, it was clear that discussions needed to be kept general and to redirect the conversations when participants discussed private experiences or those of other girls in their community. It was frustrating to disrupt the ‘flow’ of the group, as the girls’ exchanges were interesting and informative, but it was necessary on ethical and safety grounds. Following the interviews and group sessions, a debrief was carried out with DCI-SL workers who accompanied me to every discussion: these debriefs proved as central to the formation of the research’s central themes and findings as the formal analysis of the data that took place subsequently.

2.8 The consent process

It was vital to ensure that the girls and young women who took part in this research did so in a context where consent is “truly voluntary and that children are safe” (Lundy and McEvoy, 2011: 130). This means that appropriate language is required when explaining the research process, as well as support and guidance to explain issues such as anonymity, confidentiality, and the right of the participant to disengage from the discussion if and when they wish, as described under Article 5 of the CRC¹⁰. Prior to the research visit, short and concise information and consent forms were drafted and shared with DCI-SL for feedback regarding language and content, and to ensure that they were an accurate reflection of the project and DCI-SL’s roles, as participants. Consent from the adults and Girl Power participants was then obtained in advance of the research, via the DCI-SL contacts who gave oral explanations alongside the information forms. DCI-SL also provided explanations in Krio when required,

¹⁰ Article 5 sets out that “States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention” (UN Convention on the Rights of the Child, 1989).

although the information and consent leaflets were in English only. All participants were fully briefed and presented with information sheets to ensure that they were aware of what the research would involve, using accessible and appropriate language. They were also encouraged to ask questions during the consultations regarding what would happen to the information they provided and were aware that they had the option of withdrawing at any stage. In addition, DCI-SL key workers committed to carrying out follow-up sessions with Girl Power members following the group discussions and, as the main researcher, my name and contact details (email address) were provided on the information sheets so that participants could get in touch if they had any further questions or concerns regarding the consultation process. The consent process made clear that the research was a one-off event, with no bearing on the girls' involvement in their regular Girl Power activities.

Oral or written consent was not sought from the girls' parents and carers for two main reasons. Firstly, it was agreed during the ethics process that seeking the approval of a guardian would go against the ethos of the project, in the words of one member of the ethics committee, the desire to promote the agency of children and young people and "*their right to speak up for themselves*"¹¹. Secondly, on a practical level, DCI-SL indicated that, as it would be difficult to make contact with some parents, it was preferable for key workers to review the project alongside the Girl Power group members, enabling them to assist the girls, in advance, in making an informed decision whether to opt in or out of the discussions. As mentioned previously, for the follow-up interviews in 2015, the Girl Power participants were approached by DCI-SL leads and asked whether they would be willing to take part in further discussions, linked to the research on the right to education.

¹¹ Quotation taken from feedback on my submission to University of Essex Ethics Committee (June 2012).

2.9 Research participants

The original fieldwork, which took place in Freetown in October 2012, involved semi-structured interviews and focus groups with girls and young women aged from 5 to 22 years, as well as other stakeholders, mainly public servants and NGOs staff (see table 2.1). All of the girls consulted for the research were being supported at that time by DCI-SL through the Girl Power programme. The girls and community members were drawn from the Freetown slum communities of Bonga Town and Rokupa. Other adult participants included teachers from two local schools, as well as a number of African NGO professionals and a senior civil servant, each accustomed to voicing their attitudes and experiences regarding girl child education. These informants had been chosen by DCI Sierra Leone on the basis that they supported vulnerable girls living in the same communities as the Girl Power projects in different capacities. For example, one NGO gave scholarships to enable girls to stay on at school; another provided vocational education and training; a third offered practical support such as supplying girls and women with sanitary pads. Their contributions, alongside those of the public servants and community members, approached the subject matter from different viewpoints, offering diverse attitudes and insights regarding the situations faced by the girls in the slum communities. However, all mentioned the same barriers to education – forms of sexual exploitation, teenage pregnancy, FGM, and the use of girls for domestic labour - and each barrier linked to the lowly status of girls and young women in their communities.

Table 2.1: List of research participants

Research	Participants	Number of participants
Semi-structured interviews October 2012	NGO workers (Freetown)	7
	Deputy Director of Education (Waterloo)	1
	Schoolteachers (Rokupa and central Freetown)	2
Focus groups October 2012¹²	NGO workers (Kenema and Makeni-based)	3
	Community representatives (Bonga Town)	9
	Community representatives (Rokupa)	2
	Girl Power members (Bonga Town) aged 5-19 years	20
	Girl Power members (Rokupa) aged 8 – 22 years	8
Updated interviews January 2015	Girl Power members	(12)
Total number of participants		52

¹² The majority of participants in both Girl Power groups were teenage girls. In Bonga Town, where there was a wider variety in terms of age, eight of the participants were aged 10 and under, including two 5-year-olds; the remainder were between the ages of 12 and 19 years. The presence of such very young children in the group was unexpected, but with DCI-SL staff assistance they were able to take part in the drawing exercises and remained in the group throughout the consultation. In Rokupa, where the group was generally more cohesive, an 8-year-old girl and a young woman of 22 attended the discussion. The rest of the group members were aged between 13 and 15 years.

As the participants were chosen by DCI-SL, it would be fair to say that there was some potential for bias (for example, to give positive feedback on the Girl Power programme) but there was little doubt that they were all capable and competent informants with considerable expertise and knowledge relevant to the issues discussed.

The Girl Power participants lived in conditions marked by poverty, were at high risk of sexual exploitation and experienced social, cultural and economic discrimination on the basis of their age and gender, in their everyday lives. With this in mind, I worked with the DCI-SL staff to anticipate and minimize any problems and risks that could arise during the consultations, especially with regard to the sensitivity of the subject matter discussed.

Participation in the research was voluntary, with special care taken with regard to the girls and young women, to ensure they were not coerced or forced into taking part. Given the very young age of some Girl Power participants, and to ensure that involvement with the research was not confused as part of their regular Girl Power activities, the consent process was undertaken by DCI-SL staff in advance of my arrival in Freetown so that those who wished to opt out of the research had the opportunity to do so. The presence of the DCI-SL staff during the group consultations provided a sense of familiarity, security and consistency and the girls were visibly relaxed and comfortable speaking in their presence. In addition, the DCI-SL key workers present were able to intervene on a number of occasions where difficulties regarding language and communication arose.

The Ebola epidemic of 2014-15 took a heavy toll on Sierra Leone and had a huge impact on the lives of all of those who participated in the research, as the Freetown communities were affected by the outbreak. In an effort to add this context to the research on gender-based violence, staff from the DCI-SL Freetown office undertook follow-up interviews in January

2015, with a number of Girl Power participants who had contributed to the earlier group discussions. The objective of the follow-up consultations was to track the girls' progress in their education and wider lives and also to assess the impact of the Ebola epidemic. Only twelve of the original 28 Girl Power informants participated, the others having lost touch with the project, left the slum areas because of the epidemic, or been placed in quarantine due to exposure to Ebola. Again, the interview guides were designed with feedback from the DCI-SL staff who co-facilitated the original group sessions, and their structure drew heavily from the 2012 research findings to allow for comparisons to be made and assess how the girl's lives had been affected by events, including Ebola, over the previous two and a half years.

2.10 Locations

In terms of location, the choice of venues in 2012 was not within the control of the researcher. With regard to the NGO and other professional interviews, the consultations took place in the informants' offices or places of work, including schools and community centres. The consultations with community members, girls and young women took place in areas that were convenient and easy for them to access. For this reason, the groups took place in familiar settings – in school rooms (Rokupa) and in a shared outdoor community space (Bonga Town). The venues had a significant impact on the course of the discussions. For example, as the focus group with girls and young women in the Bonga Town slum took place in a public area, where anyone could listen to the discussion, issues regarding sexual exploitation in the local community and school that were mentioned by the participants were not explored in-depth, to ensure none of the girls were placed at risk. The follow-up interviews in 2015 took place at DCI-SL premises, as group activities were suspended due to

the Ebola outbreak.

2.11 Data gathering and analysis

The qualitative data gathered for the research included recordings and notes from interviews, focus groups and the Girl Power Annual Reflection Meeting; a journal kept throughout the research visit; photographs, posters and the pictures produced by the girls and young women consulted for the research. Prior to the interviews and focus groups, participants were informed as to how the consultations would be recorded, via Dictaphone and note-taking, and how this information would be stored and used. The ethical approval process set out clear guidelines for the management and storage of data, in line with the Data Protection Act of 1998. All of the electronic data gathered, including transcriptions and photographs were saved on a password-secured database for the duration of the project, while paper copies were kept in secure storage. Participants who requested their interview notes were provided with copies following the transcription process.

The interview and focus groups were recorded via Dictaphone, uploaded to my laptop and transcribed by me and an external transcriber. This process was not without its challenges, as it proved difficult to understand comments when informants slipped into Krio and these had to be interpreted by my DCI-SL companions. The information was coded and analysed using NVIVO 10, a qualitative software analysis programme. The initial coding system was based on the research questionnaires, which were refined over time as themes began to emerge from the data, principally the diverse forms of sexual and gender-based violence that violate girls' rights, consistently highlighted by research informants, and then with reference to the main CRC principles. As these patterns began to develop during the fieldwork, I also discussed the

emerging themes with the DCI-SL staff who accompanied me on the fieldwork visits, to assess whether they dovetailed with their own perceptions and experiences.

2.12 Researcher roles and identities

Finally, my personal experiences as a social researcher had an enormous influence on how I approached and prepared for the fieldwork. In my previous role at Barnardo's, I frequently consulted the organisation's in-house publications and guidance to planning, delivery, and the ethical protocols associated with social research, in particular Alderson and Morrow's work (published 2004), which I have referenced throughout this chapter. This experience also proved useful in that I had received training and practise in consulting vulnerable young people in difficult settings, including care homes and support services for homeless young people and those with mental health problems, experiences that I was able to draw upon during the fieldwork in Freetown. However, this was my first time working in an African environment, a new world that threw up a myriad of different challenges. This experience was also different as I had a role as an academic researcher, while also representing the wider DCI team.

Gokah has written about the unique challenges faced when undertaking fieldwork in Africa, as a "naïve" researcher or one who, as an outsider, "might find themselves in unfamiliar territory" (2006: 61). In Freetown, I had a strong sense of self-awareness as an outsider, a person who could not pretend to share in the hardships of life in the slums, and regarded perhaps as just another Westerner who has come to ask questions. While the sense of being an outsider never left me, the presence of strong local support, in this case the partnership with DCI-SL, proved very valuable. While the drawbacks associated with using a gatekeeper

organisation are set out in section 2.2 of this chapter, DCI-SL provided an in-depth briefing on the human rights situation in Sierra Leone, used their connections to set up interviews, offered access to the Girl Power participants, supported the fieldwork through co-facilitating the larger groups and acting as interpreters, and finally, provided transport around the sprawling, crowded city, which was a greater asset than I could have appreciated prior to setting foot in Freetown. The city and its slums were difficult to navigate in personal and physical terms, but the DCI-SL staff were well known and highly regarded in the communities visited and the research greatly benefitted from the local connections and knowledge that the team were willing to share. Although a considerable amount of desk research had been undertaken in advance of the fieldwork, this data paled in comparison to the sense of intimacy gained from the real-life experience of visiting the slum communities.

The presence of DCI-SL staff altered the interview dynamics in many cases, as they were often called upon to explain some local reference or used to illustrate a point. For example, during one interview, the participant compared what she saw as my position as a European, able to leave her family behind to travel, with the domestic burden placed on Sierra Leonean wives, even amongst the educated, saying: *“Traditionally, they’ll tell you that if you are a woman your place is in the kitchen. So even this young man [DCI-SL worker] that is seated next to me here, he’ll expect his wife to be able to do A, B and C. Even though he’s educated he’s an African man who will expect that from his wife. But in the Western context it’s the two people working together”* (Women’s education activist, Freetown, 2012). Conversely, my status as an outsider sometimes granted me a sense of “stranger value” (as described by Gokah, 2006: 63) in many of the discussions and seemed to encourage a sense of friendliness and openness among the participants, who welcomed my interest in their country and the opportunity to discuss the problems linked to girl child education. The research visit to

Freetown may have been brief, but it demonstrated that despite attempts to be objective, it is often impossible to divorce personal identity from that of your identity as a researcher and, indeed, from the context where the research is taking place.

2.13 Discussion

The qualitative methodology chosen for this study represented an attempt to link a human rights framework to the research in practice; which is to say that every effort was made to ensure that the process was inclusive and participative as possible, while respecting girls' rights to protection from harm, as well as their right to refuse to participate. However, the research was also an exercise in the limitations faced in efforts to conduct participative research with children and young people, particularly when the research subjects are based on another continent. I learned many lessons as a researcher from the planning and delivery of the fieldwork in Freetown. The ethical approval process stressed the importance of incorporating rights into research in a practical as well as theoretical capacity. Respecting children's rights went beyond organising focus groups with young participants, which could be an entirely tokenistic gesture, to ensuring that the process was a worthwhile experience and in recognising participants' input and efforts. At an early stage, I accepted that it was important to embrace the concept of uncertainty, acknowledging that the elements of the research might not go as anticipated, and keeping a flexible and open mind proved beneficial to the research. For example, the strength of the findings on sexual and gender-based violence made it clear that the right to education could not be guaranteed without the protection and provision of other rights, to non-discrimination, participation and protection from harm and abuse, which were significant enough to adapt the research hypothesis in order to explore these themes.

Other research has highlighted the importance of being honest about the limitations of the research methodology (Gillies and Robinson, 2012: 170). As discussed in Chapter 1, this research was limited in many capacities but a few were specifically linked to the fieldwork and methodology. During the consultations, I found that focus groups can be a powerful tool for stimulating interesting and informative debates, but are no place for discussing private or sensitive subject matters. A consequence of using focus groups with Girl Power groups was that it was not appropriate to ask follow-up questions when the girls discussed violence and threats to their wellbeing and safety in their communities and schools, which was a real loss to the research, especially as the Girl Power groups were the only children consulted for the research. The Bonga Town group, with 20 participants, was too big, the setting too public and too noisy.

In Freetown, my status as an outsider was a mixed blessing. As an outsider, I initially experienced a degree of culture shock when I arrived in the city, which had to be quickly overcome with only a week to spend in Freetown. The brevity of the research trip meant it was impossible to undertake in-depth ethnographic research; my short visit was filled with interviews and group sessions. While I did come away from the fieldwork with a much deeper understanding of life in Freetown, it is difficult to truly get to know a city and its people in only seven days. The partnership with DCI-SL represented one of the most worthwhile aspects of the project, as not only did the DCI-SL team help to organize and facilitate every aspect of the fieldwork, but their advice and companionship were invaluable in a personal sense. It was due to the efforts of DCI-SL that a Girl Power member came to Geneva, in June 2015, to help launch the report on gender-based violence, *A Mountain to Climb*, and to share her experiences of life in Freetown and the Girl Power initiative, which

was one of the most rewarding outcomes of the project.

The main lessons taken from developing the methodology and undertaking the fieldwork related to the importance of making local connections, listening to advice and experiences of those familiar with the research setting and using this to gain a better understanding of the social, cultural and historical context of the place and its people. It was also important to take into account the impact of decisions such as partnership with DCI-SL and the problems posed by time constraints and distance from the research location, especially where these factors lead to some loss of control of the research management, as was the case with the fieldwork and recruitment of participants in the slum communities. Despite the obvious harshness of life in the poorest parts of the city, when departing from Freetown, I was left with the sensation of having been somewhere very special, a sentiment that has stayed with me. Prior to the fieldwork, I had read Graham Greene's *Journey Without Maps*, an account of his travels across Sierra Leone in the 1930s. The second edition of the book included a new preface where Greene's words encapsulate my own sentimental feelings about the city and its people:

"After a while there is much one ceases to notice, and if I were writing of Freetown now, how unnaturally rosy would my picture be, for I begin to remember mainly the sunsets when all the laterite paths turned suddenly for a few minutes the colour of rose, the old slavers fort with the cannon lying in the grass, the abandoned railway track with the chickens poking in and out of the little empty rotting station, the taste of the first pink gin at six o'clock. I have begun to forget what the visitor noticed so clearly – the squalor and the unhappiness and the involuntary injustices of tired men. But as that picture is true too, I let it stand." (Preface to Second Edition, 1946).

Chapter 3: The Research Context – Life in Sierra Leone

3.1 Setting the Scene

Sierra Leone is a West African nation of just over 7 million people, of whom just over 40 per cent are children aged 14 and under (UNDP, 2019). It is bordered to the north and north-east by the former French colony of Guinea, and to the south-east by Liberia, a country that shared its experiences of bloody conflict during the 1990s. Freetown, the capital, was established by freed slaves in the 18th century, who founded the Krio community that provided support for British colonial rule until independence in 1961 (Butcher, 2011). The British influence is still evident throughout the city, in its architecture and its place names: Aberdeen, Waterloo, Regent's Road, Newcastle Street. Outside Freetown, the population is mainly rural-based with around 20 indigenous ethnic groups including the Mende, Temne and Limba, although there are a number of smaller towns including the diamond mining centre of Kenema in the south east, and Makeni in the northern region (African Child Policy Forum, 2012). Among the rural population, local paramount chiefs¹³ retain a considerable amount of power, while traditional laws and customs remain popular in comparison to the more Westernised Freetown.

Sierra Leone experienced a vicious civil war from 1991 – 2002, which was preceded by years of political corruption, violence and instability. Although much progress has been made in economic, social and political terms since the end of the conflict, a visitor to Freetown is still likely to be struck by the poverty that is evident all around: the ramshackle

¹³ There are 149 local chiefdoms in Sierra Leone, which are led by paramount or 'lesser' chiefs. Although they are expected to operate alongside state bureaucracy and adhere to the constitutional rule of law, these chiefs have been described as "Sierra Leone's primary local rulers [...] Chiefs invoke sacred and other customary powers at the local level that revolve around kinship, autochthon status and secret society membership." {Albrecht, 2015: 612}.

infrastructure, the cracked and broken roads, the shantytowns and shack dwellings that surround the streets of the capital. Travelling through Freetown on his trek across the former war zones of Sierra Leone and Liberia, Tim Butcher provides a vivid description of the filth and wretchedness of the capital's slums:

“The normally sweet scent of Sierra Leone was spoiled by foul-smelling smoke from fires lit on a massive open tip and stagnant water in a river so clogged with sewage and rubbish it seemed to have stopped flowing altogether. The only apparent movement in the riverbed came from a large pig, swilling through the stinking gloom.” (2011: 49-50).

Taking in these scenes, it is difficult to believe that they form part of a 21st century city rather than a Victorian slum. However, Sierra Leone remains one of the world's poorest nations, ranked at 184 out of 188 countries in the Human Development Index based on factors including life expectancy, which stands at 52.8 years for women and 51.6 years for men (UNDP, 2018). 60 per cent of the population lives below the poverty line, surviving on less than US\$ 1.25 per day (UNDP, 2019). The country has made significant development progress since the end of the civil war: the percentage of the population living in absolute poverty was reduced from 70 per cent in 2003 to 52.9 per cent in 2013; access to clean water increased from 36.7 per cent in 1990 to 62.6 per cent in 2005, and the ratio of girls to boys at primary level schooling stands at 100 per cent (Government of Sierra Leone/United Nations, 2015). However, rates of maternal, infant and child mortality remain high, as do poverty levels in rural areas¹⁴.

¹⁴ Government of Sierra Leone/United Nations (2015). Sierra Leone child mortality rate is 110.50 per 1000 live births, compared to the Sub-Saharan average of 70 per 1000 live births, the highest rate for any region in the world; maternal mortality is the highest in the world at 1,360.00 per 100,000 live births (World Bank: 2017); the percentage of the rural population living in poverty is estimated at 66 per cent (World Bank, 2011).

In Freetown, the poverty is pervasive and endemic, affecting people's ability to enjoy a decent standard of living taken for granted in the developed world. When discussing the challenges facing girls and young women in the city's slum communities, research participants frequently referred to the effects of extreme poverty. Teenage pregnancy, a central and recurring theme in this research, has been described as a global problem, but girls living in deprived communities are particularly at risk (Defence for Children International – Sierra Leone, 2018b). Many informants to this research described how the lack of money and the need for children to earn a wage, causes those from poor families to withdraw from school at an early age.

“These are the basics that always retard a lot of parents from sending their children to school. How am I going to get the money to pay for the fees? How am I going to have the uniform or the books?” (NGO worker, Freetown: 2012).

In Freetown, the influx of refugees during the war has led to a population explosion, meaning that housing, education, sanitation and transport systems are creaking under the strain of the numbers involved. By 2010, well over a million people were living in a city designed for thousands (Butcher, 2011). During the summer of 2017, more than 400 people were killed in mudslides and floods in Freetown, which were caused by deforestation linked to overcrowding and the building of urban settlements on the hillsides surrounding the city (Reuters, 2017). The forms of sexual and gender-based violence described in this thesis have complex roots, but normally chronic poverty is a factor underpinning them all, denying girls the means to remain in education, sustaining high rates of female illiteracy and the hold of harmful cultural practices, damaging girls' health and perpetuating the culture of gender inequality where girls are unable to access the resources and opportunities to which they are

entitled.

Since the original fieldwork took place in 2012, an outbreak of Ebola in Sierra Leone in 2014/15 claimed the lives of over 3500 people out of more than 8000 infected by the disease (Government of Sierra Leone/UN, 2015), affecting every area of the country including the slum communities where the research consultations took place (Robinson, 2015)¹⁵. There can be little doubt that the Ebola outbreak made the country's already tough living conditions even more difficult. According to Defence for Children, Sierra Leone, approximately 948 children were infected with Ebola, with 118 confirmed deaths. Thousands more were orphaned by the epidemic (Kemokai, 2015). Aside from the tragic loss of life, the Ebola epidemic had a profound impact on children's rights, including their rights to education, to participation, and protection from harm and abuse. The government closed all schools at the beginning of the outbreak, and while they were reopened in March 2015, it was reported by DCI-SL that many girls did not return to education following their ten-month absence, in many cases due to pregnancy. The activities of NGOs, including the Girl Power programme, were also disrupted by the outbreak, due to the limits placed on public meetings and travelling. On a broader level, the epidemic exacerbated existing problems, stretching already hard-pressed public services to the limit and causing "unprecedented damage to the socio-economic fabric of the state" (Government of Sierra Leone/UN, 2015: 2). The epidemic had a significant impact on the situation of girls and women, who commonly take care of the sick and dying, perform most household chores and also form the majority of frontline medical staff including nurses. A survey conducted in Eastern area of Sierra Leone recorded higher

¹⁵ Some of the information, as well as quotations and tables in this section were previously published in *A Mountain to Climb*, a report on gender-based violence and the right to education in Sierra Leone that I produced in 2015, on behalf of Defence for Children International. I note where this is the case with a reference to Robinson (2015).

rates of sexual based-violence including “sexual penetration of children, domestic violence, sexual harassment and abandonment” as a result of Ebola, with a 65 per cent increase in teenage pregnancies reported in some communities (UNDP/Irish Aid, 2015: 4-6). In Freetown, anecdotal evidence supplied by DCI-SL reported growing numbers of girls in the slum communities engaging in transactional and survival sex, in exchange for food.

This chapter offers an introduction to the main themes examined in the research through providing an overview of Sierra Leone’s recent past and its current situation. Using evidence collected during the research fieldwork in Freetown, as well as the literature review, the Sierra Leone civil war is briefly discussed, followed by a description of the legislative and policy context affecting gender and education rights. The situation of girls and young women in the country is explored, with reference to the principles of the UN Convention on the Rights of the Child (CRC) and other human rights instruments. Finally, there is a short discussion on Sierra Leone’s urban-rural divide, which is significant given the country’s high rate of urbanisation and the increasingly divergent social, cultural, and legal norms, that characterise people’s lives in the big city and throughout the rest of the country. The relationship between the state and civil society in Sierra Leone, and the challenges encountered in efforts to address violence against girls and women, is discussed in Chapter 7.

3.2 The Legacy of War

Life in Sierra Leone has greatly improved since the dark days of the civil war, but the conflict continues to cast a spectre over its people, with its terrible legacy of death, destruction of vital infrastructure and communications, and the widespread use of sexual violence against girls and women. During the course of the war, some 60,000 people were killed and an

estimated 100,000 injured and maimed (Ibrahim and Shepler, 2011). Schools were destroyed and thousands fled their homes in the countryside to seek safety in refugee camps and the crowded slums of Freetown; over 80 per cent of the population was displaced during the conflict (Lebbie-Moebiyor, 2003). Discussions surrounding the causes of the war often centre on the “greed versus grievance” debate, that is to say, whether it was a desire for the riches brought by diamond mining that motivated young people to take up arms against the state, or anger over the many injustices they faced, such as limited opportunities and access to resources, and the perceived greed and corruption of the ruling classes (Shepler, 2011: 47-48). However, it is clear that the principal triggers for war included poverty, poor quality education, and the scarcity of employment opportunities for young people, who became increasingly angry and frustrated at their marginalised position in a traditional society, where they were expected to be dependent on and deferential to their elders and local chieftains (Denov and MacLure, 2006; Ibrahim and Shepler, 2011).

It would be difficult to have a discussion on sexual and gender-based violence in Sierra Leone without reference to the civil war. In his review of Michael Jackson’s book on post-war Sierra Leone, Stoller writes of the terrible violence perpetrated during the war being “seared into the Sierra Leonean collective memory” (2005: 487). For girls and young women this involved different forms of sexual violence, including sexual slavery and gang rape (Denov and MacLure, 2006); during the course of the war it is estimated that 257,000 girls and women were raped (Ibrahim and Shepler, 2011). However, women were not merely passive victims of violence: a minority also fought in the conflict as combatants, although similarly to boy soldiers, they were often forced or coerced into these roles. Around 30 per cent of the child combatants were girls and young women who had been abducted and forced to join the rebels, often as “bush wives” or sexual slaves, experiencing extreme acts of sexual

violence (Denov and MacLure, 2006: 73). Despite the terrible hardships suffered, during the process of demobilisation and reconciliation that followed the war, girls and young women were paid scant attention and treated almost as an ‘afterthought’ (Denov and MacLure, 2006). Sexual violence was used as a “tool of war” during the conflict and continues to have a legacy today for girls and young women in Sierra Leone (Ben-Ari and Harsch, 2005). In spite of the upheaval and the atrocities committed during the war, however, during the course of the fieldwork for this research it was referenced only twice. Once, during a visit to the village of Waterloo, just outside Freetown, where physical evidence of the war remained in the form of ruined buildings (interview with civil servant, 2012), and again by an informant who described how the conflict has influenced the prevailing mind-set regarding sex and exploitative relationships amongst girls and their families (interview with education project lead, 2012). In her mind, the war initiated a move away from traditional mores regarding girls’ behaviours, to more transactional attitudes towards sex in the slum communities.

“The war, it played a part because of the rape, the rape issues and everything. And the ECOWAS [soldiers] and those United Nations guys around, they exposed them to money, giving them a hundred dollars, another fifty dollars. And the parents started selling out their kids to them, they pushed them into marriages.”

Is it possible that, in the fluid, busy, overcrowded city with its constant flow of migrants, it has been easier to ‘move on’ from such trauma, than in the rural communities that lost so many of their people and where ruins and bullet marks remain as reminders of the conflict? A strong sense emanated from the discussions, (in particular the initial briefing with DCI-SL staff after my arrival in Freetown) that more than ten years after the end of the conflict, people wished to move forward and build upon the progress that has been made since

hostilities ceased. This sentiment has been recorded elsewhere. In his book on post-war life in Sierra Leone, Michael Jackson notes his astonishment at the resilient spirit of the Sierra Leonean people and their desire to forgive and move forward, despite the trauma and hardship caused by the conflict:

“What overwhelmed me was not the demands not the sense of impotence I felt, but the realisation that these people needed so little to resume their lives, and that, rather than dwell on what had happened in the past, they desired only to move on, to start over.” (2004: 178).

As alluded to by Jackson’s quotation above, widespread poverty meant that the majority of people in Sierra Leone had little in a material sense to lose during the conflict. It is encouraging that Sierra Leone is overcoming the worst of its post-war difficulties and is slowly making progress to improve its economy, social services and physical infrastructure, in spite of disasters such as the Ebola epidemic and the Freetown landslides. Perhaps the most significant achievement of the past decade is the passing of four non-violent elections and the establishment of a lasting peace (Butcher, 2011). Most of the girls and young women consulted for this research were too young to remember the war and their priorities focussed on looking forward, not back. However, it should be cause for concern that many of the conditions that triggered the conflict - poverty, high youth unemployment, economic and social inequalities and corruption - continue to trouble Sierra Leone today. Despite its recent political stability, Sierra Leone has been designated a “fragile” state due to the potential for civil conflict (Government of Sierra Leone, 2015: 6). These conditions were evidenced by the extreme deprivation and squalid living conditions witnessed throughout the research fieldtrip and the testimonies of those who took part in the consultations. In their recent annual report, DCI-SL stated that while the majority of Sierra Leoneans have limited sources of income, the

cost of living in the country continues to escalate due to a significant rise in inflation. For example, 50kg of rice (a diet staple in Sierra Leone) increased in cost from 60,000 Leones in 2007 to 250,000 Leones in 2017¹⁶ (DCI-SL, 2018: 6). Shepler describes how rising food prices and fears over food security, could provoke violence in Sierra Leone once again:

“The population needs food, and if it is not provided, people will revolt. Food is political, and food security is human security” (2011: 53).

Despite its natural resources, Sierra Leone remains a poor state and for real progress to be made, it needs to address the problems that keep the majority of its population mired in poverty. A focus on tackling the forms of sexual and gender-based violence and discriminatory practices against girls and young women would mark a major step forward, given that educating and empowering girls is regarded as essential to eliminating inter-generational poverty. However, efforts to invest in girls’ lives must acknowledge that females already shoulder much of the burden of poverty in Sierra Leone. Programmes to encourage empowerment and entrepreneurship cannot replace the state’s welfare policies and protections, which are much more effective in protecting and promoting girls’ social and economic rights (Chant, 2016).

3.3 The Policy and Legislative Context

3.3.1 International instruments regarding the right to education and gender rights

International standards are playing an important role in raising awareness of human rights

¹⁶ 60,000 Leones is equivalent to £7 sterling; 250,000 Leones is just under £30.

and the development of national laws rights that are respected in an African context. Turner makes an important distinction between human rights, which normally fall to both international bodies and nation states to protect and enforce, and social rights, which are those belonging to the citizens of a nation state (2006). In the following sections, both “sets” of rights, guaranteed in international standards and domestic law, will be discussed.

Sierra Leone has signed up to a number of legally-binding instruments that impact on children and women’s rights, including the UN Convention on the Rights of the Child (CRC), the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the African Charter on the Rights and Welfare of the Child (ACRWC).

Table 3.1: Summary of relevant international standards¹⁷

International and Regional Standards	Year ratified by Sierra Leone
UN Convention on the Rights of the Child (UN CRC) 1989	1990
Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) 1979	1988
African Charter on the Rights and Welfare of the Child (ACRWC) 1990	1992
International Covenant on Civil and Political Rights (ICCPR) 1966	1996
International Covenant on Economic, Social and Cultural Rights (ICESCR) 1966	1996
UNESCO Convention Against Discrimination in Education (1960)	1967
The Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (Maputo Protocol)	2015

Having ratified the CRC almost 30 years ago, Sierra Leone is obligated under international law to recognise its principles in policy and practice, including children’s right to food, health care, universal primary education, and protection of their physical, economic social and civil rights. (Unicef, 2018). The development of regional instruments including the African

¹⁷ A version of this table previously used in Robinson (2015: 17).

Charter on the Rights and Welfare of the Child, demonstrate an enthusiasm to adapt international human rights law into an African context, moving away from an emphasis on individual rights to recognise the importance of the role of local communities and extended families in African childhood. Both the CRC (Articles 19 and 34) and the African Charter (Article 16: Protection Against Child Abuse and Torture; Article 27: Sexual Exploitation) explicitly address children's right to protection from violence, sexual exploitation and abuse. Also, of particular relevance to this research, the African Charter places an obligation on signatory states to take 'appropriate measures' to ensure that children who fall pregnant have a chance to continue their education, while the Maputo Protocol requires all African member states to take measures to keep girls in schools. The Maputo Protocol is a vital legal standard as it deals with many of the specific challenges affecting the Freetown girls, including early marriage, harmful practices including Female Genital Mutilation (FGM) and violence against women¹⁸.

Due to the contentiousness of the issue, FGM is not mentioned by name in a number of international instruments, which instead refer to eliminating or abolishing "traditional practices prejudicial to the health of children" (CRC, Article 24.3) or "harmful social and cultural practices affecting the welfare, dignity, normal health and development of the child" (Article 21 of the African Charter). General Comment 13 (2011) on the CRC however, goes further in stating that all children have the right to freedom from all forms of violence, including FGM (African Child Policy Forum, 2014). CEDAW General Comment 14 (1990) deals with what is termed "female circumcision", recommending that states take steps to

¹⁸ The World Health Organisation defines FGM as follows: "Female genital mutilation comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs for non-medical reasons". According to Unicef, most girls in Sierra Leone undergo the practice between the ages of 5 and 14, with the majority (73 per cent) having experienced being "cut, with flesh removed" (Unicef, 2014).

eradicate such harmful practices and suggesting a number of measures, including supporting women's groups, politicians, religious and community leaders at local and national level, to influence attitudes and behaviours; raising awareness through education and training; and data collection and monitoring to assist with these efforts.

The right to a free, quality education is guaranteed under Articles 28 and 29 of the CRC. As noted in the literature, the right to education is an empowering right, which allows girls and women access to other rights such as greater involvement and influence in civic and political life. In Sierra Leone, where many people cannot meet the basic costs of schooling, it is vital that the state upholds its legal obligation to provide universal primary education, as well as secondary education when possible. However, as noted by the former UN Special Rapporteur on the Right to Education, Katarina Tomasevski, the main barriers to the right to education usually lie in other spheres – familial, social, cultural, economic - which is why securing broader rights, in terms of girls' employment and marriage rights, as well as protecting them from discrimination and abuse, is key to eliminating sexual and gender-based violence and the gender gap in secondary education in Sierra Leone:

“If women cannot be employed or self-employed, own land, open a bank account, or get a bank loan, if they are denied freedom to marry or not to marry, if they are deprived of political representation, education alone will have little effect on their plight. The principle of indivisibility of human rights necessitates looking at education in relation to all other rights and freedoms. Indeed it is the recognition of all other human rights – or the lack thereof – that affects education”. (2003: 158).

To realise these standards in practice, the Sierra Leone government has pledged to reach the

targets set out under the UN's Sustainable Development Goals (SDGs) by 2030, which include eliminating poverty, achieving gender equality, providing clean water and sanitation, and ensuring access to quality education. However, unlike international standards such as the CRC and the African Charter, the SDGs are not legally binding and are dependent on the commitments of individual nation states, to be delivered in cooperation with civil society, international partners and private sector interests. Given the extent of the poverty in the country, and other challenges related to governance, resource management and corruption, it is unsurprising that civil society groups have questioned the achievability of the SDGs in Sierra Leone in such a relatively short space of time (Government of Sierra Leone: 2015). Overall, the translation of international standards into progressive policy and practice in Sierra Leone has been far from straightforward, as the following paragraphs will explore.

3.3.2 Legislative and policy efforts context in Sierra Leone

Since achieving independence from the United Kingdom in 1961, Sierra Leone has functioned as a constitutional democracy with two main parties, the All People's Congress (APC) and the Sierra Leone People's Party (SLPP), dominating the political scene (African Child Policy Forum, 2011). The Sierra Leone constitution (1991) guarantees the equal rights of all women, and, following the civil war, a number of progressive new laws were passed to tackle discriminatory practices and customs and to update existing legislature to address gender based and sexual violence against women (Abdullah, 2012). Perhaps the most important post-war development is the Child Rights Act (CRA, 2007), which represented an attempt to assimilate the CRC into national law, as well as to harmonise the different domestic law systems, in line with the CRC's principles (Robinson, 2015). It also represented a radical departure for Sierra Leone with regard to traditional attitudes towards girls in

particular. Under the CRA, a child is defined as a person under the age of 18, which is significant because until the adoption of the Act, the limit was set at 14 years. Child labour is prohibited under the Act, free medical care granted to all children and with reference to corporal punishment, the CRA states that “no correction of the child is justifiable if it is unreasonable or if the child ‘is incapable of understanding the purpose of the correction’” (African Child Policy Forum, 2012: 101). The CRA also sets out provisions to protect girls from sexual abuse and to encourage their re-engagement in school, as well as setting the minimum age for marriage for both sexes at 18 years. Articles 11 and 33 of the Act discuss the elimination of harmful practices including forced marriages, FGM, and economic exploitation, stating “No person shall subject a child to torture or other cruel, inhuman or degrading treatment or punishment including any cultural practice that dehumanises or is injurious to the physical and mental welfare of the child” (Government of Sierra Leone, 2007: Article 33.1), although FGM is not explicitly prohibited.

Three “Gender Acts” were introduced in 2007 to guarantee women’s property and divorce rights and to legislate against domestic violence (Coinco, 2010). A three-year strategic plan was established in 2008 to oversee the implementation of the Gender Acts, which if properly resourced and implemented, could help to overcome many of the social and cultural barriers to girls’ empowerment. The gender laws offer new protections to victims of domestic abuse, challenge discriminatory customary laws, set the age of 18 years as the minimum in customary marriages, mandate the registration of customary marriages and divorces, and ensure that women and children have the right to inherit under customary law (Abdullah, 2012). Until the introduction of the Sexual Offences Act (2012), the main piece of legislation relating to child sexual exploitation in Sierra Leone was the Prevention of Cruelty to Children Act, which dated back to 1926 (when the country was still under colonial rule), and dealt

principally with incest and prostitution, but which designated sexual intercourse with girls under 14 years as a criminal act (African Child Policy Forum, 2013). The Sexual Offences Act represented a significant step forward, harmonising domestic, customary and Islamic laws with international standards, including CEDAW. It aims to address the culture of impunity for perpetrators of abuse that prevails in Sierra Leone, through introducing strict sentencing for offenders in schools and communities, and bolstering Family Support Units (FSUs) based within the police service to support victims of violence and prosecute offenders (Abdullah, 2012).

Table 3.2 Summary of relevant national legislation in Sierra Leone¹⁹

National Legislation	Description	Year Passed
Education Act	Established basic education as a right for every citizen. Children have a right to nine years of compulsory, basic education (primary through to junior secondary school), starting formal education at the age of six.	2004
Anti-Human Trafficking Act	Established a ban on people trafficking; the Act also set out procedures for the prosecution of offenders.	2005
Child Rights Act	Enshrined the provisions of the CRC in the Sierra Leone constitution.	2007
Three Gender Rights Acts: Domestic Violence Act; Devolution of Estates Act; Registration of Customary Marriage and Divorce Act.	Set out women's rights against domestic violence; property rights and rights in customary marriages and divorces. Banned forced or early marriage for girls under the age of 18.	2007
Sexual Offences Act	Protects girls from abuse from people in authority; bans rape in marriage; provided greater powers to Family Support Units (FSU) to investigate and prosecute cases of sexual abuse.	2012

At this time, there is no law prohibiting female genital mutilation in Sierra Leone (which at

¹⁹ A version of this table previously used in Robinson (2015: 18).

90 per cent represents the highest rate of FGM in Africa after Djibouti (93 per cent), Guinea (97 per cent) and Somalia (98 per cent)) (Unicef, 2018). The lack of legislative progress is due to the fact that FGM is a political issue, as leaders who speak out against the practice risk alienating voters who value FGM as part of their traditional culture. However, Sierra Leone ratified the Maputo Protocol in 2015, which calls upon African governments to eliminate FGM and other harmful practices including early marriage. FGM was banned during the Ebola outbreak but the practice resurged once these restrictions were lifted. In an effort to prevent politicians from “buying” votes through sponsoring FGM ceremonies, the government again prohibited FGM for the duration of the 2018 election campaign, with anti-FGM groups expressing their hope that this could lead to a permanent ban in the future (Reuters, 2018). The need for political leadership on discrimination and violence against women, especially with regard to FGM, was mentioned several times during the fieldwork. It was emphasised that more resources are required to enforce the new laws and to pursue the perpetrators of violence and abuse. In addition, the research informants stated that the majority of girls and women know little about their rights under the new laws and are therefore unable to exercise them.

“There is this culture that women cannot have positions, women cannot have power, women cannot have property. So we are educating them about that. Because there are laws now, like the three gender laws, which give power to women, for women to own property, to become leaders on the community.” (Youth activist, Freetown, 2012).

The right to education for all children is guaranteed under Sierra Leone’s constitution (Section 9 (3)). The Education Act (2007), as well as the most recent Sierra Leone Education Sector Plan (2018-2020), set out the country’s priorities for education policy and practice, as

well as the many challenges facing the country's education system. As outlined in the CRC and the Education Act, the state pledged to provide free compulsory primary education for all children for six years from age six onwards, as well as a further three years at JSS (junior secondary school) level, which is free for girls in the Northern and Eastern areas of the country, in order to address low levels of female participation in education in those districts (Wang, 2007). Under the CRC and domestic law, free secondary education should be provided when possible. In addition, fees were scrapped for the National Primary School Examination (NPSE), which all children are required to pass in order to move on to secondary level education. Despite improvements in terms of access to primary education, informants to this research stressed that greater financial support and awareness-raising efforts are required to ensure that girls complete their education at secondary level. In addition, scant attention has been paid at a policy level in Sierra Leone regarding the impact of sexual and gender-based violence on girls at school (Denney and Ibrahim, 2013), a serious and widespread problem also raised by participants in the current research.

Sierra Leone has put some planning and resources into tackling gender discrimination, but more needs to be done if it is to meet its international obligations and provide for the needs of its most vulnerable children and young people. The widespread failure of the state in Sierra Leone to ensure basic protections and entitlements under human rights legislation, emphasises that the realisation of rights needs to go beyond legislation and policy development to stress the universality of rights on the basis of our common humanity; the development of structures that allow for social and economic rights to be realised; and public acceptance of human rights more generally: as Turner explains, "human rights legislation provides a formal juridical safety net against abuses, but the law needs an additional sociological buttress to have enduring effectiveness – that is, it needs a moral underpinning if

legal contracts are to work effectively” (2006: 23).

According to informants to this research, despite the efforts of the government and NGOs, the new laws are having little impact on the lives of girls and young women, especially those in the provinces, due to lack of awareness, information, and because of the high rates of illiteracy among women. While the rights of all children are guaranteed under the constitution, it is clear from statistics, as well as anecdotal evidence, that social and cultural norms, as well as entrenched poverty, are preventing girls from realising their rights and “stalling the achievement of transformative change” (Abdullah, 2015:1). With regard to the policy of free basic education, for example, the reasons for problems in terms of implementation, offered by research participants, included: a lack of state resources allocated to education; poverty and the costs associated with education (books, uniforms, as well as fees); lack of information and awareness-raising regarding new laws; low quality of education; and a lack of a supportive and safe environment for girls at school (Robinson, 2015). The gap between legislation and the reality of implementation was summed up by a research participant who had her own opinion as to why attempts to realise new laws and policies in practice have thus far been half-hearted:

“We’re talking about girls and children [who] should go to school, there is a law in this country that children should all go to school. Are they all in school? No. Are we insisting that every child, a boy and girl, should go to school? No. Because there is free education for the girl children but if we insist that more children go to school, the government does not have the money to pay for all the children” (Women’s education advocate, Freetown, 2012).

3.4 Conflict between constitutional and customary law

Underlining the impact of traditional social and cultural norms, the context for children's rights within Sierra Leone is complicated by the fact that three different systems of law operate in the country, each having a profound impact on girls and women's lives (Robinson, 2015). The formal, constitutional law described earlier is founded on British common law and is developed in line with the international human rights frameworks to which Sierra Leone is a signatory (Coinco, 2010). However, the customary and Islamic law systems are equally or more powerful in rural regions or "upcountry", where people identify little with what are regarded as the laws of Freetown (Peters, 2011: 131), a problem confirmed by informants to the current research:

"We've got a lot of policies, the problem we have is, it's the implementation. We still go to some parts of the country and people tell you, this is your law, we did not write it" (Women's education advocate, Freetown, 2012).

These customary laws have no basis in human rights instruments and are normally discriminatory, stressing the submissive status of girls and women, removing their economic independence and disempowering them in their intimate, familial and community relationships (Lebbie-Moebiyor, 2003). The laws permit early marriage without the protection of a minimum age and sometimes without the consent of the bride. They do little to protect women, who often cannot inherit property on the deaths of their spouses, and are discriminated against in terms of divorce and property ownership (Ben-Ari and Harsch, 2005). The customary laws are traditionally enforced by paramount or local chiefs, whose elections are "less transparent and less democratic" than the mainstream political system

(Peters, 2011: 136). The resistance to adapting to new gender laws (where people are aware of them) despite harmonisation efforts, is not merely founded on attachment to traditional ways of life, but also because, for rural people who are often illiterate and isolated from the decision-making process in Freetown, it is often easier to maintain the status quo (Robinson, 2015).

“They favour the old way of doing it, not because they don’t want to learn the new ways, but because the old way is much easier.” (Youth activist, Freetown, 2012).

A rights-based approach is clearly helpful in terms of challenging traditional gender roles and discrimination against women, appealing to the values of dignity, justice, fairness and equal treatment for all. However, it can be argued that in an African context it is important not to overlook the conflict between a (Western) emphasis on protecting and promoting individual rights and traditional African norms that hold the extended family and the community as sacred. In African societies, greater value is traditionally placed on the power of the community, or the collective, which may offer some explanation (among other factors) as to why African states struggle to embed international standards, with their stress on individual rights, in everyday cultural, social and structural practices. Elsewhere it has been argued that “global gender-policy frameworks” face difficulties being translated into local settings as they are too far removed from the reality of life for most people, at policy and practice levels (Unterhalter and North, 2011: 2). Growing recognition of human rights is playing an important role in raising awareness that women do not have to accept their unequal status in society, but care must be taken to ensure that this is not regarded as a form of modern colonialism and a new way of imposing Western values on Africa:

“The language of human rights – a jargon of the North imposed on the South, and as such, simply the new face of the old self-extolling theme of the white man’s burden?” (Jackson, 2004: 71).

The creation of regional human rights standards such as the African Charter and the Maputo Protocol are vital in this context, as they represent a move among African nations to establish human rights standards that reflect African norms, values and realities. The emphasis on the “harmonisation” of new legislation with traditional laws is also key: in the literature and during the fieldwork, there was a stress on integrating the ‘new’ ways with the old rather than being perceived as replacing them, a recognition that transformative change needs to be a gradual process. Realising “human rights” for all requires more than the introduction of legislation, however; without the political will and resource allocation to enforce the new laws, discriminatory values and practices will continue to dominate the lives of girls and women.

3.5 Sexual and Gender- Based Violence in Sierra Leone

In Sierra Leone, widespread discrimination against girls and women means that their experiences of deprivation, illiteracy and social, economic and political disempowerment are usually magnified far beyond those of men and boys. Traditions and customs contribute to this culture of gender inequality: Sierra Leone remains a patriarchal society where female inferiority is accepted, boys are normally given preferential treatment, and forms of sexual and gender-based violence such as domestic violence are deeply entrenched in mainstream culture (Barnes et al., 2007). Even among the educated classes, girls are expected to cook, clean and keep house and their education is secondary to their development as future wives

and mothers. Forms of sexual and gender-based violence are structurally embedded in Sierra Leone life, which has a knock-on impact on culture and society as a whole, and the rights of girls and women in particular:

“Stereotypes and cultural norms which dictate prescriptive roles for women in society also have a negative impact on women’s enjoyment of their human rights. For instance, girls’ lack of access to education has sometimes been justified on the presumption that, as mothers and wives, they will not enter the workforce and thus do not require education.” (OHCHR, 2014: 28).

It has been noted that sub-Saharan Africa is currently experiencing a ‘crisis of youth’ due to “the inability of young people to attain social adulthood because of continuing gerontocratic and patrimonial control of resources” (Peters, 2011: 129). This crisis is doubly difficult for girls and young women, who are disempowered on account of their gender as well as their youth. There is also evidence that the Ebola virus has put girls and women at even greater risk of sexual and gender-based violence, and potentially contributed to a rise in teenage pregnancy rates in Sierra Leone. This is as a result of an increase in transactional sex among girls who lacked alternative sources of income following the closure of markets, as well as a reported rise in rape linked to girls being out of school and “vulnerable while home alone, sent to stay with friends or relatives, or sent out to earn a living” (Denney and Gordon, 2016: 1-2).

As described earlier, Sierra Leone has signed up to a number of key international standards that protect the rights of girls and women, including the CRC and CEDAW, as well as a range of ambitious national laws designed to improve women’s rights. However, achieving

gender equality in women's daily lives is proving far more challenging for many reasons. It is almost impossible to know the true extent and nature of sexual and gender-based violence in Sierra Leone. Such offences usually occur in the private or family sphere and sexual crimes are underreported as women are afraid or discouraged to come forward, due to the stigma attached to victims of rape and sexual violence (Ben-Ari and Harsch, 2005). The cycle of abuse is exacerbated by illiteracy and low education levels, as women have little knowledge of their right to protection from violence under the law (Barnes et al., 2007). The situation is further complicated by ambiguous cultural norms and attitudes towards girls and young women. This was demonstrated during a discussion with a head-teacher in Rokupa in 2012, on the plight of sexually exploited 13 and 14-year old girls at his school: in his eyes, they were regarded as being in need of protection as school-going children but were also negatively judged as adult women because they were sexually active (Robinson, 2015).

During the course of the current research, discussions on the right to education frequently turned to forms of abuse and discrimination against girls that were impeding their ability to complete their education. Chief among these problems were early marriage; sexually exploitative relationships; abuse through prostitution; teenage pregnancy stemming from these relationships; as well as harmful traditional practices, including FGM, which are described under Articles 1 and 2 of the DEVAW (set out in Chapter 1). All are forms of sexual and gender-based violence that have their roots in social and cultural norms, and, as such, especially affect the poorest and most disadvantaged women. The main perpetrators of the abuses described in this research were parents who push their daughters into sexually exploitative relationships and early marriages, and who force them to work as unpaid domestic labour; older men or "uncles" who coerce young girls into intimate relationships in exchange for money or gifts; and the community influences that compel girls to undergo

harmful practices such as FGM. The state is also complicit in perpetuating a culture where sexual and gender-based violence is accepted, for example, through ignoring the need to protect girls by legislating against FGM, discriminating against pregnant girls who wish to access their right to education, and failing to provide a safe environment for girls at school.

Despite the prohibition of child marriage under the Child Rights Act, 39 per cent of girls in Sierra Leone are married before their 18th birthday, with 13 per cent married before the age of 15 (Government of Sierra Leone, 2013). There are significant regional variations in early marriage rates: in Freetown, 24 per cent of girls are married before the age of 18 compared to 60 per cent in the Northern area of the country (UNFPA, 2011). The lower rate of early marriage in Freetown is likely linked to higher levels of education among the urban population, while informants to this research cited that new laws relating to the minimum marriage age were starting to take affect among those living in the slum communities. In addition, traditional values and customs are less influential in the large city compared to more closely knit rural communities, where the power of tribal and religious leaders, as well as the secret Bondo societies (that perform FGM ceremonies), remains strong. Sierra Leone currently stands at 18th in international child marriage rankings: a United Nations Fund for Population Activities (UNFPA) study identified poverty, low levels of education, pressure from families and social and cultural norms as among the main drivers for early marriage in the country (2011). While child marriage is in itself damaging to girls' life chances, as it signifies their status as married women rather than children with corresponding rights, the most detrimental consequence is undoubtedly teenage pregnancy, which in Sierra Leone entails significant risks to girls' health and wellbeing given the country's rate of maternal mortality: at 1,360.00 per 100,000 live births, the highest in the world (World Bank, 2017).

Feedback from research informants in Freetown reflected official statistics regarding early marriage: although it was identified as a problem, participants commented that girls in the slum communities were far more likely to be involved in sexually exploitative relationships, engaging in transactional sex, or being abused through formal prostitution. This is especially problematic because, despite modernising influences, traditional attitudes towards girls and women dominate, and those who engage in premarital sex do so without the social and legal protection granted by marriage, with the added stigma of single motherhood if they become pregnant. Sexual exploitation and abuse was highlighted by the Committee on the Rights of the Child as an area for urgent action in its concluding observations to Sierra Leone's Periodic Review, citing "the high incidence of sexual violence, including rape and defilement in all settings, including in the family and the school" and "the low rate reporting of sexual abuse and exploitation" (2016: 4-5). It is impossible to know the full extent of different forms of child sexual exploitation in Sierra Leone, although a Unicef study on sexual exploitation in West Africa mentioned a number of factors, including a low rate of reporting due to fear of stigma and reprisals; a culture of impunity for perpetrators of abuse; and a "culture of resistance" regarding sexual violence against girls and women, that contribute to the hidden nature of the problem. Poverty and "social norms" were described as the root causes of sexual exploitation, mirroring those ascribed to child marriage (Unicef West and Central African Office, 2008: 5). In the current research, the desperate poverty of the slums was, indeed, shown as contributing to the emergence of new social norms, where it was deemed (privately) acceptable for girls to sleep with men so that their families could eat.

"They told us, the girls themselves told us, our parents aren't taking care of us, our boyfriends are taking care of us, so what do you expect us to do? They tell us to go to dances and to sleep with them and our parents are condoning that. So what can we do? And when we

talk to the parents they say – well these girls are saying we don't meet their needs, sometimes there is no food in the home.” (NGO project manager, Freetown, 2012).

Sierra Leone has one of the highest rates of teenage pregnancy in the world, with 38 per cent of women becoming mothers by the age of 18, while 28 per cent of females aged 15-19 years are either pregnant or have already become mothers (Government of Sierra Leone, 2013).

Informants to the consultations cited teenage pregnancy as the main reason why girls drop out of school at an early age, a view supported by other research (Coinco/Unicef, 2008). An influential UNFPA study published in 2011 described teenage pregnancy as a major problem, having an impact on the health, social, economic and political empowerment and progress of women in Sierra Leone. Significantly, the study illustrated that 71 per cent of teenage mothers were illiterate, which had a direct link to low uptake of contraceptives (used by only 1.2 per cent of 15-19 year olds). The detrimental impact of young motherhood on girls' health has been well documented: teenage mothers represent 40 per cent of maternal deaths in Sierra Leone and they are considered as being at high risk of obstetric fistula (UNFPA, 2011). The high rate of teenage pregnancy in Sierra Leone can be attributed to a number of factors, including sexual exploitation of girls, traditional cultural values and practices, a lack of access to contraception, risky sexual behaviours, and extreme poverty (DCI-SL, 2018). Regardless of girls' marital status “all teenage pregnancies have adverse consequences for the girls, the parents and the communities” (UNFPA, 2011: 16). These adverse effects extend to every area of a girl's life, including their relationship with the state that is obliged to promote and protect their rights. The government of Sierra Leone has come under immense criticism for its ban on pregnant girls attending mainstream schools and from sitting exams (in place since 2015), which blatantly disregards its guarantees under international, regional and domestic human rights law.

The prevalence of FGM in Sierra Leone is also amongst the world's highest, with approximately 89.6 per cent of girls and women aged 15-49 having undergone the procedure (Government of Sierra Leone, 2013). FGM is widely practised in both urban and rural areas of Sierra Leone, although not among the Krio community that is based mainly around the Freetown area. The extent to which FGM is embedded in Sierra Leonean culture is revealed in Chris Coulter's memoirs of a post-war initiation ceremony in rural northern Sierra Leone. The initiation was not merely about the girls' circumcision or 'cutting', but was also regarded as an important social event, an opportunity to gather friends and family together and to re-establish the relationships that had been torn apart during the war (Coulter, 2005). The process of initiating girls and performing FGM is normally undertaken by 'secret societies' called the Bondo, the ceremonies performed by female "Sowei" (traditionally, respected older women in the community) who take girls into the 'bush' or jungle to undertake their rites. The functions of this initiation are steeped in tradition, viewed as preserving girls' virginity; heralding the beginning of her womanhood, and a necessary preparation for her future role as a wife and mother. There are no health benefits associated with FGM, but serious consequences often arise as a result of the practice, including severe haemorrhaging, the development of infections and cysts, increased risk of complications in childbirth, and, sometimes death (WHO, 2018).

Informants to this research frequently highlighted how a girls' role as unpaid domestic workers was undermining their ability to complete their education. The International Labour Organisation (ILO) defines child labour as: "work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development" (2019), that interferes with children's ability to attend school, which was certainly the case in

the Freetown communities. However, Chant (2016) highlights how, in low income countries, families' day-to-day survival often depends on daughters bearing the burden of work within and outside of the home, through taking responsibility for childcare, agricultural labour and earning money through trading. Unfortunately, these chores perpetuate stereotypical roles of girls and their enduring low status within their families and communities, as the girls miss out on school and have few opportunities to build social capital and improve their lives.

Exploitative child labour is banned under Sierra Leone's Child Rights Act (CRA, 2007), yet the use of girls as domestic workers as well as market traders is prevalent all over the country and it appears that few efforts are being made to enforce the law (African Child Policy Forum, 2012). This was confirmed by many research participants, who held poor parenting, illiteracy and poverty responsible for the prevalence of domestic labour that is denying many girls of their right to education. A striking description of an average day for a schoolgirl living in the slums was provided by one research informant:

"We know their daily lives, they are women, a woman's place is in the kitchen, so if you are the daughter of 14 years, you're supposed to wake up in the morning, you go help with the chores at home. And maybe you don't have pipe-drawn water so you go and collect water. You don't have a kitchen in your house so you go outside to get some firewood to start a fire. You do all that and then you have to go to school. By then, they are tired, their concentration span is limited. And, after school they are just waiting for their bed, because they haven't eaten that much at home." (Women's education advocate, Freetown, 2012).

3.6 Literacy, Education and Employment

"We tell them, if only you believe in your education, that uplifts you. Because nobody takes

you for nothing if that's your principle, so believe in education." (Education project leader, Freetown, 2012).

Freetown has a long and proud history of education: it was referred to as the 'Athens of West Africa' during its colonial heyday in the 19th century and was the site of the first university in West Africa, Fourah Bay College, founded in 1827 (Wang, 2007). Outside the capital, however, education provision beyond primary level in the provincial towns and rural areas has largely been disregarded (Peters, 2011). Years of mismanagement and negligence, as well as the impact of the civil war, has had a devastating effect on the quality and extent of schooling in Sierra Leone. It has been argued that the scarcity of education and employment opportunities was a key factor leading to the sense of anger and alienation felt by many Sierra Leonean young people that proved one of the triggers for civil war (Peters, 2011). It is a sad consequence of Sierra Leone's decline during the war years that the country continues to hover near the bottom of the Human Development Index with regard to literacy levels and educational outcomes.

Since the end of the war, Sierra Leone has taken considerable efforts to develop a human rights framework within its legislative system, and considerable progress has been made in realising this in education provision by both the state and NGOs. One of the areas where a real transformation has been achieved is in literacy rates.

Table 3.3: Literacy rates in Sierra Leone (Source: UNESCO, 2013)

Literacy rate % (2013)	Total	Male	Female
15-23 years	57.2	64.5	50.8
15 years and older	32.4	41.3	24.6
65 years and older	3.7	7.1	0.4

Although the overall rate of youth literacy is still low by international standards at just 57.2 per cent, the contrasting rates between the age groups for both males and females, demonstrate that significant progress has been made.

Enrolment in primary education rose significantly following the abolishment of fees in 2003, although only 75 per cent of children complete their primary schooling (Government of Sierra Leone, 2018). Access to lower secondary education has also improved with enrolment rates standing at 62 per cent compared to 27 per cent in 2000, but it is clear that many children are not making the transition to complete their education (UNESCO, 2018). This is especially evident with regard to girls, although there is gender parity in primary education and up to the age of 15, from the age of 16 onwards, there are greater numbers of boys in the system (Government of Sierra Leone, 2018). Just 19.2 per cent of women in Sierra Leone are recorded as having achieved “at least some secondary education”, compared to 32.3 per cent of men (Human Development Index: Sierra Leone Briefing, 2018: 5).

Sierra Leone is far from achieving gender parity with regard to secondary and tertiary education, and the low number of people completing third level education in particular has serious consequences in terms of for the country’s social and economic wellbeing. The Education Sector Plan states that 41 per cent of male and 28 per cent of female teachers are either without a teaching qualification or not sufficiently qualified to teach to the level at which they are working (2018). The Education Plan also highlights concerns regarding low participation rates among females in tertiary education, both in public universities and teacher training colleges. Limited resources at all levels presents a key barrier to achieving the country’s aims and obligations under international law, as public services are under-funded

and children are unable to avail themselves of access to “free” education or to complete their schooling due to a lack of money for basics such as textbooks and uniforms (Peters, 2011).

While poverty affects boys and girls alike, the social and cultural norms discussed earlier heap further pressure on girls to drop out of school early. Educational disadvantage and illiteracy further exacerbate women’s inferior social status, as trapped in their traditional roles they are unable to influence the laws and customs that shape their lives (Lebbie-Moebiyor, 2003).

Enrolment rates may be improving in Sierra Leone, but equally important is the quality of education provided for children. There are many challenges to ensuring children’s right to a quality education, particularly with regard to the high numbers of so-called “unapproved schools” (those not officially sanctioned by the state that do not follow the national curriculum); poverty, which prevents children and families from buying necessary items such as school books and stationary; and the high number of unqualified teachers referred to earlier (Government of Sierra Leone, 2018: 46). The disordered state of the educational system is also a major contributing factor: during the fieldwork in Freetown it was noted by a number of informants that a mixture of age groups is commonly found in classrooms, with 10 year olds educated alongside six-year-old children. The surge in school enrolments over the past decade has left many schools unable to cope; as a result, they function on a half-day system where children either attend class in the morning or the afternoon, meaning that they are literally missing out on half their education (Robinson, 2015). In addition, there appears to be little effort to monitor children’s school attendance:

“You know in our educational system we have the two-shift system, how do we know, how do we track them to know if they should be in in the morning or the afternoon? If you meet them

in the morning they are going to say I'm going in the afternoon, you meet them in the afternoon they'll say I went this morning mam." (Education project lead, Freetown, 2012).

Efforts to improve education provision in Sierra Leone were greatly hampered by the country's Ebola epidemic, which resulted in the closure of all of the country's schools for ten months, with the result that children lost a year of education. DCI-SL feedback from girls in the city of Kenema, demonstrated the horrific loss of life caused by the disease, and communities' fears regarding the impact the outbreak was having on their already struggling education system:

"We are worried about our education because we have lost the only teacher that we used to have in this village to the EVD (Ebola). Even when the teacher was alive, we have been asking government for more teachers but they never sent us any additional one. Now that we have lost the one we had, we wonder when will the government consider sending us a replacement even when school shall have reopened" (2015).

However, due to the introduction of stringent hygiene standards and effective communication with local communities regarding the safety of school environments, school enrolments appeared to have almost returned to pre-Ebola levels, with 1.8 million children now enrolled at schools across the country (World Bank, 2016).

The availability of quality employment opportunities is central to disrupting the cycle of poverty and promoting the status and empowerment of girls. It is difficult to find quality work without a skill or education, work which girls require to escape the trap of poverty and illiteracy, as well as their dependency on men for financial and social support. In Sierra

Leone, the education system has played a part in reinforcing traditional gender roles, with girls encouraged to focus on subjects that reflect their roles and status outside of school (Steady, 2005: 92-93). Even among the Girl Power groups, the suggestions provided for wider vocational training in their communities centred on traditionally female dominated areas of employment, such as hairdressing. However, when asked what kind of jobs they could see themselves doing in ten years, the Girl Power members, (who were still in education during the 2012 consultations), always mentioned professional occupations requiring secondary and third level education or training, such as a lawyer, accountant, engineer, teacher or nurse (Robinson, 2015). The future for those who dropped out early from education was considered bleak, as the girls described how they faced lives as market sellers, prostitutes, or being dependent on their husbands to support them, none of which were regarded as positive outcomes. The Girl Power group members and community participants were highly aware of the importance of completing their schooling, not just with regard to finding professional and well-paid jobs such as those described above, but also because of the wider benefits for their community.

The Girl Power participants were determined and positive regarding their future employment opportunities. Sadly, this optimism is not supported by employment statistics or the anecdotal evidence collected for this research. Youth unemployment, in general, is high in Sierra Leone. It can be difficult for women to find work outside of their traditional roles as wives and mothers: employment options for women are often limited to low-skilled, informal work in agriculture and in market trading, where incomes are generally very low (Mahtani, 2013). Men in Sierra Leone are more likely than women to be engaged in formal employment (either salaried work or self-employed), with the security and benefits (such as pensions) that this provides (Statistics Sierra Leone, 2015). For girls in developing world nations in general,

high unemployment rates are normally linked to teenage marriage and motherhood, which take them out of the formal labour market at an early age (Schumann, 2009). Bandiera et al. (2012) highlight that traditional practices such as early marriage limit girls' future job options and independence, rendering them vulnerable to working in the informal market sector, lacking job security and decent working conditions, as well as engaging in risky behaviours such as transactional sex. Corruption plays a role too, as job opportunities are often limited to those who are well-connected (Peters, 2007). The dearth of employment options even for educated girls was highlighted by a head teacher in one of the Freetown schools, who remarked that he was frequently approached by young, recently qualified female teachers, who find that there are no jobs when they attempt to enter the workforce (Robinson, 2015).

"I know of many that come around, who have gone to teacher training colleges, they have gone to these colleges, they're out but there's no employment for them because no matter what, I cannot offer them classroom teaching. There are many girls that have applied; up to this stage they have not had success. So, the job opportunities I think there are difficulties in it until actually the government thinks of things to see how they can settle it down, not only for girls but I mean, for the country." (Head-teacher, Freetown school, 2012).

Conditions for girls' education are improving but without addressing the underlying social and cultural issues that are causing girls to leave school early, deprivation and powerlessness will continue to be the dominant experiences of womanhood in Sierra Leone. Add to this the limited availability of education provided, as well as the dearth of opportunities for girls' professional advancement, which is prolonging and intensifying the 'crisis of youth', it will be difficult to disrupt the cycle of poverty, illiteracy and early parenthood unless the political will and resources are put in place to enable change to happen.

3.7 The Rural/Urban Divide

Sierra Leone is a diverse nation: its population includes 20 different ethnic groups and 15 languages, while the main religions practised include Islam (around 78 per cent of the population) and Christianity (20 per cent), as well as traditional beliefs (CIA Country Factbook, 2019). However, the most profound difference encountered during the fieldwork involved the experiences of rural and urban dwellers. Despite the huge rise in Sierra Leone's urban population following the war²⁰, around 60 per cent of the population continues to live in rural areas (UNESCO, 2018). Although a process of decentralisation is underway, public services, including access to education, are still highly centralised in the capital meaning that the experiences of young women in Freetown differ greatly to those in the rural areas. There are often few public services in rural areas, including secondary schools, and the perception that the policy makers of Freetown are aloof and far-removed from the lives of rural people is strong (Peters, 2011). In rural areas, where most people survive as subsistence farmers, the fees required for a child to complete their schooling are normally prohibitively expensive, despite the provision of supposedly "free" education:

"In rural areas, children drop out of school because of the poverty. They're not sensitised as to the importance of education so they drop out. The bottom line is poverty as people cannot afford the basic costs of education." (Civil servant, Waterloo, 2012).

Anecdotal evidence suggests that girls and young women in Freetown, although still affected by some traditional attitudes and customs, are more likely to be empowered to take decisions

²⁰ Population density in the Western (Freetown) area increased from 1360.2 people per square kilometre in 2004, to 2154.6 people per square kilometre in 2015. Population density overall in Sierra Leone increased from 68.2 to 97.2 people per square kilometre over the same time period (Statistics Sierra Leone, 2015).

regarding their lives, including their relationships:

“In Freetown, we are more a big city, so more free, to do certain things. That’s why it’s called Freetown I guess! But we operate under the law of course. But upcountry they are strict when it comes to traditions and cultures and I don’t think any organisation has been able to bend them.” (Country director, girls’ education NGO, 2012).

Meanwhile, in rural Sierra Leone, customary laws are followed, early marriage is common and the local chiefs, as well as the Bondo secret societies, remain powerful (Peters, 2011). This was reflected by comments made by an NGO worker based in the provincial town of Makeni in 2012, who, referring to the province of Bombali, stated:

“The then government, they actually brought in free education for girls, you know to encourage them to come up to the fore so there was no fees no school charges for girls. But yet the culture, the tradition, the setting in that part of the country women are not actually coming forth to access education, because for them they see a special set of acts for girls, that is they should go to Bondo society and afterwards get married. That is their key role”.

The rural-urban divide has been described as a critical issue in Sierra Leone and one that has yet to be effectively addressed (Barnes et al., 2007). It is a long-standing problem, stemming from colonial times when Freetown was the focus of British interests (Butcher, 2010).

However, the arrival of modern ‘technologies’ may play a pivotal role in drawing urban and rural experiences closer together. The widespread use of motorbikes among young male Sierra Leoneans since the war and the improvement of transport infrastructure means that access to Freetown and other major towns is a lot faster and easier than in the past. Even the

displacement caused by the war has played a role, as rural people returned to their village and farms having acquired new knowledge and skills (Peters, 2011). In the past decade, the rise of social media and the widespread use of mobile phones mean that young people in the rural provinces are now far more aware of national developments and human rights issues (Peters, 2011). On a broader economic and social front, as Sierra Leone becomes more urbanised it is possible that more employment options will open up for women beyond their traditional roles in the home and in agriculture, as in other developing nations, with the potential to improve their status and life chances, providing they have the appropriate training and life skills (Schumann, 2009).

3.8 Discussion

In Sierra Leone, even in Freetown, entrenched poverty, discriminatory social norms and traditional practices continue to trump progressive alternatives and ways of life: alternatives that could improve the situation for girls and women and help to defy the perception that forms of sexual and gender-based violence are acceptable. In a society where many are illiterate and traditional attitudes and customs so entrenched, challenging the status quo is very difficult, but gradual improvements are being made: life expectancy has increased, gender parity achieved at primary level education and rates of child marriage are on the decline. However, it is known that widespread poverty and early motherhood, alongside rights violations such as abuse through sexual exploitation and FGM, continue to be the defining characteristics of the lives of too many Sierra Leonean girls. The appetite for change is there: transforming girls' lives will require more than enforcing progressive new laws, but providing adequate resources to uphold them, as well as concerted efforts to transform attitudes and behaviours towards girls and women. As Chapter 4 will attempt to demonstrate,

the international and domestic human rights standards described in this chapter do not exist solely on paper, but provide a viable model through which transformative change in Sierra Leone can be achieved.

Chapter 4: Girls' Rights – An African Perspective

4.1 Introduction

So far, we have examined the human rights situation in Sierra Leone vis-à-vis the legislative and policy environment, with a focus on sexual and gender-based violence affecting girls and young women. Human rights represent “at once a utopian ideal and a realistic practice for implementing that ideal” (Donnelly, 2003: 15). For many of the girls who participated in this research, however, their everyday experiences were far removed from the human rights standards designed in international and domestic law to promote their best interests and to protect them from sexual exploitation and abuse. In this chapter I will argue that, despite the chasm between ideals and reality in Sierra Leone, the realisation of the rights of the girl child, as set out in international standards such as the United Nations Convention on the Rights of the Child (CRC), represents an effective means of protecting girls and young women from harm and eliminating the mainly social, economic and cultural barriers that prevent them from achieving their full potential.

“Human rights” do not represent a homogenous entity and the discourse is pitted with tensions involving different interests. During the course of the fieldwork, a myriad of views on human rights was found, from NGO staff who used human rights language and values as a means to secure funding to improve the lives of those in their communities; to teenage girls who embraced the doctrine as a means to stay on at school; to school teachers who were cynical about the use of ‘human rights’ to justify selfish and risky behaviours. However, an

approach based on the universalism of human rights²¹ can be defended on the basis of their moral legitimacy: that all humans, as humans, have the right to lead lives defined by the basic principles of dignity, equality and liberty, consolidated and protected in international and domestic law (Fagan, 2017). Our very vulnerability as human beings, the precarious and unstable nature of our bodies, relationships, societies and the institutions upon which we rely, has itself been described as “a common basis for human rights” (Turner, 2006: 1). For certain groups, such as the girls and young women living in the Freetown slum communities, vulnerability is a defining feature of their existence, but their claim to their human or social rights is no weaker than anyone else’s.

The following sections will describe how the rights doctrine is not only relevant in an African context, but crucial to overcoming the various factors, including poverty, corruption, harmful cultural practices and deep-seated inequality, that underlie the forms of sexual and gender-based violence against girls and women that emerged from the fieldwork. Although girls’ and women’s rights are discussed together, their needs and priorities are, of course, very different. The subjects of this research were teenage girls who, due to their social environment, had to deal with adult issues beyond their years. As a result, the provisions and protections set out in both children’s and women’s rights instruments are examined in this chapter.

A discussion on human rights in an African setting cannot ignore the legacy of historical inequalities and the long-standing Western view of modernisation that treated African societies as primitive and in need of external influence to develop and transform, without acknowledging the potential for change from within or, indeed, the possibility of alternative

²¹ Universalism has been defined as “the desire to establish a globally binding framework for human rights” (Frezzo, 2015: xx).

pathways (Pearce, 2001). I will make the case that while the contemporary theories and laws on human rights are historically Western, aspects of the foundations for human rights, including dignity, freedom and equality, are historically and currently manifest in African societies and can be justified on the basis of the universalism of rights and in legal, economic social, and cultural terms.

I will also describe the challenges facing the rights discourse where accepted norms are coming under increasing criticism, both in the so-called Western cradle of human rights where populism and nationalism are on the rise, and in Africa where violations of basic rights and a struggle to attain cultural legitimacy continue, particularly with regard to women's rights. Given that the forms of sexual and gender-based violence against girls described in this thesis represent rights violations with complex social, cultural and economic roots, addressing these problems requires a multi-faceted approach, using the promotion of human rights values to address inequalities through legislation, the development of adequate social protections (including health and education provision) to combat the effects of poverty, and the promotion of human rights values, especially through the efforts of local-based social movements. Some of the cultural practices described by informants to this research, including Female Genital Mutilation (FGM), are very problematic as they represent a violation of girls' personal dignity and their right to protection from violence and abuse. In this chapter I will discuss how framing these dilemmas as universal human rights issues and engaging with grassroots (particularly those working for change from within), could provide a useful means of overcoming harmful practices without provoking claims of Western imperialism. Finally, there is a special focus on the issue of FGM, which was highlighted as a barrier to girls' right to education by research informants and is a frequent flashpoint in human rights debates.

4.2 Origins of the rights doctrine and recognition in international law

The language and norms evoked by the term ‘human rights’ – the concepts of freedom, equality and dignity - are now so recognisable and commonplace to many in the West that it is difficult to believe that the doctrine is a relatively recent innovation (Freeman, 2002).

Human rights are increasingly enshrined in international and national laws all over the globe. Although abstract human rights theories and laws may seem a world away from daily life in Freetown, their embrace by grass-root organisations, advancement through progressive policies, practices and awareness raising, as well as their recognition in domestic law, render the rights doctrine a powerful tool that can make a real difference in girls’ lives. To understand the relevance of human rights for adolescent girls in present-day Sierra Leone it is necessary to discuss not just what is meant by the term in a modern, multi-cultural context, but also how the doctrine developed to attain widespread acceptance, while continuing to encounter many difficulties in its evolution and implementation.

Emphasising the notion of universality, human rights can be defined as the “rights possessed by all humans simply as human beings”, whose moral foundations mean such rights do not require legal justification - they are our rights by virtue of being human, notwithstanding our age, sex, ethnicity, location or any other factor (Jones, 1994: 81). Although all human rights are “universal, indivisible and interdependent and interrelated” according to the Vienna Declaration (1993), they can be categorised in terms of civil and political rights, associated with liberty, and social and economic rights, which are linked to the notion of equality and are of particular importance due to their potential to empower girls and women. As mentioned previously, it is helpful in the context of this research to distinguish between human rights (ours by virtue of our common humanity) that are guaranteed under

international law and by the state, and the social rights we hold as citizens, guaranteed by nation states, which also entail elements of responsibilities and duties (Turner, 2006).

Despite constant debates and critiques of the rights doctrine, it has clearly struck a chord as a potentially unifying path in a diverse world. Based upon the philosophical underpinnings of human rights – natural rights we hold by simply *being human* - we are born free and equal and have the right to live accordingly, inspired by our better natures and protected from our worst instincts: “human rights are motivated by the terrible and enduring consequences of inhumanity whilst simultaneously testifying to the persevering potential of humanity” (Fagan, 2017:7).

Guiding the way to the modern-day concept of human rights, theories on the nature of rights have changed over time, as Jones summarises:

“They [natural rights] represented the basic entitlements of all human beings and the first obligation of governments was to ensure that the natural rights of its citizens were respected [...] It was also from this concept of natural rights that the modern idea of human rights evolved.” (1994: 72).

However, reflecting different discourses in the human rights community, this Western-centric account has been rejected by some theorists as too “linear” and exclusive, with too little attention given to parallel narratives found in other cultures, including Africa (Pearse, 2001; Ibhawoh, 2018). Without an appeal to “the widest possible range of cultural traditions”, modern human rights have no basis in claiming that they are universal in nature, belonging to one and all (An-Na’im, 1992: 2). The Western origins of contemporary human rights systems cannot be denied (Donnelly, 2003), but an acknowledgement of the perspectives of others is

vital to affirming the universalism of rights and to emphasise their relevance in non-Western contexts; this includes Sierra Leone, where violations of fundamental rights (including survival and development, and protection from harm and abuse) are widespread because the structural apparatus to support basic rights is normally lacking.

The rights discourse attained international legitimacy in 1948 with the launch of the Universal Declaration of Human Rights (UDHR). Drafted by a diverse group of contributors and ratified by 172 countries, the UDHR “specifies minimum conditions for a dignified life, a life worthy of a human being”, as well as representing “a remarkable international normative consensus” regarding the recognition of certain basic rights for all men, women and children (Donnelly, 2003: 15-17). The UDHR had a huge impact in establishing what are now recognised as human rights principles, as well as the rights and responsibilities to be observed at both individual and state level. The Declaration envisaged these rights as belonging to all people, who deserve the basic protection the rights provide, regardless of race, sex, religion and wherever they may live. Through the UDHR, the doctrine had the potential to be realised in everyday reality: rights could be secured for all via the principle of “progressive realisation”, an acknowledgement that establishing a human rights culture would require time, resources and the participation of diverse actors (Kuruvilla et al, 2012: 146). Through the treaties that followed, the UN succeeded in creating a comprehensive international system of laws and institutions. However, it remains a flawed system, and one very much dependent on the priorities and peculiarities of individual nation states.

Following on from the UDHR, legally-binding treaties were drafted and adapted by the international community with more detailed descriptions of human rights, including those of women and children, forming what has been termed “an international human rights regime”

(Kabasakal-Arat, 2006: 417). The International Covenant on Civil and Political Rights (ICCPR, 1966) and the International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966) developed the principles laid out in the UDHR and set out additional standards to which signatory states were obliged to adhere (Jones, 1994). The ICESCR is significant here, as its focus on social, cultural and economic rights are especially relevant for those at risk of poverty, inequality and exploitation, for whom the denial of these fundamental rights can be a matter of life or death (Hodgson, 2002).

4.3 Women and children's rights

The modern doctrine of human rights is founded on the principles of equality, liberty and dignity (OHCHR, 2018). Previous understandings of “rights”, however, were not nearly so open and inclusive. Early expressions of rights were forward-thinking for their time, but they expressed the privileges of their originators while excluding others, such as women and the poor, from their protections and provisions (Brems, 1997). Echoing the theme of exclusion, the rhetoric of early rights texts such as *The Rights of Man* is less inspiring when the rights set out in these documents could only be claimed by rich, propertied white men: “Women, along with “savages”, servants and wage labourers, were never imagined to be holders of natural rights” (Donnelly, 2003: 60). From some feminists' perspectives, even the modern human rights discourse is written for and by men, despite its gender-neutral language (Ezeilo, 2005). Certain rights have proved controversial and those dealing with the status of women and girls are often at the sharp end of the clash with culture and traditions.

The adoption of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1979, represented a significant milestone in recognising the need for

special provisions and protections for women under the law. CEDAW marked a watershed moment, placing positive obligations on states to respect economic and social rights, to ensure the participation of women in civil and political life, and significantly, to protect against harmful cultural practices (Coomaraswamy, 2014). Under Article 2 of this treaty, countries must ensure that discrimination against women in national policies, laws and practices is eliminated. Efforts must be made to guarantee women's rights in the social, cultural and political fields (Article 3), while equal rights in terms of education and employment are set out in Articles 10 and 11 respectively. Significantly, CEDAW also attempts to bridge the divide between public and private lives of women: in Article 16, women's right to equal status in marriage is recognised and "thus extends the writ of [International Human Rights Law] into what many have considered to be the veritably sacred and untouchable domain of marriage and family" (Fagan, 2017: 102).

CEDAW's recognition of women's rights as an area deserving of special attention and protection was a major step forward in addressing the widespread, often invisible, discrimination and violence faced by women and girls alike. While CEDAW has its flaws, particularly as it largely overlooks the situation of the girl child (Plan International, 2017), it brought many problems facing women into the public domain and acted as a galvanising force for rights advocates and civil society groups, who could now invoke women's human rights under the rule of law. As women's rights activists have noted: "the adaptation of the human rights framework has enabled [women's organisations] to reframe women's economic, social and cultural demands from the weak, dependant language of needs to the more powerful and assertive discourse of rights." (Hodgson, 2002: 10).

With regard to children's rights, the most important development in terms of international law is the United Nations Convention of the Rights of the Child (CRC, 1990), whose guiding principles (non-discrimination, survival and development, protection, participation and the best interests of the child) form the analytical framework for this research²². The significance of the CRC cannot be overstated, establishing what has been described as “a new human rights paradigm for public policy – that is, children have rights” (Mauras, 2011: 53). The CRC was also the first international human rights treaty under which the full range of rights – civil and political; social, cultural and economic – was set out (UNICEF, 2019). The universal acceptance of the CRC was a remarkable achievement given the extent to which the Convention seeks to influence the private sphere, including the family; its popularity is underlined by the fact that it was quickly ratified by nearly all UN member states, with the United States still the sole nation not to have done so.

Although it has received some criticism for focussing more on issues affecting boys than girls, for example, on child soldiers rather than early marriage (Plan International, 2017), several of the provisions of the CRC are of significance for the current research. Under Articles 19 and 34 of the Convention, for example, children are guaranteed the right to protection from abuse, violence and sexual exploitation, while Article 28 sets out the right to education, which emphasises the right to free primary education, and extends children's right to secondary education. The impacts of the CRC are powerful and far-reaching: it is clear that there is now a comprehensive international law system in place under which the rights of all children are guaranteed, particularly the vulnerable. As the previous chapter demonstrated, much more needs to be done to translate these laws in to policy and actions, because as

²² The right to protection from harm and abuse is also included in the analysis due to the research focus on sexual and gender-based violence.

Mauras notes with regard to children's rights: "the law is absolutely necessary, but not sufficient" (2011: 55). In the Freetown slum communities, teenage girls face sexual and gender-based discrimination and violence in almost every aspect of their lives, due to the low expectations of girls, their lowly status in their homes and communities, their vulnerability to sexual abuse and exploitation, and in the denial of their right to education. CEDAW and the CRC take the view that girls and women are not merely passive victims of sexual and gender-based violence and discrimination, but rights holders with the agency to claim the resources to which they are entitled.

At international, regional and domestic level, there are now wide-ranging legal frameworks in place, effectively transferring the "burden of persuasion" from rights activists to states, which are duty-bound to protect and promote them (Donnelly and Whelan, 2017: 32). In Sierra Leone, living conditions for the majority of people demonstrate a failure to realise their rights as humans and citizens, although the embrace of the rights doctrine in domestic legislation such as the Child Rights Act (2007) and by social movements in the country, indicates that the will is there, if not the capacity and resources, to realise change.

4.4 Defending the rights of the girl child in Africa

It has been noted elsewhere that the human rights discourse is experiencing something of a crisis in the West, with growing cynicism regarding who benefits from the rights agenda, and the emergence of populist movements in democratic countries that have long been the standard bearers for human rights and liberal values (Fagan, 2018: 2-3). This trend belies the advantages that people in developed countries take for granted, including the robust systems of law and social welfare that have been underpinned by human rights norms for decades. In

contrast, in Sierra Leone as in much of Africa, rights are guaranteed in law but routinely violated while the structures to provide adequate social protections simply do not exist. Paradoxically, it could be argued that while progressive liberalism is in crisis in the West, human rights could be vindicated in Africa, where the fundamental protections and provisions presented by the doctrine still have much to offer. Africa could provide a model for a beacon of “progressive realisation” of the rights for girls and women, through poverty alleviation, the elimination of harmful cultural practices, and using the rule of law set out in human rights treaties and domestic legislation, to hold the state to account.

The provisions offered under the rights doctrine are very real, as they are linked to measurable objectives and development programmes such as the Sustainable Development Goals (SDGs), which can make tangible differences to people’s lives. In addition, a strong civil society and NGO sector continue to promote human rights in Africa, using the language of rights translated into a local context, as is the case with the Girl Power project. The following sections will seek to justify the rights of the girl child in an African context, by demonstrating how they derive their legitimacy on moral, historical, legal and socio-cultural grounds, as well as considering rights as a means by which to combat poverty.

4.4.1 Universalism and the African Context

In situations such as those found in the most economically deprived areas of Freetown, it can be difficult to appreciate the value of human rights principles or the myriad of human rights laws adopted by the Sierra Leonean government, given the precarious, hand-to-mouth nature of everyday life. The social and economic problems that blight the slums are the product of years of poor governance via colonialism, corruption and conflict, but the failings of the state

should not diminish the human rights of the Freetown girls, despite Hannah Arendt's view that "human rights without the support of a sovereign state, [...] are merely abstract claims that cannot be enforced" (as cited in Turner, 2006: 3). Despite their deprived conditions, the girls and young women, alongside the organisations that supported them, made reference to their rights as a means to lobby for change in their community and to highlight discrimination, such as the exclusion of pregnant girls from school. The concept of universality, a cornerstone of the UDHR and the international standards that followed, was not an abstract notion but a human rights principle that was very resonant for the subjects of this research:

"Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty." (United Nations, 1948).

The principle of universality guarantees every person's entitlement to the same rights, regardless of who they are or where they live, and the recognition of these rights in national constitutions is a powerful reminder to states of their obligations. Elements of respect for human dignity, the right to life and liberty, are not uniquely Western but can be found in cultures throughout the world: "Human beings are all alike in some respects that support generalisations both about what is good and about what is bad, not just for some human beings, but for every human being. All this seems so obvious that one can fairly wonder who, if anyone, denies it – and why?" (Perry: 1997: 471). Side-stepping arguments regarding the

historical roots of rights and cultural relativism, Turner (2006) argues convincingly that our vulnerability as human beings, our inevitable decline and death, as well as the vulnerability of the society and institutions around us, is a fundamental basis upon which universality of rights can be defended. The disintegration of the state in Sierra Leone during the 1990s, the horrific death toll from the civil war, mass migrations, destruction of the country's systems of social welfare, health and education, as well as its physical infrastructure, demonstrate how the lives we take for granted can be easily swept away. A justification based on shared vulnerability as human beings stresses our common humanity, as well as the importance of protecting the institutions that guarantee our rights, including the state.

The universal nature of rights means that they are not owned by one particular group of people. While the contemporary, international human rights system does indeed owe its foundations to Western philosophy and laws, other human rights narratives should not be overlooked, which include African struggles and movements against injustice. As Ibhawoh states: "Locating the invention of human rights within Enlightenment liberalism, Euro-American revolutionary idealism or post World-War II internationalism is akin to seeking the origins of the notion of justice in a specific place and time." (2018: 18). Moving away from the familiar narrative of inevitable Western progress and modernisation leading on from the Enlightenment, "significant contributions to the corpus of human rights have come from non-Western cultures (both from the ancient world - before the codification of the "West" as a social construct – and from the modern world)" (Frezzo, 2015: 2), the latter via the contributions of many theorists, politicians and social movements from developing countries.

It could be argued that human rights are not a foreign imposition on African values, but a continuation of an "indigenous egalitarian morality" that is evident in many African cultures

(Ibhawoh, 2018: 5). In recent African history, social movements have referred to the rights discourse to justify their claims for political, civil, social and cultural rights. Women's rights organisations in Africa are using human rights principles to lobby for changes to discriminatory "customary and religious laws" (Hodgson, 2002: 13). In the struggle against apartheid, figures such as Desmond Tutu invoked the African principle of "Ubuntu", meaning humanity and dignity, to appeal to a cross-community sense of solidarity that resonates clearly with the values of justice and compassion represented in the human rights doctrine (Himonga, 2008; Ibhawoh, 2018). In Freetown, people protesting against economic, social and political injustices increasingly use their rights under international standards as a means of justifying their protests. It is true that traditional African societies, while observing some elements of what we recognise as rights, usually place far greater emphasis on "social roles and status with the community" (Donnelly, 2003: 79) rather than acknowledging members as individual rights holders, which was reflected in the dynamics and inequalities observed in the Freetown slum communities. However, there is evidence of an emphasis on individual rights in some African societies, such as the Yoruba of Nigeria, who traditionally believed in a separate, individual spirit moving through this life and onto the next (Pearce, 2001).

Finally, while it is obvious that international human rights treaties are a modern innovation, they are also new in a global sense. The ideology of human rights is a contemporary addition to Western as well as African cultural norms. Until relatively recently in Europe, the human experience was marked by feudalism, repression and lives that were "solitary, poor, nasty, brutish and short", as Hobbes described (1651: i. xiii. 9). The innovations of the past 70 years have been transformative, as treaties such as the CRC have brought together diverse powers

to agree on their common interests, while their interpretation into regional and domestic law demonstrates the potential to develop modern human rights norms with an African slant.

4.4.2 The African State: Democracy and human rights standards

It is worth noting that for all their international and universal character and embrace by grassroot movements, the realisation of human rights rests largely with nation states: “for many people, the single most important power that affects their human rights is their state and its institutions.” (Freeman, 2002: 178). In Sierra Leone, as in other countries, the state represents the main protector and violator of human rights. The notion of the nation state is as recent a development on the continent of Africa as that of international human rights law, and both have experienced varying degrees of success (Pollis, 1996). Like many African countries, Sierra Leone was still under colonial rule when the UDHR was drafted in 1948, but retained its commitment to international standards following independence, even as the dream of self-governance descended into dictatorship and, eventually, a decade-long conflict marked by atrocities and violence. However, since the end of the war, the state has made significant strides to improve living standards, while recognising its international obligations through the development of domestic human rights legislation, as described in Chapter 3.

The history of the nation state is closely tied to Africa’s continent’s colonial past, when new states were established with negligible regard for traditional social, historical and tribal relationships, meaning that their citizens often had little connection to the new countries to which they now belonged (Ibhawoh, 2000). In the decades following the end of colonialism, dictators came to power in many African countries (including Siaka Stevens in Sierra

Leone²³), leading to appalling violations of political and civil rights, while corruption was rampant (Forna, 2003). However, democracy, which normally protects human rights due to its emphasis on accountability to its citizens, is generally on the ascent in sub-Saharan Africa. While the process of democratisation is slow compared to other parts of the globe and the picture on the continent is mixed; the situation regarding indicators including “political participation” and “civil liberties” appears to be improving (The Economist Intelligence Unit, 2019: 27-30). Although the structures that allow for human rights to be observed, including a robust welfare state, are still lacking, Sierra Leone has experienced four relatively peaceful democratic national elections since the end of its civil war, electing governments that have passed progressive legislation with the potential for far-reaching consequences for women and girls regarding education, marriage and protection against sexual violence.

The human rights apparatus developed through the UN has allowed for a system of checks and balances to evolve on an international level, where nation states are held to account and rights violations can be publicly challenged through legally binding treaties or non-legally binding processes such as the Universal Periodic Reviews and the Committee on the Rights of the Child. In 2016, the report of Committee on the Rights of the Child commended Sierra Leone’s progress regarding political and civil rights following the civil war. However, their concluding observations stated that urgent action was required regarding children’s right to protection from abuse and neglect; child sexual exploitation; adolescent health and education. The Committee also expressed their “serious concern” at the widespread practice of FGM and the lack of progress regarding prohibiting or restricting the practice (Committee on the Rights of the Child, 2016: 5). Recommendations regarding the implementation of the Child

²³ Siaka Stevens served as prime minister of Sierra Leone from 1967-1971; and as president from 1971 until 1985.

Rights Act and other legislation were offered, including “strategies to implement child related policies supported by sufficient human, technical and financial resources without relying mainly on donor funding.” (Committee on the Rights of the Child, 2016: 2). While the Committee’s recommendations are not legally binding, the process allows for a degree of accountability on the part of the state that otherwise would not exist, whilst also giving non-state actors, including Defence for Children, Sierra Leone (DCI-SL) the opportunity to put their evidence and express their concerns before an international audience.

Another pressing issue in an African context centres on creating the conditions to ensure that rights norms are accepted at the level of family, community and state. Despite problems encountered in enforcing human rights standards, the commitment of African nations to the rights doctrine is evident through the development of uniquely African regional instruments, which have drawn upon cultural and historical norms for what constitutes a dignified life. The universal nature of human rights mean that they belong to everyone: as African nations are legally obligated to adhere to these standards, they should not be exempt from them.

The key principles of the UDHR - freedom, equality and non-discrimination - were recognised in an African context with the adoption of the African Charter on Human and People’s Rights (or the Banjul Charter, 1981), which was ratified or acceded by 53 members of the African Union (Maluwa, 2004: 1098). The Banjul Charter aimed to adapt the UDHR and international human rights norms into an African setting, to ensure that the rights framework benefits from African cultural insights and to help integrate international human rights, including the rights of women and girls, with traditional African values. What makes the Charter unique is its emphasis on family and community rights, a clear departure from the

Western focus on the rights of the individual and much more appropriate to the African context (Ibhawoh, 2000).

Other African human rights standards developed since the Banjul Charter that are significant for this research include the African Charter on the Rights and Welfare of the Child (ACRWC, 1990; ratified by Sierra Leone in 2002) and the Protocol on the Rights of Women in Africa, or the Maputo Protocol (2003), which was ratified by Sierra Leone in 2015. Both standards represent an important step forward in securing legal protection for girls and women, for example through the provisions against child sexual exploitation set out in the ACWRC. As discussed in Chapter 3, African customary law usually discriminates against women and girls, denying them basic rights in marriage, divorce, property and inheritance; the development of these standards represents an effort to harmonise constitutional with customary law, with traditional systems “acquiring a new face” to ensure that they are more compliant with the women’s and children’s rights (Himonga, 2008: 88). The Maputo Protocol represents an opportunity to address gender-based discrimination and abuse by placing an obligation on states to eliminate harmful laws and practices against girls and women. It is also notable for being one of only two international human instruments that openly denounce FGM (Mgbako et al, 2010), declaring: “state parties shall prohibit and condemn... through legislative measures backed by sanctions, (b) all forms of female genital mutilation, scarification, medicalisation and para-medicalisation of female genital mutilation and all other practices in order to eradicate them.” (Article 5).

Frezzo argues that the most effective means of realising human rights in a real-life context means “charting a middle course” between idealism (where international standards are regarded as a definitive end in themselves) and a realist approach where “such texts are

irrelevant in the conduct of social actors”; advocating that legal human rights standards instead be treated as a “stepping stone” (2015: 17); a progressive global movement involving international bodies, nation states and social movements. As previously described, domestic law in Sierra Leone is attempting to overcome systematic discrimination against women and girls, through the Child Rights Act (2007), the three Gender Laws (2007) and the Sexual Offences Act (2012), developments that were welcomed by the UN Committee on the Rights of the Child in their concluding observations to the country’s periodic reports (2016).

Although there have been flaws in the drafting and implementation of human rights legislation, the development of uniquely Sierra Leonean standards demonstrates an aspiration at the state level to enact human rights provisions in domestic law and policies, a view mirrored in other parts of Africa. As Zeleza remarks: “Human rights discourses find favour in both political and popular circles, among the ideologues of the state and the interlocutors of civil society, a tribute to the enduring and unfulfilled yearnings for more humane societies in African collective memories and social psyches” (2007: 475).

While there is little doubt that these efforts represent an attempt to improve Sierra Leone’s international standing, they also demonstrate a commitment to see international human rights norms reflected in the national discourse; they also can act as a standard to which human rights activists can hold the government to account. For now, however, Sierra Leone is caught in a predicament where there is growing awareness of rights and entitlements, which the state is simply unable to deliver, a situation summarised by Ibhawoh: “The dilemma of the African state today is that the community and extended family are no longer able to play their social welfare roles, while the state is not yet able to replace them in doing this.” (2000: 854).

4.4.3 Human rights and poverty alleviation

Children in sub-Saharan Africa, which continues to be fraught with conflict, corruption and poverty, stand to benefit more than most from the realisation of their basic rights under the law. Children are dependent on adults for their wellbeing and are particularly vulnerable to the effects of poverty, which is a social as much as an economic issue (Frezzo, 2015: xii). In Sierra Leone, those under 15 years of age represent 46 per cent of the country's population (Government of Sierra Leone, 2015), and issues affecting their health, education, development and happiness, are especially important for the nation's wellbeing and future development. The statistics on poverty in Sierra Leone make for depressing reading, with 77 per cent of the population living in what has been termed "multi-dimensional poverty", based on health, education and living standards (UNDP, 2016). Poverty has been identified in human rights documents, including the CRC and the Vienna Declaration (see below), as constituting a violation of human dignity:

"The World Conference on Human Rights affirms that extreme poverty and social exclusion constitute a violation of human dignity and that urgent steps are necessary to achieve better knowledge of extreme poverty and its causes, including those related to the problem of development, in order to promote the human rights of the poorest, and to put an end to extreme poverty and social exclusion and to promote the enjoyment of the fruits of social progress. It is essential for States to foster participation by the poorest people in the decision-making process by the community in which they live, the promotion of human rights and efforts to combat extreme poverty".²⁴

²⁴ Vienna Declaration and Programme for Action (1993).

Progress has been made in recent years, but the majority of Africa remains poor, with a range of social and economic ills including poor governance, conflict and high levels of poverty and illiteracy, which impede people's abilities to claim their rights and their government's ability to meet basic standards through providing adequate social, healthcare and education services. Poverty results in all kinds of human rights violations for girls. They are denied their right to education when they are sent to the markets to work instead of school; they are denied their right to protection from harm and abuse when they are forced to engage in transactional sex to make ends meet. The barriers to enforcement of human rights laws in Sierra Leone are, arguably, more rooted in the country's "severe political, economic and social difficulties" (Ssenyonjo, 2007: 40), rather than deeply entrenched attachment to harmful cultural practices. Efforts to apply progressive laws and policies are often hampered by lack of monitoring and data (Kuruvilla et al., 2012: 166). However, there is huge potential in Sierra Leone for using human rights norms to address social and economic challenges in the country, with significant gains already made with regard to its post-war recovery, addressing discrimination and violence against girls and women and improving governance (UNDP, 2018).

There can be little doubt that poverty lies at the root of many of the rights abuses described here, which could be effectively addressed through providing a practical framework for anti-poverty strategies with a focus on "empowering the poor"; highlighting the legal obligations of states to provide a minimum standard of living; and to tackle discrimination and abuse, directing resources and efforts where they are most needed (Sepulveda and Nyst, 2012: 17-18). This has also been recognized in the CRC and in regional human rights instruments in Africa that put a greater emphasis on socio-economic rights, which, in turn, oblige states to honour their commitments to survival and development rights.

Human rights offer a broad and far-reaching approach to tackling child poverty in Africa, through prioritising policies that benefit children and framing the debate on the long-term benefits of promoting and protecting girls' rights. International cooperation is also essential: Sustainable Development Goal (SDG) 17 focuses on a partnership approach to poverty alleviation with a number of developed nations committed to spending above 0.7 per cent of their gross national income on aid (UN Department of Economic and Social Affairs, 2019). Although the responsibility and power lies with African states, through aid and development programmes, they can be supported to establish systems that will allow social and economic rights to be realised.

4.5 Challenges to the human rights paradigm

There is no denying that human rights have encountered many difficulties in Africa, with the term "struggle" frequently characterising discussions regarding efforts to implement human rights norms. Despite the power and legitimacy gained by the human rights doctrine in international law and politics, serious limitations remain as to its validity and acceptance in everyday life, or as Zeleza describes: "Contemporary Africa is a complex tapestry of contrasts in which human rights, as rhetoric and reality, has never been more pronounced and yet remains precarious" (2007: 475). At various stages over the past half century, the human rights situation in Sierra Leone could reasonably have been described as catastrophic. The rights of African women and girls have greatly suffered as a result of "intersectional" factors, not merely harmful cultural norms and practices but also in terms of the denial of their disability, birth, marital and property rights (Ssenyonjo, 2007: 39). Girls and women's rights are at the centre of a conflict between growing awareness of gender rights under the law, versus a strong "anti-colonial resistance" to perceived Western cultural norms that were

so contemptuous of African culture in the past (Ezeilo, 2005: 248). Thus, while progressive standards have been embedded in law, the real lived experiences paint a different picture.

In the following paragraphs, I will present a number of challenges faced by those at international, national and NGO level, who wish to protect and promote the rights doctrine. In a Sierra Leonean and in a broader African context, these problems include the gulf between rights in legislation and their implementation in practice; reconciling rights with African traditional cultural norms, and the difficulties associated with realising rights in crisis situations, where poverty and inequality are the typical experiences of the majority of people. As An-Na'im states, the most effective means to overcome barriers to human rights is to understand and address the factors that lie behind them (1992). I will attempt to do so in the following paragraphs with regard to sexual and gender-based violence, and will provide some suggestions from the literature as to how these challenges may be overcome.

4.5.1 Challenges regarding enforcement and implementation

In Sierra Leone, low awareness and acceptance of human rights values and laws among ordinary people remains a big challenge, and one readily acknowledged by informants to this research. As Turner comments: "the rights that support life, health and reproduction are crucial to human rights as such. It is however, difficult to enforce human rights, and hence we must explore the complex relationships among the state, the social rights of citizens and human rights of persons" (2006: 1).

Various claims are given to explain the disjoint between ideals and reality. The original standard bearer of 20th century human rights, the UDHR, has been reproached for placing too little emphasis on the economic and social rights that have the potential to transform the lives

of those living in poverty and facing discrimination. Linked to this, a key criticism of international treaties centres on their distance from the lived reality of people's lives – the 'universal' principles they promote are simply too abstract and too inaccessible, to make any difference to millions of people who could benefit from their realisation. The international human rights agenda is also disliked by some who see it as embodying the imperialism and arrogance of the West. Here, human rights are framed by some as a post-colonial "sovereign discourse" which has suppressed the voices of the 'real' human rights agents represented by civil society, or "civil discourse", in order to protect the interests of the powerful. In this interpretation of the human rights narrative, the top-down model is imperialist in nature and too aloof from the general population to be in any way relevant or useful for the people who need it most (Azoulay, 2015: 8-11).

Although the UDHR was ratified by countries across the globe, it is true that many of the signatory nations in Africa were still under colonial control at the time (Kabasakal-Arat, 2006). However, it is telling that the principles enshrined in the Declaration have outlasted the colonial era and were embraced by Africans during their efforts to cast off colonialism and in their post-independence nation states, alongside the development of innovative and influential regional standards. The transition from colonialism to independence and onwards, was (and is) fraught with difficulties in settings where corrupt dictatorships and conflict stunted economic growth, suppressed political and civil rights and the development of basic safety nets to ensure social rights. In poor countries such as Sierra Leone, catastrophic events such as the Ebola outbreak of 2014-15 continue to cause severe setbacks to the realisation of human rights norms.

With regard to domestic law, there has clearly been a concerted effort on the part of most African countries, Sierra Leone included, to embrace human right norms in their legislature. Unfortunately, no formal means exists of enforcing the implementation of these rights among individual African states (Kabasakal-Arat, 2006). Nation states are the most powerful actors in determining the interpretation of human rights in domestic laws, policies and everyday practices (Pollis, 1996), thus it is one of the great paradoxes of human rights that their realisation depends on sovereign states, frequently the greatest violators of rights: “The modern state, even in the Third World, not only has been freed from many of the moral constraints of custom, but also has far greater administrative and technological reach. It thus represents a serious threat to basic human dignity, whether that dignity is defined in “traditional” or “modern” terms.” (Donnelly, 2003: 92). This paradox means that the realisation of carefully negotiated and hard-won human rights remains dependent on the ability and will of (often inept) national governments and institutions, “a tragic irony” in the eyes of many rights observers (Haugen and Boutros, 2010: 55). Even where human rights treaties are ratified by nation states, they can be merely paying ‘lip service’ to the international order to avoid condemnation and scrutiny. This is the situation outlined by Hollar in her review of works concerning human rights instruments and impacts, who describes the “sincere ratifiers”, who commit to human rights standards on moral grounds, versus the “insincere ratifiers”, who superficially embrace human rights to deflect criticism and attention (2013: 108). In the case of Sierra Leone, the country’s dependency on international aid is, without doubt, a driver in many of its efforts to modernise, which in itself opens the international system to criticism of operating a contemporary form of colonialism.

The role of elites, belonging to state and civil society, in respect of promoting and restricting human rights norms, has been double-edged. As shown in Chapter 7, NGOs in Sierra Leone

have emerged in recent decades to both challenge and collaborate with the state, and while many have close ties with grassroots organisations and communities, there is little doubt that NGOs are seen as being among the 'big men' or the 'elite'. The disengagement between elites and the masses was certainly visible with regard to the current research, where the privileged and educated Freetown NGO professionals, well-versed in human rights matters, despaired at those who they regarded as the illiterate and ill-informed of the provinces. Far from nurturing a sense of local ownership of rights through dialogue and integration with local customs, these efforts raise concerns that the imposition of "human rights" ideals via civil society and NGOs are merely another attempt to 'civilise' backward African societies (Zezeza, 2007).

In response to the critique of the UDHR and international standards as foreign, or imperial impositions, the development of international treaties involving negotiators from diverse backgrounds, along with the establishment of forms of human rights law in the national legislation of every country including Sierra Leone, have helped to cement the legitimacy of human rights, in the legal apparatus at least. The adaption of human rights norms in national discourses is an important step in terms of bridging the gap between abstract international rights and their relevance in people's daily lives. Interpreting rights into African settings requires rights to resonate with people's needs, to appeal to social protections, help develop structures that allow democracy to flourish, to overcome cultural obstacles, and to engage with state and civil society to realise all of this.

The development of domestic and regional human rights standards is particularly important, as they provide a response to relativists who claim that human rights cannot be reconciled with cultural norms in non-Western settings. In fact, standards such as the ACWRC and the

Maputo Protocol, while flawed, represent an aspiration to develop uniquely African human rights instruments with respect for African historical and cultural perspectives. The ACWRC has been said to represent: “the potential to reverse the discriminatory practices that prevail in many parts of the continent and to educate social, administrative and judicial institutions about the way in which the child should be viewed and treated within society” (Lloyd: 2008: 33). The development of African human rights instruments has allowed for recognition of the social, economic and cultural conditions that are linked to the continent, for example, moving away from the Western focus on what has been described as “atomised individual” rights (Ibhawoh, 2018: 8), to acknowledging a more communitarian interpretation of the rights doctrine.

The appeal to the ties of extended family and communities are important for children’s rights in African settings, where social security systems, including childcare, are absent and women and girls depend on informal arrangements to return to school or work once they have had a baby. While African human rights instruments have been criticised for their use of clawback clauses, it is interesting that the ACWRC places the ‘best interests of the child’ above all other child rights tenets, acknowledging that it is through this principle that all other rights – survival and development, protection from harm and abuse, and so on – can be realised (Lloyd, 2008). This is also an important rebuke to harmful cultural norms including FGM and early marriage, that can never be in the best interest of the child.

4.5.2 ‘Clash of cultures’ and the rights of the girl child

Realising the provisions of CEDAW, CRC, and other standards related to gender rights has not proved easy in Sierra Leone. Girls and women’s rights have traditionally created one of the greatest sources of tension in international human rights circles, because they influence

the private realm of the family and represent, for some, a foreign intrusion on deeply-held 'cultural' values and norms. A number of African and Muslim nations originally refused to ratify CEDAW on the grounds that it was not compliant with their cultural and religious values²⁵ (Makhlouf Obermeyer, 1995). Thus, while the CRC established children and young people as active rights holders, the mantra that "women's rights are human rights" remains contentious (Ezeilo, 2005: 233), and this is reflected in attitudes and behaviours towards teenage girls whose rights intersect these domains. It is correct to say that "culture" is frequently used as an excuse for human rights violations such as FGM that would otherwise be deemed unacceptable on the grounds that it constitutes torture (Ezeilo, 2006). The problem is that elements of traditional African cultures do espouse values and practices that often have dreadful consequences for girls and women's wellbeing and health, and are usually enforced by (male) community leaders and chieftains. Because of this, many commentators state that there is a "duty to uproot cultural obstacles" in order to fully realise the rights of girls and women as equal citizens (Ssenyonjo, 2007: 64).

In contrast to the universalist stance described earlier, cultural relativists argue that problems encountered regarding cultural norms and human rights standards are due to their basic incompatibility and that it is not possible to assert the universal morality of human rights principles as different standards of morality exist: "relativists do not deny either the existence or the potential efficacy of morality. They do deny the legitimacy of purportedly universal doctrines but they do not thereby consider morality to be a purely arbitrary or random phenomenon" (Fagan, 2017: 40). Although there are different forms of relativism, the concept normally regards individual rights as an essentially Western concept, which are

²⁵ As of 2019, there are eight countries that have yet to ratify CEDAW. These are: the Holy See, Iran, Niue, Palua, Somalia, Sudan, Tonga and the United States.

therefore not always applicable or appropriate to non-Western societies, where different ideologies and perspectives exist. The 20th century emergence of cultural relativism represented a reaction to the enduring legacy of colonisation and perceived Western cultural imperialism (Pollis, 1996; Kabasakal-Arat, 2006). For African people who had lived under colonialism, the posturing of their former colonial masters with regard to rights, their appeals for freedom, equality and dignity, must have appeared self-righteous and hypocritical. It is also true that, in the context of a globalising agenda, protecting what is local and indigenous holds a certain attractiveness, particularly for people who already endured disparagement of their customs under colonialism: “if cultures are to be evaluated and judged, it must not be from the vantage point of an arrogant outsider” (Coomaraswamy, 2002: 4). However, those who advocate for a degree of relativism in order to protect sensitivities around traditional cultures need to be aware that they could be merely defending the privileges of the powerful elites in those societies (Ezeilo, 2005). At a political level, cultural relativism also has been criticised as a platform upon which repressive leaders and elites can justify their privileges, as well as human rights violations in their countries on the basis of cultural ‘norms’ (Pollis, 1996; Kabasakal-Arat, 2006).

The debate around women and girls’ rights has been characterised by the private-public divide, that is to say, how and whether human rights norms should address rights violations in private, family settings, where the majority of abuse against women and girls occurs (Ezeilo, 2005). However, it is impossible to separate rights into those that should be enforced by the state and those that should lie outside its reach: to start, rights are interdependent on one another, and if girls are denied their rights in one realm (such as their right to protection from intimidation and abuse on their way to school), it will surely impact upon their other rights (such as education and participation). In addition, framing certain rights abuses as belonging

in the family sphere, out of reach of the state, is little more than a convenient opt-out for governments who would rather not antagonise their traditional bases (Manjoo, 2016).

Although debates continue, it is widely accepted that the relativist paradigm has been rejected at international level, with the Vienna Declaration of 1993 claimed as a victory for universalism and for Western advocates against the proponents of relativism (Pollis, 1996: 330). The friction between the relativist and universalist stances regarding women and girls' rights has played out for a long time, but these tensions are a distraction from the very real human rights violations that need to be addressed, which are grounded in entrenched, fundamentalist ideas around essentially flexible and changeable concepts. It is possible to recognise the integrity of the principle of universality while giving due respect to cultural norms, providing they are not harmful. However, to tackle the issues addressed in this thesis, sexual exploitation, forced marriage and FGM, any compromise to the relativist stance has the potential to allow for terrible violations of girls' rights in the name of culture and tradition.

The negative impact of so-called cultural norms on girls' wellbeing, suggest that human rights supporters have a duty to weed out harmful practices, but in such a way that is acceptable to communities and without invoking a sense of an arrogant, Western agenda. Cultures are not set in stone: "culture is constructed through selective appropriations from a diverse and contested past and present" (Donnelly, 2003: 102). There are certain rights, such as the ban on torture and discrimination on racial grounds, that are judged as being universally justified due to their assault on the dignity and liberty of the individual (Coomaraswamy, 2002). Therefore, on what grounds are women and girls' rights violated through FGM and early marriage, if not merely on account of their gender or to allow for

cultural norms? This is unacceptable. In a Sierra Leonean context, where the cultural relativist argument has been used to justify a number of practices that are obviously harmful to girls, it makes sense to challenge these injustices by applying universally-accepted human rights standards: there should be no middle ground where damaging practices can occur, given their potential to ruin the health and happiness of girls and women.

Although progress has been slow, there is little doubt that in Sierra Leone and other countries, efforts to eliminate harmful practices are in place. Sierra Leone faces challenges in implementing its new laws and change is unlikely to happen through changes to the law alone. The focus therefore must be on how to eliminate harmful practices that are justified in the name of culture, without appearing as a throw-back to colonial arrogance, dismissive of indigenous traditions. Helpful approaches are put forward by theorists who appeal to efforts to integrate human rights values into local customs, through the efforts of local people. Fagan argues that the elimination of norms that harm girls and women does not suggest that their attitudes and behaviours become “Westernised” but that communities should be accorded the freedom to discuss and develop their identities “free from the spectre of criticism and innovation being dismissed as forms of cultural disloyalty or betrayal” (2017: 127).

Coomaraswamy also takes the view that in order to succeed in overcoming violations of girls’ rights efforts must be made to “re-engage the local”, but emphasises the need to ensure that local efforts are supported by the rule of law and robust domestic human rights legislation (2002: 11-15).

Achieving what is termed ‘cultural legitimacy’ is key to overcoming cultural barriers to girls’ rights. The approach set forward by An-Na’im is often cited in the literature as representing an effective means of overcoming cultural barriers to human rights, with a focus on

understanding and addressing the underlying reasons for these harmful practices, integrating rights through local communities through what he terms an 'internal dialogue' and pushing for change from within (1992). This internal dialogue approach would be effective in conditions such as in Freetown and beyond, where there is a growing divide between the urban and educated and the rural-based population who remain committed to traditional norms. Speaking from an African perspective, An-Na'im suggests that the creative arts and literature, as well as academic and political discourses, can play a significant role in promoting dialogue and engagement in communities where harmful practices are entrenched. In Sierra Leone, this could be done through promoting human rights education; encouraging elements in communities who support girls' rights; engaging the wider public through awareness-raising; working with community members and chieftains; as well as embedding children's rights practices in law and policies – what is in the best interest of the child - which could gradually change hearts and minds regarding cherished cultural practices.

The role of civil society as local agents of human rights has been vital in raising knowledge and awareness, given the limited capacity and willingness of the state to realise women's rights in particular (Coomaraswamy, 2014), as well as an appeal to the sense of community solidarity that is important in African contexts. Despite the many challenges, there is much evidence to suggest that legislation, government strategies and grassroots advocacy based on human rights norms are playing a part in diminishing the influence of harmful cultural customs and traditions in Sierra Leone, as outcomes across a spectrum of measures are steadily improving.

4.5.3. Globalisation

Finally, it could be argued that the greatest threat to human rights today comes not from cultural relativists or weak or repressive nation states, but the forces of globalisation²⁶, which undermines the ability of sovereign states to realise universally-accepted standards of human rights, particularly with regard to social and economic issues. While international systems have offered a conduit through which human rights and humanitarian aid have spread throughout the world via nation states (Donnelly, 2003), the power of global markets and transnational corporations has also expanded. These too have an obligation to observe the rights of their workers and the societies in which they are based, and there has been a long-standing debate around how and whether these obligations should be enforced. In recent years, it has become increasingly apparent that large multinationals are complicit in gross human rights violations in the West and the developing world alike (Aaronson and Higham, 2013). As Goodhart explains:

“The destabilising activities of transnational companies (TNCs), the destructive impact of structural adjustment policies (SAPs), the capricious movement of financial capital, the dismantling of the social welfare state, the erosion of state power, environmental degradation, refugee crises and the global sex trade are among the most frequently mentioned charges in the indictment of globalisation.” (2003: 935-936).

In an effort to address the potential threat to human rights posed by the growth of transnational companies, in 2011, the UN Human Rights Council published their “Guiding

²⁶ A simple definition of globalization provided by the World Bank describes it as “the growing interaction of economies and societies around the world” (2002: ix).

Principles on Business and Human Rights”, which established three pillars for implementation: the duty of states to protect people’s human rights; the responsibility of companies to respect human rights, and support for victims of abuse by transnational corporations (Human Rights Council, 2011). While an emphasis on the role of the state and raising awareness of human rights in a corporate context is important, concerns have been raised regarding the situation in low-income countries where weak, corrupt or indifferent governments may be unable or unwilling to challenge the powerful foreign and business interests who commit human rights abuses. Underlining the importance of social movements, non-state actors including unions and NGOs have been in the vanguard of challenges against non-compliant bodies: “States must not only be able, but willing to step up to their duty to protect human rights and this will likely be done most effectively by working with the non-state actors who are currently carrying the lion’s share of the regulatory burden in this sector” (Nolan, 2014: 22).

In Sierra Leone, the ongoing development of a more globalised and open economy and society could have the same impact as the advent of capitalism visited on the European poor of the eighteenth and nineteenth centuries. For the masses crammed into the slums of cities during the Industrial Age, the old ways of life – the feudal system, common grazing rights and the notion of *noblesse oblige* - were soon rendered irrelevant (Goodhart, 2003: 952). This is reflected in the mass migration to Freetown brought about by the war and continued today by rural Sierra Leoneans in search of a better life and in the face of a poor and fragile state. In abandoning their age-old social structures, Sierra Leoneans risk losing the safety net offered by their traditional customs and ways of life. As Donnelly observes, “the conditions created by modernisation render the individual too vulnerable in the absence of human rights” (2003:85).

However, it could also be argued that globalisation is a very effective tool for promoting and raising awareness of human rights across the globe, revealing different outlooks on rights from the perspectives of developing nations, who are disproportionately affected by inequalities: “the attendant advances in communications technology [...] have not only generated more publicity for human rights abuses, they have also brought greater exposure to non-Western conceptions of human rights” (Frezzo, 2015: xi). While the expansion of transnational forces threatens the sovereignty of the nation states and causes upheaval to traditional economies and societies, globalisation also stresses our common humanity, as achievements such as the Paris climate accord, the power of the international aid system including the SDGs, and the growing influence of social movements such as Amnesty and Human Rights Watch, have demonstrated: “Arguably, the single most important moral consequence of increasing globalisation consists in recognising that we are all implicated in one another’s plight. We cannot morally avoid the effects of the suffering of others” (Fagan, 2017: 15). The NGO project that supported this research, Girl Power, is an example of an effort to address a global human rights issue (gender inequality and violence against girls), with Dutch-government funded projects spread across 10 countries in three continents. In Sierra Leone, for communities that have clung to traditional beliefs and practices through the ages, the expansion in technologies – internet and mobile phones – could represent an opportunity for girls and women to network and access knowledge and information, counteracting many of the traditional obstacles to their participation.

4.6 FGM and cultural rights

The women’s rights agenda in Sierra Leone is as contentious as it is elsewhere in Africa: “it produces tension everywhere, because it often collides with the twin powers of culture and

religion” (Coleman, 2004: 86). The introduction of human rights norms through national legislation, including the setting of a minimum marriage age in 2007, may result in fewer girls marrying young. However, exacerbated by poverty and the Ebola epidemic, forms of sexual exploitation and resulting pregnancy remain commonplace, so the risk to girls’ health and life chances persists, alongside the continuing stigma attached to their status as unmarried mothers. However, of all the rights abuses described by informants to this research, FGM is probably the most problematic in terms of the conflict in the human rights arena, and so it will be explored in more detail in the following paragraphs.

The literature on cultural relativism and women’s rights often focusses on FGM, a culturally and politically sensitive topic despite the progress made on women’s rights in other areas. FGM is certainly not universally accepted in Sierra Leone; however, the fact that the vast majority of the country’s girls and women have been cut demonstrates the power that the practice continues to hold. For some, here is the human rights paradigm at its most overbearing, determined to press its imperialist agenda on the age-old customs of communities for whom it has no relevance whatsoever, a type of “cultural imperialism” (Mgbako et al., 2010: 23). Conversely, FGM is also regarded as a brutal and incomprehensible practice, representing a gross violation of girls’ rights: “The lion’s share of feminist outrage concerns the practice of female circumcision, which has been described as “barbaric torture and mutilation” designed to perpetuate male ownership over women and as “deeply linked to the denigration of women as inferior beings.” (Brems, 1997: 148). Even the language surrounding the practice is debated, with some preferring the term female circumcision to FGM, which overlooks the spectrum of activities that take place under the

umbrella of circumcision. With regard to Type 1 FGM,²⁷ for example, it has been stated that it is offensive to suggest girls have been “mutilated” by the process, which is less invasive than other forms of FGM (Ezeilo, 2005: 241). The practice of FGM (in all of its forms) has been condemned internationally through the 1993 UN Declaration on the Elimination of Violence against Women (Perry, 1997: 488), as well as the 1995 Beijing Platform for Action, which advocates the elimination of harmful cultural practices (Brems, 1997: 153), while the CEDAW Committee has designated FGM as a harmful cultural tradition and has advocated for states to eliminate the practice. During the process of drafting the CRC, the issue of FGM proved so contentious that the practice is not criticised directly in the Convention. This was due to the stance taken by a number of African states, in particular Senegal, who feared the impact of an outright ban on “valued cultural practices” (Harris-Short, 2003: 137-140). Attacks on FGM on human rights grounds has been criticised by its defenders who state that criticisms of the practice represent forms of “cultural intolerance” (Fagan, 2010: 82). As Harris-Short points out, “FGM is deeply entrenched within the socio-cultural life of the communities in question and the state’s willingness to accept FGM [as] “prejudicial to the health and welfare of the child” is simply not shared by the population at large” (2003: 141).

²⁷ The WHO (2018) sets out four different types of FGM: “Type 1: Often referred to as clitoridectomy, this is the partial or total removal of the clitoris [...]; Type 2: Often referred to as excision, this is the partial or total removal of the clitoris and the labia minora [...] with or without excision of the labia majora [...]; Type 3: Often referred to as infibulation, this is the narrowing of the vaginal opening through the creation of a covering seal. The seal is formed by cutting and repositioning the labia minora, or labia majora, sometimes through stitching, with or without removal of the clitoris (clitoridectomy); Type 4: This includes all other harmful procedures to the female genitalia for non-medical purposes, e.g. pricking, piercing, incising, scraping and cauterizing the genital area”. According to Bjalkandar et al. the majority of circumcised women and girls in Sierra Leone undergo Type 1 and 2 FGM. In a survey, based in the northern and southern regions of the country, the vast majority of respondents (84.5 per cent) stated they had experienced health complications following FGM including “bleeding”, “incomplete healing” and “tenderness” (2012: 327).

Debates concerning FGM neatly demonstrate the complexity of Sierra Leonean culture and law. Among the informants to the current research, for the educated and the Krio community, FGM was regarded as a barbarous and dangerous custom that should be eliminated. Although participants in Freetown stated that while FGM is still practiced in the urban slum districts, it is of particular importance in rural communities, and politicians were reported as being reluctant to condemn the practice for fear of losing popular support. Initiation into the traditional Bondo societies by undergoing FGM is difficult, if not impossible, for girls to resist, given the cultural influence and power accorded to the Bondo, one of the few areas of life where women have some semblance of control. However, it has been argued by DCI-SL that the image of the Bondo as an empowering influence for women is merely a facade, as the societies are, in fact, controlled by their local chiefs, who are almost always men. The Bondo is a repressive force in women's lives, indoctrinating girls into accepting traditional and submissive roles, ruining their health and sustaining gender inequalities that are greatly damaging to the socio-economic fabric of the country (DCI-SL, 2018). Therefore, any cultural defence of FGM cannot claim to do so on the grounds of defending the rights of girls and women.

The literature strongly supports the argument that although cultural traditions and bonds may be strong in Africa, there is no reason why non-Western societies cannot come to respect universal human rights norms:

“No culture or comprehensive doctrine is “by nature” or any given or fixed way, either compatible or incompatible with human rights. Whatever their past practice, nothing in indigenous African, Asian or American cultures prevents them from endorsing human rights

now. Cultures are extremely malleable, as are the political expressions of comprehensive doctrines.” (Donnelly, 2007: 291).

Given the ever-changing fluidity of the nature of ‘culture’, increasing urbanisation, changing work practises and the impact of new technologies, it makes little sense to build a defence of traditional customs such as FGM, based on their social and cultural importance. These cultural norms do not form a legitimate excuse to deny girls of their basic rights, so the issue of addressing harmful cultural practices is best dealt with through engaging the grassroots so that people feel ownership of their rights as something that is grounded in their culture and values, rather than being regarded as a foreign imposition (Mgbako et al., 2010). The ‘bottom-up’ approach to raising knowledge and awareness of rights is currently being undertaken by the Girl Power project in Sierra Leone, which is reaping some results through engaging with poor communities, as demonstrated in Chapter 7.

With regard to FGM, simply because the custom is currently an important aspect of life for many Sierra Leoneans does not mean that, over time, the practice cannot be reduced and eliminated through the support of the indigenous population. The ‘answer’ is unlikely to lie in banning the practice, which may only serve to drive it underground, but instead to raise community awareness of the harm caused to girls’ wellbeing, and to find alternative sources of employment for the Soweï women who carry out the practice (An-Na’im, 1992; Mgbako et al., 2010; Coomaraswamy, 2014). However, in Sierra Leone, and elsewhere in Africa, while efforts are currently being made to replace the ‘cutting’ aspect of the ceremony with another form of culturally appropriate initiation, change is likely to be gradual (Harris-Short, 2003; Mgbako et al., 2010).

4.7 Discussion

The problems which blight the lives of girls and young women who are the focus of this research, are not unique to Freetown. They are, unfortunately, the reality of life for many millions of people, whose rights and dignity as human beings are violated as a result of these experiences. Within the human rights paradigm, however, there exists a means through which the injustices faced by the Freetown girls and other vulnerable groups can be identified and addressed, drawing its legitimacy from the notion of universalism based on our common humanity and vulnerability, as described by Turner (2006: 6). From a legal perspective, human rights now provide a comprehensive framework through which girls' rights can be protected and promoted. Rather than being treated as passive victims of abuse, taking a human rights approach empowers victims of exploitation to frame their experiences as violations of their entitlements to live lives free of discrimination, and to access the resources to which they are entitled. Exposing how girls are being denied their rights because of the sexual and gender based violence they face, is the most straightforward and effective way of tackling the problem, using existing tools. However, it is clear that despite the efforts of successive governments and non-state actors alike to embed a culture of human rights in Sierra Leone, the gap between rhetoric and reality remains huge.

The human rights community in Africa faces many problems in translating the human rights norms, set out in international and national standards, into reality for millions of African women and girls; women and girls who would benefit from their implementation. However, the backlash against the perceived 'colonial' nature of the human rights framework is being counter-acted by the embrace of human rights norms by many local grass-root social movements. Certain practices, such as FGM, cannot be permitted under the umbrella of

cultural rights because such customs fail the basic test of respecting the dignity of a human being, given their very harmful and long-term impact on women's lives. However, as this chapter has shown, for a culture of rights to have a chance of success, a balance must be struck between respecting culture and respecting rights.

Chapter 5: Findings on Sexual and Gender-Based Violence Against Girl in Freetown

5.1 Introduction

As described in Chapter 1, this research was originally conceptualised as a study solely on girls' right to education, but was amended when it became apparent that the *barriers* to the right to education in the Freetown settings were themselves a significant subject area. The most pressing issues affecting girls' lives stemmed from poverty and discriminatory social and cultural norms, set against a backdrop where sexual and gender-based violence against girls and young women represented a 'normal' aspect of everyday life. The nature of sexual and gender-based violence described by the research participants took many forms, but mainly involved sexually exploitative relationships with older men and peers, transactional sex in exchange for money and gifts, Female Genital Mutilation (FGM), early marriage, and abuse through formal prostitution²⁸.

Research participants were asked to identify the main barriers to education for girls in Freetown: in all of the interviews and group discussions, various types of sexual and gender-based violence and their consequences, particularly teenage pregnancy, were highlighted as the key reason for the high rate of disengagement from school among adolescent females in their communities. Sexual and gender-based violence has been identified as a significant global problem, with increasing attention paid to girls and young women who are at risk or experience abuse of this nature²⁹. The rights of girls and young women in the slum

²⁸ As outlined in Chapter 1, this thesis focusses on male violence against girls and young women, based on the testimonies of those who participated in the research and reflecting a "gendered" perspective, as women are disproportionately represented among the victims of sexual and gender-based violence (Firmin, 2013: 45)

²⁹ A global WHO report providing regional estimates on violence against women states (with regard to intimate partners): "prevalence of exposure to violence is already high among young women aged 15–19 years, suggesting that violence commonly starts early in women's relationships" (2013: 16).

communities were violated on a daily basis as a result of the violence and discrimination they experienced in their social milieu, as Decker et al. state: “GBV [Gender Based Violence] occurs against the backdrop of a broader social context [...] GBV is considered perpetuated by macrolevel forces including male entitlement or ownership of women, rigid gender roles, and acceptance of interpersonal violence at a social level” (2015: 189). In societies where forms of sexual and gender-based violence are accepted and even condoned, girls are not given the opportunity to be girls, to mature and develop in their own time, to go to school and to enjoy their childhood. In Freetown, there were many vulnerability factors for violence and abuse: girls’ routes into sexual exploitation were linked to poverty, neglect, and the pressure to conform to discriminatory social and cultural norms.

Although the topics explored during the focus groups and semi-structured interviews were broadly similar, the different methodologies and settings where the consultations took place had an impact on the data collection process and findings. The one-to-one interview format allowed for open and flexible conversations, and for deeper probing when participants raised potentially sensitive issues such as the prevalence of transactional sex. The girls’ groups were more structured in terms of activities, and because of the group sizes and the public setting, discussions usually concentrated on school and the right to education in general. This is reflected in the research findings, where much of the feedback relating to sexual and gender-based violence in intimate relationships, families and the communities, is drawn from the interviews. As noted in Chapter 2, the girls’ groups, were very diverse in terms of the participants’ ages, which ranged from 5 to 22 years, although the majority of the girls were in their teens. This has some significance with regard to the findings presented in this chapter: the younger girls (those aged 10 and under, who represented 9 of the 28 Girl Power

participants) mainly contributed through taking part in the drawing exercises in the smaller sub-groups, which explored girls' perceptions and experiences of the schools they attend³⁰. In both the Rokupa and Bonga Town groups, the younger participants played little or no role in giving feedback to the general group on the drawings, or in the discussions regarding problems facing girls in their community such as teenage pregnancy or FGM. These discussions mainly focussed on barriers to the right to education, which as we have seen, particularly affect girls from the transition to secondary school onwards, and so were most relevant to those aged twelve-plus (who also formed the majority of the Girl Power group participants).

It is important to note that the 2015 follow-up interviews, which were also undertaken on a one-to-one basis, took place when Freetown was in the midst of the Ebola epidemic. The girls had not attended school for several months and the full socio-economic impact of the Ebola outbreak was making itself felt; this is reflected in the unease and pessimism of their responses.

This chapter will set out participants' perspectives and attitudes regarding sexual and gender-based violence against girls, as experienced in the Freetown slum areas of Bonga Town and Rokupa. To begin, the findings of the Girl Power groups on the right to education are explored, which provide some insight regarding their perspectives on the subject of the Sierra Leonean education system. Following this, the key themes that emerged from all of the qualitative data gathered are examined, including the relationship between poverty, slum life

³⁰ Chapter 2 describes how managing the large number of participants in the Bonga Town group was challenging as a researcher. Two of the participants were 5 years-old, and as children officially start school at the age of 6 in Sierra Leone, it is unlikely that they would have been able to contribute to the conversations on education as they were too young to attend school. As they were members of the Girl Power programme and in order to keep the goodwill of the group, however, I was happy to let them to stay for the discussions.

and forms of sexual and gender-based violence; the role of cultural norms; the moral ambiguity surrounding teenage girls and, finally, the impact of pregnancy on girls and young women. Throughout the chapter, quotations from participants and photographs taken during the consultations, as well as case studies provided by Defence for Children, Sierra Leone (DCI-SL), are used to illustrate and support the findings.

5.2 Perspectives on the right to education in Freetown

As shown in Chapter 3, education is regarded as an essential and inviolable human right, recognised in international and regional African standards, as well as domestic legislation in Sierra Leone. It has also been established as an important protective influence in girls' lives: "Increased education may delay entry into the labour market and improve labour market opportunities including earnings and desirability of occupation. This in turn may increase economic security and decrease financial independence on males, reducing the need for transactional or age-disparate sex" (Behrman et al., 2016: 185). As outlined in Chapter 3, Sierra Leone has made a concerted effort to improve enrolment rates since the end of the civil war in 2002. While these policies have certainly proved successful, questions regarding the quality of education remain, in terms of schooling as well as the conditions in which children are taught. Feedback from informants to this research, supported in the literature and by official statistics, demonstrate a high drop-out rate among girls from the secondary cycle onwards, linked to broader social and economic factors that push them out of school, in addition to the persistence of cultural practices that fall within the parameters of what could be considered human rights abuses. In Freetown, denial of the right to education was just one facet of a society where discrimination and violence against girls, including a heavy burden of domestic work, high risk of sexual exploitation and early pregnancy, were commonplace

norms. The following sections will examine the perspectives of the Girl Power members regarding their schooling, followed by a discussion on the findings that emerged regarding the right to education.

5.2.1 Girl Power Groups and Follow-Up Interviews: Perspectives and Priorities³¹

With regard to the Girl Power group discussions, it is important to note that many of the issues cited as problems by adult informants during the course of the research (such as early marriage, FGM), were not discussed in significant detail with the girls. This is because they were initially asked to concentrate on school-based issues, with wider issues relating to their social lives explored later in the discussions, while sensitive subjects that could cause embarrassment or harm (such as familial and intimate relationships), were avoided as much as possible. As mentioned earlier, discussions on the right to education, as well as broader topics such as the risk of sexual violence in their communities, were led by the older members of the Girl Power groups (i.e. those aged 12 and over, who also represented the majority of participants). The younger girls (aged 10 and under) mainly contributed via the drawing exercises undertaken in smaller subgroups, which examined their attitudes and experiences of school: feedback to the general group from these subgroups was also undertaken by the older girls.

Amongst the girls and young women consulted in 2012, there were high levels of optimism regarding their future: they strongly believed in the importance of achieving in education and were well aware of the links between education and improving their life chances. They were

³¹ Many of the research findings and quotations, particularly relating to feedback on the education system from the Girl Power groups, were published by Defence for Children International in a report titled “A Mountain to Climb: Gender-Based Violence and the Right to Education in Sierra Leone” (2015). Where this is the case I have marked the reference with (Robinson, 2015).

also conscious that employment opportunities in Freetown are scarce; despite this, the girls stated that the most effective route to asserting a woman's independence and realising equality with her male peers was through education and employment. In both phases of the consultations, the most common career choices included teaching, nursing, law, and accountancy (Robinson, 2015). Many of the girls expressed the belief that their education could bring about benefits beyond their own lives, for their families, communities and their nation as a whole. This could be achieved through providing a steady income for their children and educating the next generation of girls. Their attitudes were summed up by the phrase: "educate a woman, educate the nation", which was frequently mentioned in the girls' groups. Sadly, this sense of optimism had greatly diminished by the follow-up interviews in 2015, with the girls fearful for their education and their future in general, in the aftermath of Ebola. Their comments demonstrate the devastating toll of the virus on the girls, their families and their wider communities; the precariousness of the girls' hand-to-mouth lifestyles and how abruptly their hard-won progress could be stripped away.

Education is very important for girls and young women to empower [them], it helps you become a good citizen and to be a good role model for others. You learn from others and others will learn from you. (Girl Power group member, 2012).

I want to be a good role model for the community, that's number one, and I want to become an accountant. (Girl Power group member, 2012).

Yes, they are still big problems for girls in terms of education. Lack of money has become even worse than before the Ebola crisis. Many of our colleagues have lost their parents and may not be returning to school if not given financial and other supports by the government or

NGOs. Many girls have also become pregnant because they sold their body for money so that they can survive (Follow-up interview, 2015).

Support from parents, both personal and financial, was regarded by the girls in both phases of the research as the key factor that decided whether they could stay on at school. However, it was argued by a number of Girl Power participants that parents themselves need access to information to appreciate the importance of girl child education, as well as financial assistance to keep their daughters in school and to tackle the problems of poverty and illiteracy in the slums (Robinson, 2015). In poor Sierra Leone communities where resources are scarce, parents traditionally prioritise the education of boys rather than girls; educating females is viewed as wasteful because girls are expected to simply go on to marry and have children (Mc Donald, 2017: 11).

There are lots of parents who force their child not to go to school, force them to get married, so the parents need more education so that they help to take care of the child. (Girl Power group member, 2012).

Some of the older Girl Power group members highlighted the role that girls themselves can play to ensure that they stay on in education, stating that they and their peers have a duty to avoid the distractions posed by boys, as well as the money and gifts offered through sexually exploitative relationships and formal prostitution.

Some girls don't study and at the end of the day they see that the only way to get [money] is in exchange for sex. (Girl Power group member, 2012).

Parents and teachers always demonstrate less confidence in girls to finish school because lots of girls are getting pregnant and hence give limited support to girls. (Follow-up interview, 2015).



(Photo: A. Chandler, 27th October 2012, Bonga Town).

The girls' priorities regarding the most important elements of their schooling were recorded by asking them to divide into feedback groups and depict their impressions of good and bad schools, drawing upon their personal experiences if they wished. These subgroups allowed for the participation of the younger group members in the drawing exercises (in Rokupa, one 8 year-old; in Bonga Town, eight girls aged 10 and under) and their impressions were fed back to the main group by one of the older girls. In the discussions that followed the drawing exercises, a number of key issues were consistently identified and prioritised by the group members:

- Adequate toilet and sanitation facilities, in particular separate toilets for boys and girls;
- Provision of other facilities, such as computer labs and libraries, and a clean and safe school;
- The importance of well-trained, motivated teachers interested in educating their pupils, who did not resort to corporal punishment and show sexual interest in girl students;
- A relevant and holistic curriculum; and
- The provision of local accessible schools (Robinson, 2015).

In 2015, the girls agreed that these issues remained important and relevant, and prioritised them in the following order: 1) provision of facilities, such as computer labs and libraries, and a clean, safe school; 2) adequate toilet and sanitation facilities, in particular separate toilets for boys and girls; 3) well-trained, motivated teachers; 4) a relevant and holistic curriculum; and 5) the provision of local accessible schools. The twelve girls who participated in the follow-up interviews had not been at school for at least six months and their public life had been severely restricted; their feedback perhaps demonstrates a desire to return to a formal, safe and clean, educational setting. Following the reopening of schools in March 2015, the government initiated a drive to encourage the return of pupils, implementing stringent health and hygiene measures and training teachers to spot the early signs of the virus (Powers, 2016). The follow-up interviews also highlighted new priorities, including, significantly, the need to provide food for school going children so that they did not go to school hungry, demonstrating the new hardships experienced as a result of the Ebola outbreak.

Another important thing to include is food and nutrition. Many girls can't concentrate in class due to hunger. (Follow-up interview, 2015).

The most frequently highlighted issue in the girls' groups in 2012 related to the availability of adequate sanitation facilities at school, in particular the provision of clean, gender specific toilets; their feedback provoked some interesting discussions regarding peer relationships (Robinson, 2015). During the Girl Power groups, the teenage participants frequently mentioned the need for female only toilet facilities, due to the increased risk of "bad things" (i.e. sexual activity) if toilets were mixed. Although such sexual encounters appeared to be consensual, they were not positively regarded by the girls, but seen instead as something that ought to be prevented or avoided. During the group discussions, it was striking how casually the girls described these incidents and how routine they appeared, highlighting the contrast between traditional mores and the reality of teenage behaviours.

Bad schools only have one toilet. Boys and girls go inside them and that's where, yea, bad things, a lot of bad things are going on in that toilet. (Girl Power group member, 2012).

Good schools should have toilets for both boys and girls so that if they only have one toilet for boys and girls, sexual intercourse will not happen. But if both of them mix in the same toilets they will have sexual intercourse or romantic things will happen. (Girl Power group member, 2012).

There is a special reason for that, having separate toilets for the boys and girls because thinking about the peer groups, if you allow them to use the same toilet then there will be a

pregnancy as they will have something which is not good like the sexual intercourse. (Girl Power group member, 2012).

In 2015, the provision of adequate toilet and sanitation facilities remained a high priority in light of the Ebola epidemic. This could reflect concerns and awareness regarding the need for “gender-sensitive approaches” in light of the higher rate of Ebola infection among women, according to DCI-SL, attributable to women’s health care roles as nurses and carers, as well as to the informal settings where women are traditionally responsible for “handling the bodies of those who have passed” (DCI-SL, 2019).

The outbreak of Ebola has even made cleanliness and sanitation even more important for schools, especially for girls. This is what we are now told in all Ebola sensitisation messages. (Follow-up interview, 2015)

The negative impact of girls’ monthly periods on school attendance was discussed in the context of the need for clean, girls-only toilets, with participants describing how periods acted as a deterrent to school attendance. This issue was also highlighted by an NGO informant to the research, whose organisation provides sanitary towels to women and girls. The project was set up as a response to feedback from girls (particularly from rural areas) who stated that they were missing school on a regular basis due to their periods. The girls’ testimonies reveal why the lack of proper sanitation facilities is considered a barrier to education, given the culture of secrecy surrounding menstruation.

Poor toilet facilities discourage girls from coming to school. As for me I would hardly come to school when I am having my period or have running stomach due to [the] lack of proper

toilet facilities. (Follow-up interview, 2015).

In Sierra Leone, when we were doing this survey, we realized that girls will miss out on school for about a week when they are on their period. When you ask them why, they say “oh we are embarrassed. We don’t have pads, its pieces [of cloth]. Most of the schools are mixed schools and the boys are laughing and whatever. Some of them go and come back after the one week, but some go and never come back, they are that embarrassed. (Country director, girls’ education NGO, 2012).

In both phases of the research consultation, a well-maintained school offering access to libraries, in addition to modern technologies such as computer labs, was rated as a high priority by the girls (Robinson, 2015). A ‘good’ school was described as a place where children would be safe, having a building that was clean and well-built with glass windows, and with a secure compound. With regard to facilities, the provision of computers was regarded as crucial in a 21st century educational system. The girls from one feedback group explained that access to technology facilities in schools are especially important for developing practical experience with technology, as most children do not have access to computers or other devices in their own homes³².

Look up, open windows – no glass. No toilet facilities, students defecating behind the compound. No staff room, no computer lab, no library, no good steps to the compound (Girl Power group member, 2012).

We [should] also have a library, so that some of us during the lunchtime if we have lunch and

³² This situation has clearly changed since the 2012 consultations took place, with DCI Sierra Leone’s 2017-2018 report highlighting the widespread use of mobile phones amongst the girls they work with, who are also increasingly active on social media.

we don't have the time to play, we go into the library – we sit there, read books that will educate us, find more knowledge. (Girl Power group member, 2012).

Proper facilities at school and safe and clean, well maintained school buildings make school popular and attract good teachers. (Follow-up interview, 2015)

The role of teachers was emphasised by the girls, who highlighted the positive influence of good teachers on pupils' school experience as well as their academic outcomes (Robinson, 2015). For the girls consulted in 2012, a 'good' teacher (either male or female) was motivated and interested in their pupils, as well able to impose discipline without resorting to violence (which the girls referred to as 'flogging'). In contrast, teachers who used corporal punishment and took an unwanted sexual interest in their female students were seen as a serious deterrent to girls' school attendance. Corporal punishment was described as being used regularly for behaviours including being late for school or not paying attention in class, and girls in both phases of the consultations stressed that ending the practice is very important for boys and girls alike.

Violent discipline must change. Corporal punishment drives girls away from school. (Follow-up interview, 2015).

The Girl Power group members during both stages of the research agreed that inappropriate advances by male teachers was something that made girls feel ill at ease, and, at worst, could lead them to drop out from school, due to feeling intimidated and threatened (Robinson, 2015). Their comments also provide some insight into the lowly status of girls, who can be seen as 'legitimate' targets for harassment.

There the teacher is approaching girls, his students, it is not a good school [...] Girls will not go to school because they are being intimidated by the teachers. (Girl Power group member, 2012).

The other issue that should be included is sexual harassment by boys and male teachers. They have no regard for girls. (Follow-up interview, 2015).

The provision of a holistic and relevant curriculum was also emphasised by the 2012 groups, especially when asked what constituted their ideal school. Community-based vocational training offering courses, in hairdressing and garment-dyeing for example, was cited as a high priority (Robinson, 2015). Although the majority of participants wished to pursue academic paths, the girls stated that access to other forms of training is very important for the communities in which they live. They also placed particular emphasis on information regarding personal hygiene, including the importance of hand-washing to avoid catching and spreading infections. As the original consultations took place following a serious cholera outbreak in Sierra Leone (during the summer of 2012), it is possible that public awareness campaigns could have had an influence on the girls' priorities.

The teachers talk about hygiene, wash your hands before eating, eat good food, wear clean clothes, take plenty of exercise and sleep well, that motivates our hygiene. It makes us know so much about our hygiene, cleaning, especially we girls. We should know how to take good care of ourselves. (Girl Power group member, 2012).

In 2015, despite the fact that they had already missed out on almost a year of their education

due to Ebola, the girls agreed that the curriculum remained a priority, though less important than the school environment and teaching. One participant suggested that the existing curriculum was not realistic, in terms of the ability of teachers to prepare pupils adequately for exams.

In terms of curriculum, the government needs to revise them because our teachers hardly finish the syllabus and prepare us well for exams (Follow-up interview, 2015).

Finally, easy access to a local secondary school was a priority for the girls in both the 2012 and 2015 consultations. Reflecting the discussions with older members of the community, as well as feedback from NGO professionals, distance from school is a source of concern for both girls and parents, and affects school attendance due to fears regarding personal safety. It was also seen as significant because of the girls preferred future career paths, all of which required access to further training and education. The absence of a secondary school in the community was highlighted as one of the reasons why girls do not make the transition after completing primary level. The risk of violence while travelling to school has been highlighted elsewhere (Behrman et al., 2014: 185): the older girls in the Bonga Town group discussion explained that female students walking to school felt threatened by older men on motorbikes, who would intimidate them and attempt to coerce them into having sex. Suggested solutions to this problem were the provision of a school bus service, or, alternatively, building a secondary school based in or close to their community.

They should build schools in the community where girls go to school. Distance to school is also a huge challenge for me as it makes schooling quite expensive and difficult for me and my parents (Follow-up interview, 2015).



(Photo: A. Chandler, October 27th 2012, Bonga Town)

Feedback from both stages of the consultations demonstrates how the provision of services usually taken for granted by children in the developed world, such as adequate toilet facilities and decent quality of teaching, can have a dramatic effect on children's experiences and enjoyment of school. However, these issues cannot be examined in isolation from the wider social and cultural situation in which girls live. The problems surrounding separate toilets was linked to sexual relations and the problem of early pregnancy, a matter which normally spells the end of a girl's education. Conditions for schooling are improving in post-Ebola Sierra Leone but as the following sections demonstrate, the underlying issues that are causing girls to disengage from education early still need to be addressed.

5.2.2 Other perspectives on the right to education in Freetown

Education has the potential to be a great enabler for girls, as it empowers by providing them with the tools to escape the cycle of illiteracy, pregnancy and poverty. Educating girls acts as a protective influence against abuse, early marriage and motherhood, with benefits filtering down to future generations (Delprato et al., 2017). Conversely, the denial of education robs women and girls of their ability to build social capital and perpetuates their vulnerability and dependency on men. The value of schooling was not lost on the young girls interviewed in Freetown, who regardless of age, prioritized the right to education as a means to obtain what they regarded as good jobs, to become role models for others, and enjoy a decent quality of life, away from the hardships associated with the slums. Listening to the testimonies of adults and children alike, it was often shocking to hear the candid manner in which they discussed the options facing girls: to stay on at school or to choose - or be pushed into - exploitative relationships, transactional sex or early marriage, from where their prospects of escaping the slums were greatly diminished.

If girls are at schooling, I think the effect of poverty will be lessened but if they are not schooling, it will be a big disaster, because it gives a child some protection because if you do not have good food and good clothes to put on, at night people go out and sell their bodies for money. (Community lead Rokupa, 2012).

Many a times, girls are forced to go into an unhealthy relationship when they are in school, either by their peers or by those who are in control of them. So, these are one of the linkages here, and also, we notice that girls in school, you can have the same amount of number of

boys and girls in primary school. By the time they are going to junior secondary school, the number will be less, you understand. (National Coordinator, Youth Advocacy NGO, 2012).

The girls' emphasis on the value of schooling was echoed by community members and professional informants to the research, who commented that a lack of drive or desire to stay on in school among girls was rarely a contributing factor to their disengagement from education.

They have some admirable attributes, because they are good, these girls. And among them all the girls are doing very well, so they value their education, yes. We have a committee now, a school management committee, it's through this we are now able to educate the parents of these girls to value the school, to value their education. (School principal, 2012).

The girls, they don't have a problem - the whole opposite, most of the opposition is from the parents. They are pushing for them to get married from the time they get pregnant; they force them into relationships. So, the main thing about poverty is, they want money. (Country lead, education NGO, 2012).

For a kid who does not have a generator at home when the lights go out at night, who cannot pay the fees unless she's given some support...that's where the gaps exist. But people are struggling, it's not just because of lack of ability but many people just cannot afford it, that's why they drop out. There are not enough scholarships for our children out here, not especially for girls. So, they end up having to turn to an 'uncle', out here they call them their sugar daddies, a boyfriend or somebody. (National coordinator, Women's education NGO, 2012).

The anecdotal evidence provided by the research participants emphasised how the hostile environment of the slums – the hand-to-mouth nature of living; the scarcity of basic sanitary facilities; low expectations of girls; the importance placed on the traditional role of women as housekeepers, wives and mothers; the burden of domestic work; pregnancy; the need to support their families, through street trading, transactional sex, and prostitution – competed with the girls’ desire to stay on and complete their schooling. The research informants agreed that the decision to remain in or to drop out of school was normally heavily influenced, if not completely taken, by a girls’ parents. Where parents did wish to support their girls in remaining at school, they found it difficult if they lacked the money for school fees, uniforms and other expenses. One participant described seeing parents ‘begging’ for money during the summer months, in order to afford the fees for their children’s schooling come September. The gender gap is borne out in the official statistics, which demonstrate how a greater number of girls are failing to complete their secondary education, compared to their male counterparts³³.

What has happened over time is that at the primary stage, there will be more girls in classes than the boys, but as they go along, the girls tend to reduce and the boys dramatically increase...well the problem is that teenage pregnancy has been one of the most contributing factors to that. In the schools, by the time they get to junior secondary school level, a lot of the girls will get pregnant before they can complete. (NGO project manager, 2012).

We notice that girls in school, you can have the same amount of boys and girls in primary school. By the time they are going to junior secondary school, the number will be less, you

³³ Although trends towards gender equity at secondary school are improving, girls are “disadvantaged in comparison to boys” at senior secondary school level (SSS). In 2016, there were 91,675 boys enrolled in SSS compared to 79,749 girls (Government of Sierra Leone, 2015: 18-19)

understand. One, they have to go for their Bondo society, which is the girls' initiation and because of that they missed some classes and they have to fail and repeat. Some girls agree to repeat but some girls because of that now tend to stop schooling. (National coordinator, youth advocacy NGO, 2012).

Poverty was cited as one of the main reasons for early disengagement from education (for girls and boys alike) by all informants, but was particularly stressed by the community representatives in Bonga Town and Rokupa. These community leads described the difficulty of prioritising schooling, and its associated expenses, in settings where people lack the essentials such as food, clean water, adequate shelter and basic sanitation (Robinson, 2015).

A number of things for your attention. Number one, lack of education that is in the community. Two, we need for a hospital, that is what we lack as a community, we need the hospitals, we need schools, toilet facilities, all them things we need we have a lack of in the community. (Community lead, Bonga Town area, 2012).

As mentioned in the previous section, both the Girl Power and community group participants stressed the need for secondary schools close to their area, or at least adequate public transport, as girls are at real risk of harassment and assault on their way to school.

They are saying that they need a school bus, because when they are walking to school there these big men with their motorbikes, they come and they stop them and try to sleep with them, so it is very important for them to have this bus. (Community member, Bonga Town, 2012).

So, people have to leave here if they go to school. If you have to leave the area to go to school, the possibility is that she could be attacked, raped, sexually assaulted, whatever. Do you understand me? So those are the issues. (Country director, girls' education NGO, 2012).

Informants remarked that deterrents to remaining in education could also be found within the school environment, where sexual and gender-based violence was regarded as a serious problem. As evidenced in other studies of child sexual exploitation, school, particularly at secondary level, is far from a safe space for girls as they face harassment, intimidation and abuse from their peers and adult males, including their teachers (O'Reilly, 2014). Informants made the link between these forms of school-based violence and girls' disengagement from education, either due to intimidation or violence, or because they have become pregnant.

There, the teacher is approaching girls, his students, it is not a good school. (Girl Power participant, 2012).

(Speaking through interpreter) *She says the girls will not go to school because they are being intimidated by the teachers and if they get pregnant, they stop going.* (Girl Power participant, 2012).

There is an issue about violence in the schools, violence in the communities...and young people are no exception to these things... We have been seeing many, many cases of people who are supposed to take care of these girls, they rape girls and nothing comes out of it. And these cases are either left unchecked or the justice is not being given at the time (National Coordinator, youth advocacy group, 2012).

Case Study: Mariama's story, aged 16 years

Mariama is a bright and promising girl in school. However, she was born in a family where marriage is more important than education for a girl child. Mariama had this to say: "I don't really understand my father. He always sends his daughters to school, spend money to pay their fees but would not allow them finish school. My four elder sisters were all removed from school at different times and forced into marriages. This is the same thing that my father wants to do to me. I thought he had changed this habit since this is the twenty first century". She further narrated that one day when she came from school, there was [a] meeting going on at home between her father, brothers and another visiting family. Little did she know that they were there to seek her hand in marriage. Following some few days, her father confronted her and asked her to stop going to school and get prepared to start a new life. When she asked what her father meant, he told her that she will be getting married in a month's time. She ran to her mother crying and begged her mother to talk to her father not to do this to her. Her mother just replied was that this was not new and she should make up her mind to accept it otherwise her father would disown her. She asked her teachers and other neighbours to talk to her father but he refused to change his mind. The girl then ran to DCI-SL's Socio-Legal Defence centre for help. DCI-SL teamed up with the FSU/Police to stop the marriage. The father and mother of the girl were given strong warning letter by the FSU/Police and DCI-SL's lawyer. The marriage did not go ahead and the girl continues to go to school. She is now part of the Defence for Girls Group in Adonkia, Sierra Leone. (Case study provided by DCI-Sierra Leone, 2015).

With pressure to disengage coming both from within and outside school settings, it is hardly surprising that such a small proportion of teenage girls complete their education. The

cumulative impact of these pressures is having a devastating impact, and not just on girls lives. Denial of the right to education represents merely one aspect of a complex picture of poverty and exploitation, issues that bring harmful, long-term consequences, for teenage girls, and their families and communities.

5.3 Poverty, slum life and sexual and gender-based violence

Research has highlighted the importance of “the potential interaction of age and setting” with regard to violence against girls and young women (Decker et al. 2014: 189), while an understanding of the underlying issues, including “gender norms (e.g. around masculinity and femininity), gender inequality (e.g. lack of legal protections for women), and interpersonal power dynamics (e.g. sexual relationship power in age-disparate relationships)” is required if sexual and gender-based violence is to be properly addressed (Mathur et al. 2018: 10). There was a strong consensus among research informants in this study, that teenage girls in the slum communities were especially vulnerable to disengagement from education due to the hand-to-mouth nature of their lives. Continuous and severe economic hardship resulted in more value being placed on their ability to provide domestic support and/or to financially contribute to their households, than remaining at school, post-primary level.

Despite their young age, poverty was also forcing girls into situations where they suffered abuse through sexual exploitation, transactional sex and formal prostitution. As previously highlighted in Chapter 1, it is very important to note that while girls appeared to be making conscious choices to engage in sexually exploitative activities, these ‘choices’ were made in desperate circumstances or due to coercion or violence. This is in line with Pearce’s argument for a “social model” of consent, which takes into account the broader context such as the

underlying social and economic inequalities, in which girls and young women consent to sex (2013: 65).

As stated in Chapter 3, there is a historic element to the culture of violence that pervades slum life: the shadow of Sierra Leone's ten-year civil war. For the majority of informants, the conflict was not a significant contributor to girls' current experiences, however, the legacy of sexual violence perpetrated against women and girls during the war remains strong. Almost as a precursor to the forms of sexual exploitation that emerged from the research, it was noted that Freetown girls were targeted for exploitation by soldiers involved in the ECOWAS (Economic Community of West African States) mission, who coerced them into sex in exchange for money, clothes and gifts.

The civil war destroyed Sierra Leone's infrastructure, leaving its healthcare and other services poorly prepared for events such as the Ebola outbreak. Significantly for this study, it also resulted in a huge influx of rural migrants to Freetown, putting an immense strain on the city's housing, health and education services, and leading to the expansion of enormous slum communities that are comprised largely of unplanned settlements of shacks, with no access to running water or sanitation.

The slum communities, the people who live in the slum communities, most of them are people who that have moved from upcountry, so therefore came to Freetown but had nowhere to live and they had to survive here during the course of the war. When the war ended they did not find a reason to go back. So now they are in those communities, not because they want to be but they have no choice. So, they are there. They are having children. They are not educated.

Uneducated mothers having children will be uneducated children having children. So, the cycle of poverty, it does not work. (Country director, girls' education NGO, 2012).

Sexual violence against women and girls was presented by informants to this study (both adults and the older Girl Power group members) as being an everyday reality in the urban slums. The girls were described as being at risk, either by violence or coercion; at school and on the streets; from neighbours and strangers; from older men and peers, a pattern of abuse that has been highlighted in other research. This represents a major violation of girls' human rights, highlighting the widespread and public prevalence of abuse and moving away from a concept of sexual and gender-based violence as a private issue, "a small problem that only occurs in some pockets of society" (WHO, 2013: 5).

While poverty was not the sole reason for girls' involvement in sexually exploitative relationships and transactional sex, it was the key factor underpinning their experiences, meaning poverty of opportunity and ambition for their futures, as well as the very real financial barriers that exist (Robinson, 2015). In this environment, girls have relatively little power to assert themselves in their familial and intimate relationships. Participants remarked that adolescent girls living in slums get involved in relationships with 'sugar daddies' as a means of improving their lives. While they may be making a "choice" to engage in risky sexual behaviours, there is little doubt that these choices are made under duress and underscored by pressure to provide for themselves and their families, in what has been termed survival consent, which "recognises the impact that poverty may have on young women and men's decisions to swop, sell or exchange sex, in return for some form of reward, gift or money" (Pearce, 2013: 63-64).

Because girls live in the slum communities, poverty stricken, men will take advantage of them. "Sleep with me and I will give you this. You can't afford a cell phone? Sex will give it to you". It's that transactional life. Now if we want to send girls to school it will not be easy as just putting them in school. What do we do so she understands that this is not an option, instead education is. So, we train her, make her understand that these men are just using her. We need to do that and not just say "no listen, don't take the phone, go to school". (Country lead, girls' education NGO, 2012).

These relationships were viewed by participants as a normal consequence of living in poverty, and which, in the short term, offered girls the means to buy basics as well as luxuries. The perpetrators were described as 'big men' in their community and tended to be older men with status and power, normally teachers, government workers or NGO staff, as well as their male peers, mirroring findings from other studies in Sierra Leone and elsewhere in sub-Saharan Africa (see Moore, 2007, O'Reilly, 2014).

The problem is that as soon as they get to mature a bit they are disturbed by these people and that. There are men here who are just around to impregnate girls at an early age. (Head teacher, Rokupa, 2012).



(Photo: A. Chandler, October 27th 2012, Bonga Town).

As early marriage rates among teenage girls in the capital fall, informants described how relationships with sugar daddies were encouraged by girls' parents, who welcomed their financial support. It has been noted elsewhere that the decline in early marriage has been replaced by affairs of this nature as a form of "bride wealth", as daughters are pushed into relationships in return for goods or money (Moore et al., 2007: 47). However, for the girls involved, these relationships and interactions offered all the disadvantages associated with early marriage, forfeiting their childhood and risking pregnancy, but without the 'safety net' of 'respectability' offered by a married relationship. It is known that sexually exploitative relationships can turn violent, particularly when girls refuse to have sex or insist on condom use (Moore et al., 2007; Atwood et al., 2011). In the slum areas of Freetown, the pull factors

which draw girls into relationships with ‘uncles’ remain appealing, particularly when compared with the long-term challenges associated with staying on at school.

When parents are faced with that kind of reality, imagine a woman with five, six, seven children, that’s the reality they have to face. And some of these uncles what they’re offering - it’s a way out. (National coordinator, women’s education NGO, 2012).

Aside from obvious risks regarding pregnancy and disease, the so-called ‘uncles’ were frequently married men, so the opportunities for girls to establish secure relationships were limited. The process typically involved girls disengaging from education and having babies, with no source of income to support them when their relationship came to an end. NGO professionals working with sexually exploited girls described the difficulties they (the NGOs) face in changing behaviours and offering a viable alternative to girls, against the appeal of what men can offer and when the girls have so few other options in life:

Most of them, they are trapped and they drop out of school. They think they cannot make it because for some of them, riding 4x4s [with older partners] is everything for them, it’s their whole world. So they don’t even care about going to school again, they don’t even respect people, they think they can have it all. (Country lead, girls’ NGO, 2012).

The motto of our organization is “Books are better than Men”, although the men will offer girls homes and cars, don’t give it away, save your pride. (Girls’ education project leader, 2012).

As well as sexually exploitative relationships, a more casual exchange of sex for money and goods in the form of transactional sex appeared to be highly prevalent in the slums (evidenced elsewhere in deprived communities in sub-Saharan Africa, such as described in research by Atwood et al. (2011) in Liberia, and Ranganathan et al. (2017) in rural South Africa). Clearly, these are highly risky activities as young people's involvement in transactional sex is associated with reduced condom use, sexual violence and teenage pregnancy (Atwood et al. 2011). However, there is a dearth of information on violence against teenage girls by non-partners (who are not "regular" partners such as boyfriends or husbands), as "sexual violence estimates usually capture domestic or intimate-partner violence from ever-married or co-habiting women" (Mathur et al. 2018: 2). Again, financial necessity was the main push factor into these activities, but while it was stated that some girls exchanged sex in order to buy luxury goods such as phones, it must be remembered that even the cost of basics is on the rise in Freetown, due to inflation.

They [girls] want mobile phones and they want these fancy things, they go around meeting boys who dress up in that shabby way and they end up impregnated. I mean, they are not taken care of so it really is a huge issue for them. (Community lead, Bonga Town area, 2012).

During one of the Girl Power focus group sessions, one of the teenage girls described the nature of the transactional sex she had been exposed to while at school, which involved going to the beach and exchanging sex for money with older men, whom she called 'uncles' and 'brothers'. With regard to the element of coercion, it is interesting to note that while she stated that girls agreed to the exchange, they were still 'forced' to have sex. This demonstrates the difficulty in defining the nature of the sexual exploitation at stake here.

While it appears that the girls were making a conscious choice to exchange sex for money, the situation also involved a definite undercurrent of threat and coercion.

I was friends with so many friends who have been [saying] we have some friends who will take you for a walk, I will take you somewhere, I will take you to the beach. There I will find him; I have brothers or I have uncles for you. You may not know the concept because finding an uncle, you are forced to have sex with that one. If you agree, you are forced to have sex with that uncle. In return, he gives you money in exchange, you just have to exchange your body. He will give you money. These are the things we are faced with at school. (Girl Power group member, 2012).

Girls who engaged in formal prostitution were regarded as being at the very bottom rung of the social ladder, forced to engage in survival sex in order to eat or have somewhere to live. Due to the extent of the deprivation experienced by many slum families, participants spoke of girls being pushed into prostitution when families have no other means of means of providing for them.

Some girls are thrown out into prostitution by their families because no provision is made for them and they have to go out and fend for themselves. (National coordinator, women's education NGO, 2012).

[Speaking of girls in the slums] *"I was born in the slum community. My mother didn't go to school. My father didn't go to school. They can't take care of me". And so, they will start to prostitute, because they are depending on the girl to be the one to sell her body and bring in*

the money and take care of the family. That is her place. So those are the issues in Freetown.
(Country director, girls' education NGO, 2012).

When discussing formal prostitution, it is important to note that informants to the research were often describing the sexual exploitation of very young children. It was reported that some of the children forced into selling their bodies were as young as 12 years old. The feedback showed that one route into prostitution was to hang out in local clubs and on the streets at night-time, waiting to get picked up by men.

These hawkers we find on the streets, the parks. Some of them, you can see some as young as 12, 13 hanging out in clubhouses waiting for men. (NGO project manager, 2012).

If you go to the clubs, the nightclubs, you see a lot of these small kids around. They go out at night, fetch some money through having affairs with men, they come back with that money to their homes. To their mothers and their parents, and they know about it (NGO project manager, 2012).

During the follow-up interviews, participants stated that incidences of transactional sex and formal prostitution escalated in the aftermath of the Ebola epidemic, as girls turned to survival sex to meet their basic needs. The Ebola crisis heightened the risk of sexual exploitation for poor and vulnerable girls and compounded the poverty suffered by slum dwellers as they lost their sources of livelihood in local markets. Following the epidemic, girls who lost one or both parents had to deal with the stigma of the disease, fending for themselves, and providing for dependent family members.

I can't go to school anymore and I can't socialise. Now I feel more depressed with poverty, fear of Ebola and hunger. (Follow-up interview, 2015)

During this Ebola crisis, many girls have got pregnant simply because they were looking for their survival. Even basic food is difficult to afford by the girls, so they keep men or older boys like commercial 'bike riders' who can provide them with at least food to eat. (Follow-up interview, 2015).

One of the most telling findings from the follow-up interviews was that the girls still prioritized their education, despite their struggle for basic survival. They also voiced fears that the long period of school closures could spell the end of their education, with no return to normality in sight. Their fears have been borne out by evidence gathered by the UN and local agencies, which show that forms of sexual and gender based violence, including teenage pregnancy have increased since the start of the Ebola epidemic³⁴. This was attributed to girls' being out of school and the financial burden placed on poor families as a result of the outbreak. The Ebola epidemic has rendered the tough conditions in the slums even more demanding for girls, adding another layer of hardship to their already difficult lives.

Ebola has affected my schooling because the crisis has kept us out of school for long and has also made our parents poorer and may find it difficult to finance my schooling when schools reopen after the Ebola crisis. (Follow-up interview, 2015).

³⁴ The UNDP in Sierra Leone reported a surge in incidences of sexual and gender-based violence against girls and women in 2015, with a corresponding rise in teenage pregnancies – up by 65 per cent, though this is based on “qualitative evidence” (2015: 1).

It has prevented me from going to school; it has affected our festive seasons and activities done during public holidays. Now, many girls have become street traders and are at high risk of not returning to school when schools reopen. (Follow-up interview, 2015).

Case Study: Marie's story, aged 16 years

Marie lives in Rokupa, one of the slum communities in Freetown. At 16 she became the breadwinner of her home following the death of her mother. Her mother was single and died from cholera during a period of outbreak that took many lives from that community. Marie has two younger sisters as siblings. To survive, she decided to forgo schooling and engage in petty trading during the day and prostitution at night, a common practice of some girls in that community. With the introduction of the Girl Power project in the Rokupa community, a Child Welfare Committee member recruited her to be part of the Defence for Girls Groups that the Girl Power project established in the community. DCI-SL provides training on child rights, child abuse, gender and life skills for members of the groups. Since there were no physical benefits, such as food, cash and clothing from the project, Marie found it very difficult to attend the life skills sessions because she needed to use that time to go out and find money. When DCI-SL social workers running the life skills activities took notice of her frequent absence, they became concerned. The social workers (who are also young women) tried to get closer to her in order to better understand her situation. Following several counselling sessions, Marie was able to open up and revealed her story in tears. She was encouraged to return to school and DCI-SL helps her with school fees and books. The social workers have also helped her better organize her life by making sure that she drops the practice of prostitution. Marie's life is now organized in a way that she is able to draw a balance between her schoolwork and her business. DCI-SL, through the Girl Power project, has also provided her with grants to strengthen her business. Her younger

sisters are also part of the younger group. Marie is not only progressing in school but has grown to become a young woman capable of speaking her own mind. (Case study provided by DCI-SL, 2015)

5.4 Influence of traditional social and cultural norms

In contrast to the emphasis on the individual stressed in Western societies, in African cultures family and community play an influential role in shaping girls' lives. In the slum areas, uneducated parents saw (in the words of one community worker) "no real gain for their father or mother to spend on a girl to go to school" (2012) because little value is usually placed on girl child education. Despite the importance of girls' contributions to their families, communities and the local economy, they continue to occupy a lowly position on the social ladder. There exists an uncomfortable truce between paying lip service to observing traditional values and the real-life struggles of surviving in the slum communities, where the traditional 'safety nets' are slipping away. As girls and young women are often "accorded the role of embodying and upholding the key symbols through which the identity of the community is expressed" (Fagan, 2017: 97), it is they who are at the sharp end of the conflict between the traditional and modernising influences.

The mother is there to tell you that it doesn't matter how many books you read, if you don't pass that first exam which is your certificate in the kitchen, no man will want to marry you. (National coordinator, women's education NGO, 2012).

We have much lower expectations of our girls. Some of them, they really want to perform [at school]. But...we know their daily lives and their reality, they are women, a woman's place is in the kitchen. (Country lead, girls' education NGO, 2012).

Their powerlessness manifested itself through high levels of illiteracy, the burden of domestic chores and continued adherence to cultural norms such as early marriage and FGM, which subjugate girls and curb their independence. Adolescence in itself can represent a significant vulnerability factor, as the transition from childhood to womanhood is marked by key events in a girl's life, over which they often have limited influence: "Millions of adolescent girls make these transitions every year, yet many do not have exclusive control over the decisions involved and are forced into early transitions" (Palermo and Peterman, 2009: 101).

The most prominent discriminatory and abusive practices discussed by participants were early marriage, FGM, and the burden of domestic labour placed on girls. As noted earlier, girls in urban areas are reasonably liberated compared to their rural counterparts. During the consultations, many informants (in both the adult and Girl Power groups) highlighted the differences between life in Freetown compared to the more conservative rural areas of Sierra Leone, where early marriage rates are much higher. Participants attributed this to more progressive attitudes among city dwellers, who tend to have higher levels of educational attainment and better access to information, as well as a growing awareness among girls of their rights and entitlements. However, it is worth noting that the majority of Freetown slum dwellers are recent migrants from rural areas where cultural norms are still observed, so traditional attitudes towards girls and women prevail, as do the practices stemming from these beliefs. Marriage is of course "a double-edged status" for girls and young women (Fagan, 2017: 120), as it sets them apart as adults not children; as passive wives, deferential and subservient to their husbands. However, due to the high risk of sexual violence, the lack of financial and practical support for teenage parents, as well as the stigma attached to unmarried motherhood, it is hardly surprising that parents in the Freetown slums were eager to marry off their girls at an early age.

Female genital mutilation is a long-standing cultural tradition in Sierra Leone and is deeply rooted in communities, despite its impact on girls' health and wellbeing. FGM is normally conducted by older women, who (as discussed in Chapter 3) are members of the secret Bondo societies.

We have some cultural work in that, as soon as they get to a certain age, especially when they go through the menstruation period, once they've gone through their change, they're ready for marriage. When I was going to school, FGM was, to our society it was what prepares women for marriage [...] Once they're physically matured, they're allowed sexual activity and so if you don't get them into marriage then someone will rape them or force them into sex and they become pregnant. (National coordinator, women's education NGO, 2012).

The role of these societies is to initiate Sierra Leonean girls into womanhood through genital cutting, which typically marked the end of their childhood. For adherents to the old cultural ways, the Bondo represents a girls' real education, for it is there that she learns about what it means to be a woman and a mother. In this system, there is little or no room for formal education, or a successful career outside the home, once a girl is married and pregnant.

They have to go for their Bondo society, which is the girls' initiation, and because of that maybe they missed some classes and they have to fail and repeat. Some girls agree to repeat, but some girls because of that tend now to stop schooling. (Project lead, youth advocacy NGO, 2012).

Another cultural norm that weighed heavily on girls was the scale of the domestic burden placed on them from a very young age. Primary school-age girls were expected to go to

school and do their homework, but to also take on adult responsibilities inside the home: cooking, cleaning, and looking after younger siblings, unlike their male peers. In short, girls assume a woman's role from early on in their lives.

Women are burdened, you know and when girls grow they're more tied to – you'll see, they're encumbered with so many things...So even if they are all sleeping at home, you are the daughter of 14 years and your brother is 16, you're supposed to wake up in the morning and you help with the chores at home. And maybe you don't have pipe water so you run and collect water. You don't have a kitchen in your house so you're going to go outside to get some firewood to start a fire. You have to do all that and then you have to go to school.

(Country lead, girls' education NGO, 2012).

Others, you know, they are also like breadwinners for their family, I mean they are involved in some kind of child labour, and so they go to school and come and they go and sell, you know and it becomes quite burdensome to them. So, either a decision taken by them, and they usually say, "I don't think I can continue any more in this. You know, being in school at the same time, tending for my family, including my parents". So, either some have to like go into the street, because they have to stay home, their only option is to have to continue selling, because you can't sit in the home and you're not going to school, and you can't do anything. So, they end up going to the street, and so of course, on the street they have no support, so they can't continue their schooling. (NGO slum project manager, 2012)

Some when they are not at school, they are used to sell markets on the streets. They give them markets on the streets. Some of them are used for domestic work at home, they are with their parents doing work at home, like help with cooking, laundering, cleaning the place, they just

do that. A good number of them you can see on the streets selling, the girls with the baskets on their heads and trays and other things to sell. (School principal, 2012).

Where families were involved in selling at local marketplaces, it was normally mothers and their daughters who act as “hawkers” or sellers, not sons. Girls were frequently said to be “used”; they were viewed as a useful commodity whose skills or bodies could be bought and sold.

When it comes to actually street hawking to support the family, in most cases the responsibility lies to girl children. They are the ones that are most likely used by the mothers, because also the mothers in most cases bear that responsibility. (NGO slum project manager, 2012)

The draw of ‘easy’ money made from trading is not difficult to understand, especially when compared to the long-term effort and expense associated with keeping girls at school. The feedback from participants suggests that parents were aware that street selling represents a downward trajectory for their daughters’ life chances. It diminished the importance of education in girls lives, isolated them from their school-going peers and exposed them to the threat of exploitation and harassment on the street. According to participants, while selling and trading on the streets of the slums, many girls dropped out from school and turned to more exploitative and dangerous means of making money.

They themselves [the parents] are not happy, you know, to send some of their children out to sell. Because you know, these girls when they go out to sell they are attracted by these boys

and men around. But there's not much they can do because most of them are single parents, that is the only source of income. (Community lead, Bonga Town area, 2012).

The Girl Power groups highlighted that these traditional views, reinforced by community norms, are increasingly being challenged by local girls empowered by the human rights agenda promoted by NGOs, including DCI-SL.

Talking of early marriage, the girls now know that their parents should not be forcing them into marriage and they have been reporting it and I think that is what is important. (National coordinator, girls' education NGO, 2012).

5.5 Morality versus reality

The new 'world' of the Freetown slums is changing the way that its inhabitants, mainly migrants from the tradition-bound rural areas upcountry, learn, work and marry. While early marriage and initiation into the Bondo are less popular in urban communities, the old prejudices regarding unmarried sex and motherhood remain. Girls are routinely being exploited through relationships, transactional sex and prostitution, but, at the same time, a strong cultural attachment to what is deemed morally acceptable prevails, with the emphasis placed on curbing girls' freedoms and behaviours. A number of participants mourned the breakdown of parental control and traditional influences on the behaviours of local teenagers. A complex situation has developed in the slums, where it is commonplace knowledge that teenage girls are having sex when they are not "supposed" to, at least not outside of marriage (see also Silberschmidt and Rasch, 2001: 1815).

I think this idea of these girls and their moral studies, you know, if a stress was put on the moral life of the girls and the parents are also educated to put some restrictions on their movements and then see that they are kept at home...We have to help them to understand that they are the weaker sex and they are vulnerable. Whatever they want to get into, the boys can do it and they can go free but girls they cannot go free. They are going to have all these attacks you know, that come to like pregnancy and other things. (School principal, 2012).

It became evident during the consultations that there are two sets of rules in operation with regard to what are deemed acceptable behaviours for men and women. So, while it was acceptable for married men to engage in (sometime unlawful) extra-marital affairs with younger girls, this was practically unheard of for married women. When teenage girls became pregnant by their older partners or peers, it was the girls who suffered the prejudice attached to unmarried parenthood and were forced to drop out of school. There is a moral double standard here, evident in every aspect of the sexual exploitation described by participants. Girls were not meant to be sexually active but there was an expectation that they should support their families by selling their bodies when there were no other options available. Girls were shamed by pregnancy, but their (often older) partners did not share in the stigma, even where there was coercion and violence involved in their relationships.

The comments of the informants showed that the 'veil of respectability' was all important and that the push for early marriage is usually linked to a (perhaps justified) fear amongst parents that their daughters may get pregnant out of wedlock, bringing 'shame' upon their families. Early marriage and the abuse of girls through prostitution, although regarded as being "in moral opposition to each other" (Mikhail, 2002: 43), have some common elements as both involve a form of economic transaction (i.e. through a dowry or payment for sex).

Even though prostitution is regarded as shameful and sinful, like early marriage it is a relatively common feature of life in the slums, where families need the money in order to survive. However, girls are rarely given the chance to consent or to benefit from these transactions, either as child brides or prostitutes, despite having to live with often devastating consequences.



(Photo: A. Chandler, October 27th 2012, Bonga Town)

Here once you are pregnant the only thing you are assured of is having a baby in your arms. But how you feed the baby, how you care for the baby, that's your business, you see? So that's the cycle of poverty, you've entered it. Many parents, because they don't want to deal with that unwanted pregnancy where the girl comes home, she might not even know who the father of the child is, that's why they put them into early marriage. (National coordinator, women's education NGO, 2012).

This *moral* conflict is significant for a number of reasons. Girls will continue to be at risk of violence as long as their abuse through exploitative relationships, transactional sex and prostitution remains hidden and unspoken. Where families are able to “hide” behind the veil of respectability, harmful cultural traditions such as early marriage will endure and will have well-established, detrimental impacts on girls’ physical health and overall wellbeing. As long as girls are too embarrassed or ashamed to seek access to health or contraceptive services, they will continue to be at high risk of pregnancy and disease. It also contributes to the hidden nature of sexual and gender-based violence, for as long as girls are ashamed or fearful of reporting rape or violence, they will not seek out support services and perpetrators will not face justice. Finally, the influence of traditional moral values reinforces the subservient status of girls in slum communities. It is girls who are judged and who suffer the consequences of exploitation, as it is they who are expected to conform to social norms that do not reflect their social reality.

5.6 Teenage Pregnancy

Of the many consequences of sexual and gender based violence, including disease and mental health issues, as well as the wider social and economic repercussions (WHO, 2013), teenage pregnancy was regarded by research informants as being the most widespread and influential on girls’ life chances. Reflecting Sierra Leone’s high rates of teenage pregnancy, participants stated that unintended and unplanned pregnancies were highly prevalent among teenage girls living in the slums. Pregnancy was, for almost all of the informants, the main reason for girls’ disengagement from education, in both rural and urban areas.

I would say the biggest reason why some of these girls drop out of school, the reason I gave was teenage pregnancy (Deputy Director of Education, Waterloo town, 2012).

As previously discussed, the impact of pregnancy on girls' rights is immense, as it affects their health, education, and future life chances, compounding the inter-generational nature of poverty in the slums. Once they have fallen into the 'pregnancy trap' it is difficult for girls to escape, especially without the benefit of schooling, a situation that reinforces their dependency on men. Unmarried teenage mothers also suffer discrimination and prejudice, particularly with regard to their right to education.

One of the reasons they drop out of school is because they become child mothers. So if we begin to look at the ways how we want to improve girls, we need to work on the stigma around child mothers...One its unacceptable because they are not married. Many times they want the tradition here, before you have the child you really should have been married. And the other thing is that people don't believe that once you get the child you're able to concentrate on your education. (National coordinator, youth advocacy NGO, 2012).

Participants' comments on contraception were very illuminating, highlighting the extent of misinformation and the general sense of suspicion that surround their use in Sierra Leone. In African societies, sex is rarely discussed in family settings due to cultural taboos. Research participants commented that children received little in the way of formal sex education at school and little information with regard to contraceptives anywhere else, with the exception of awareness-raising work carried out by NGOs. As a result, girls' attitudes and behaviours towards contraception were framed by the traditional cultural views espoused by their parents and communities, as well as their difficult financial situations. Due to these factors, and

because they are often sexually exploited, girls are unlikely to be empowered to insist upon condom use with their partners, meaning unwanted and unplanned pregnancies are common among teenage girls.

If girls don't know how to take care of themselves, they will also have other tricks, like sexually transmitted infections, which will retard them from education. They will also face pregnancy, which once they become pregnant they will stop going to school. They have to take care of the babies, they don't have people who support them and support the babies. (National coordinator, youth advocacy NGO, 2012).

Teenage pregnancy, because girls do not have information about [sexual and reproductive health] ...they've not told them the dangers, the hazards, like the HIV, the other sexually transmitted infections that are there. (National Coordinator, youth advocacy NGO, 2012).

However, not all teenage pregnancies were treated the same. The stigma attached to single motherhood is very real and while pregnancy among married teenage girls is tolerated, unmarried motherhood is not. Instead, it is typically viewed as a source of shame, even though a girl's parents may have pushed her into the relationship where she became pregnant. The informants to this research believed that this is one of the main reasons pregnant and unmarried mothers are excluded from school by the authorities, so as not to set a bad example to their peers.

Pregnancy within a marriage even if you're a teenager, that's ok, that's acceptable, we call them all teenage pregnancy but they're not looking at it that way. (National coordinator, women's education NGO, 2012).

If you are pregnant, you are not comfortable at school so you have to make the decision to drop out. And also, you are not comfortable with others who are not pregnant, it carries some responsibility you know, and stress. (Project manager, Freetown slum NGO, 2012).

For the informants to this research, a dearth of childcare facilities represented a huge barrier to teenage mothers reengaging in education. There was a complete lack of formal childcare options or safety net of any kind, for girls who wish to return to school after they have a baby, with the responsibility of childcare falling solely on these young mothers. Only those with social support, such as relations or neighbours willing to take care of their child, were able to return to school. In the slums, where many of the residents were migrants who had left their close family far behind, support of this nature was not always available. The impact of teenage pregnancy is such that, while girls may gain materially from their sexual activities, it is a high-risk undertaking, with profound long-term consequences for their status, schooling and health.

Who looks after the baby? Sometimes the parents can look after the baby, sometimes it's the boy or the man who gets the girl pregnant. Or their relatives, they can take care of that baby, yes. (Deputy Director of Education, Waterloo town, 2012).

There is no formal setting for the baby. As I mentioned, the girls' parents take care of the baby whilst the girls go back to school. There is no formalised structure that says, you will be going to school while the baby will be here, we'll be taking care of it. It's only the grandparents if they are not working, they are still at home. If they are going to work, they will leave the baby to an aunt to the next-door neighbour. (NGO project worker, 2012)

You think it is the fashion now, babies having babies and poverty is involved, because if you babies are having babies, who is going to look after the baby when you don't have the money to look after yourself? (Country lead, girls' NGO, 2012).

5.7 Discussion

In the Freetown slums, there are a number of economic, social and cultural determinants that allow forms of sexual and gender-based violence to prevail, almost unchecked. These challenges, and their consequences in terms of teenage pregnancy, as well as the wider social and economic costs, will not be overcome without the provision of adequate resources, appropriate social policies and practical interventions to address their root causes. This is one of the reasons why Freetown was targeted by the Girl Power programme for intervention. Sexual and gender-based violence is engrained in slum life, victimising and marginalising girls from an early age, while inhibiting their ability to make their own choices regarding their lives, careers and partners. The Girl Power group members' own testimonies demonstrated their desire to succeed in education, despite the many obstacles they faced, at school and in their family and community environments. However, these ideals will remain difficult to realise in an environment where girls and young women are sexually exploited *and* expected to conform to traditional social and cultural norms at the same time, and, where youth unemployment remains high and there are few opportunities for social mobility.

Chapter 6: Sexual and Gender-Based Violence in Freetown through the lens of the United Nations Convention on the Rights of the Child

6.1 Introduction

Following on from the findings set out in Chapter 5, here I will discuss each of the main forms of sexual and gender-based violence that emerged from the fieldwork, through the lens of the principles set out in the United Nations Convention on the Rights of the Child (CRC, 1989). The nature of the violence and discrimination against girls uncovered during the research in Freetown was diverse and complex, with roots in the cultural and socio-economic context in which the girls lived. The child rights framework as set out in the CRC represents a useful tool through which violence against girls and young women can be analysed and understood, as well as an effective means of challenging and overcoming the conditions where abuse against children are allowed to flourish. The different forms of sexual and gender-based violence, and the vulnerabilities that underlie them, will be discussed with reference to the four guiding principles of the CRC, namely non-discrimination; the right to survival and development; the right to participation and the best interests of the child, as well as the right to protection, which is of particular significance to the current research.

In addition to analysing the research findings, this chapter also draws upon discussions on childhood, the CRC, and sexual and gender-based violence, as found in the literature. For the most part, I will talk about violence against girl children in a Sierra Leonean context, but will also refer to the broader West African/African perspective, as many of the barriers to fulfilling the rights of the girl child in Freetown, such as poverty, harmful cultural practices and scarcity of resources, are not unique to Sierra Leone and are widespread throughout the

continent. To begin, there is a brief examination of perspectives of childhood and child rights in an African context, the role of the CRC and its impact on African children's lives. This is followed by a discussion of the research findings with reference to the four guiding principles of the CRC and the right to protection from harm and abuse. Finally, I will summarise how the findings support the argument that the most effective way to promote a healthy and happy African childhood experience is by guaranteeing child rights as described in the CRC.

6.2 The meaning of childhood and child rights in an African context

As outlined previously, the subjects of this research were young girls and women ranging from 5 to 22 years, although for the most part, they were teenagers with an average age of 14. These girls are a difficult group to categorise: they were children, but in terms of their experiences of life and the attitudes of the families and the slum communities in which they lived, they were more likely to be viewed as young adults with the roles and responsibilities this entails. However, under the law of the land and of the CRC, which Sierra Leone ratified in 1990, they were officially children and, as such, the bearers of rights which the state, their parents and other significant adults in their lives, are duty-bound to uphold.

To examine child rights in an African context, it is important to understand what we mean by "child" and "childhood"; who we regard as children and what we regard as rights (Te One, 2007: 42-44). Under Article 1 of the CRC, a child is defined as any person under the age of 18, "unless, under the law applicable to the child, majority is attained earlier" (Chirwa, 2002: 158)³⁵. This notion of childhood is derived from Western values regarding the upbringing and

³⁵ The CRC has been criticized for including this statement, which some argue is "ambiguous and weak", rendering children vulnerable to abuse through child labour or conflict (Lloyd, 2008: 35). It is interesting to note that the African Charter on the Rights and Welfare of the Child (ACRWC), 1990, contains no such provision, with children clearly defined as "every human under 18 years" (Article 2).

socialisation of children, through the development of systems of welfare and schooling (Gadda, 2008). In Africa, children traditionally come of age when they reach puberty or physical maturity, which for girls normally means initiation, marriage and children.

Therefore, the arbitrary setting of 18 years old as the time when a child reaches maturity has little relevance for many Africans. It is clear that the social and cultural context of the child is very important and that in Africa, children have different roles and status to their Western counterparts. The Western focus on the rights of the individual child, living in nuclear families in societies that have sufficient public service “safety nets”, can have little meaning for children growing up in Africa (Evans and Skovdal, 2015: 2). Indeed, it has been argued that the very concept of childhood is a Western construct, built upon an “idealised” vision of “a time of play, innocence and protection”, which is far removed from the daily reality of life for the majority of children on the planet (Gadda, 2008: 7).

Freeman describes the importance of realising children’s rights, especially with regard to vulnerable children living in conditions where their physical and emotional dignity are not respected: “A regime of rights is one of the weak’s greatest resources” (2000: 280). As Te One explains, as in the manner of the women’s rights agenda, “children’s rights are human rights”, children are entitled to rights as human beings, rights that acknowledge their current state of being, as opposed to treating them merely as “adults in waiting” (2007: 42). Sillah and Chibanda (2013: 118), describe the significance of upholding children’s rights in an African context, highlighting the social benefits and political and long-term economic gains that can be reaped through respecting the rights of the child by investing in their health, education and wellbeing.

A girl child growing up in Sierra Leone could be excused for not recognising many of the CRC's list of entitlements, due to her experience of widespread poverty, substandard health and education services, and traditional practices that involve genital mutilation, early marriage and motherhood. This is not to say that African cultures do not cherish their children and that to Africans, child rights are a foreign imposition: "the Swazi claim that *banfwana bangulimba loya enblir*; the Nyanja declare *ana ndiwo tsogolo lathu*; the Banyalwanda insist *abana nibo rwanda rwejo*. Translated literally, these expressions mean "children are the future" [...] children must be protected and nurtured, else society will die" (Kaime, 2005: 225). African cultures do recognise the need to nurture and protect children, and accept them as valuable family and community members, all concepts inherent to the CRC. Meanwhile, development efforts combined with human rights approaches have yielded many successes on the continent. For example, due to improvements in nutrition and healthcare, the under-5 mortality rate in sub-Saharan Africa was reduced by 58 per cent between 1990 and 2017 (UNICEF, 2019). Sadly, although human rights and development efforts normally go hand-in-hand, persistent poverty, corruption, conflict, scarcity of resources, as well as cultural barriers, have meant that efforts to improve living standards have lagged behind (Mulinge, 2010). Despite this disjoint between theory and reality, the child rights agenda, as represented by the CRC, represents a realistic target by outlining the basic "minimum standards" that ensure the dignity and rights of all children (Libel et al., 2011: 367), including the right to belong, to be healthy, and, to have access to the education and information that will enhance their lives. As Arts suggests, these are universal rights, almost universally endorsed by nation states around the globe via the CRC, and should not be limited to the middle classes of the West (2014).

6.3 The role and impact of the CRC

The CRC stands as an international standard bearer constituting the rights of children, regardless of where they live, their gender, religion or any other factor. It is the first document to “bring together a universal set of standards concerning children as a unique instrument and the first to present child rights as a legally binding imperative” (Mulinge, 2010: 10). In Africa, the Convention was quickly followed by the African Charter on the Rights and Welfare of the Child (1990, ratified by Sierra Leone in 2002), which represented an attempt to incorporate African values and norms into the child rights agenda (Rembe and Odeku, 2009). Broadly speaking, the CRC refers to three types of rights – the right to provision, the right to protection and, finally, the right to participation, with responsibility for fulfilling these rights falling “squarely” with the state and a child’s parents or guardians (Mulinge, 2010: 10).

The CRC comes under criticism for a number of reasons. Its roots in the Western liberal tradition of human rights have been described as a new form of imperialism, a self-righteous and patronising attempt to impose Western values on aberrant societies who fail to reach their standards (Gadda, 2008:). The focus on the child as an autonomous individual causes friction in African cultures where children can be viewed as being “deficient in their decision-making capabilities and deserving of protection” (Chirwa, 2002: 160) and considered primarily in the context of their families and communities (Evans and Skovdal, 2015). As highlighted above, the CRC is based on a Westernised standard of childhood, that has little in common with childhood reality in Africa and other developing regions. Yet another criticism comes in the form of the yawning chasm between the lofty language and ideals of the CRC and their lack of realisation in many African countries, where poverty and disease continue to destroy lives

(Bentley, 2005). The Committee on the Rights of the Child, which is charged with overseeing its implementation, has been described as lacking “enforcement teeth” as it does not have the power to penalise those who ignore or violate children’s rights (Davidson and Waddell, 2009: 5). As Grugel states: “Children are winning rights in theory, but this is not yet translated into real, meaningful and sustained improvement in terms of well-being and status” (2013: 19).

It is possible to rebuke these criticisms in a number of ways. While the CRC is indeed a product of the modern human rights doctrine, the Convention was drafted with the contribution of representatives from a diversity of backgrounds. Its popularity and relevance is underlined by the fact that it was the most quickly and widely ratified of any international human rights standard (Arts, 2014). The almost universal ratification of the CRC demonstrates that its description of childhood is desirable for all children, regardless of their background, reflecting “an almost global consensus on what childhood should be” (Howe and Covell, 2010: 92). The emphasis on “*should*” is important here. The CRC acknowledges the different levels of development and wealth across the nations, and proposes a system of progressive implementation to address this issue, as well as the need for an “accommodation of diversity” and “international cooperation” to support poorer countries in their efforts to implement the Convention (Arts, 2014: 281). Despite the principle of universality, within the human rights community there has been much debate regarding the cultural relativity of rights. Similarly to An Na’im (1992), Kaime argues convincingly that while there is a conflict between child rights and traditional African practices and values, it is possible for the CRC to attain “cultural legitimacy” through grassroots activities and advocacy, so that such rights will be embraced by local communities (2005: 221).

As described in Chapters 3 and 4, the patchy implementation of human rights standards in African countries is normally due to lack of resources and corruption rather than any cultural or moral objections to the Convention (Mulinge, 2010). In the West, although violations of children's rights continue, there is normally a comprehensive welfare state in place to meet the basic needs of children, so that the grounds for realising other rights under the CRC are already there (Grugel, 2013). Far from being an alien, remote, Western imposition, the practical application of rights through improving public services and raising awareness of child welfare issues can make a real difference in children's lives (Te One, 2007). Studies have shown that the CRC is having a positive impact on children's wellbeing in the developing world, through reforming laws and policies, initiatives to improve access to education and health services, as well as promoting awareness raising and advocacy efforts regarding child rights (Santos-Pais and Bissell, 2006). In Sierra Leone, for example, the child rights agenda has led to development of the Child Rights Act (2007) and the introduction of free universal primary schooling for all children. In summary, it is clear that respect for children's rights, when combined with efforts to improve living standards overall, represents an effective way of raising healthy, educated children who can contribute to their communities and nations in the future.

6.4 Examining sexual and gender-based violence in Freetown through the lens of the CRC

In Chapter 5, I described the different forms of sexual and gender-based violence that are affecting girls who live in the urban slums of Freetown, as well as the underlying factors that place them at increased risk of abuse. In this section, I will examine these vulnerability factors and sexual exploitation via the framework of the main guiding principles of the CRC,

including the right to survival and development; non-discrimination; the right to participation and the best interests of the child, as well as the right to protection from harm and abuse. The aim of this discussion is to demonstrate that, while appalling violations of girls' basic rights continue, the CRC *does* provide a framework through which these problems can be monitored, challenged and eventually overcome. Although the key child rights principles are discussed in separate sections here, as Donnelly notes, like international human rights law in general, they should be considered an “interdependent and indivisible whole, rather than as a menu from which one may freely select (or choose not to select)” (Donnelly, 2003: 23).

6.4.1 The right to non-discrimination

A child's right to non-discrimination is set out in Article 2 of the CRC, which prohibits “discrimination of any kind, irrespective of the child or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status” (Arts, 2014: 278). The girls in the Freetown slum areas described facing discrimination on many levels, on account of their sex, their social status and because of cultural values and norms in the communities where they were born. Ambiguous attitudes towards girls and women were sometimes demonstrated during the consultations for this research (Robinson, 2015). Girls involved in sexually exploitative relationships were regarded both as child victims in need of protection, but also as adult women on account of their actions. As one informant put it: *“You see you are not a woman, but not a girl again, because you are doing certain things that do not belong to a child.”* (School principal, 2012).

Although the principle of non-discrimination makes it clear that girls and boys should be

treated equally, harmful cultural practices emerged as one of the greatest barriers to girls' ability to access their basic rights. These practices, which included early marriage and female genital mutilation, are in clear breach of girls' rights to non-discrimination and protection from sexual abuse and exploitation. They are supported by customary laws, which are often discriminatory against women and girls, sanctioning widespread abuse of marriage, property and divorce rights. Although efforts are being made to harmonise the constitutional and customary law systems, attachment to traditional ways remains strong. A society where abuse and violence against women and girls is accepted is further aggravated by the hidden nature of the problem and high levels of illiteracy among the female population.

Owing to the fact that we have traditional ways and practices that are very discriminatory to girls, we have a lot of families who don't think that girls should start and end school.

Sometimes they are allowed to start but at some point, they take them and push them into marriage. They also have situations where they subject them to female genital mutilation; they subject them to long hours of domestic work, which also affect their education.

(Executive Director, Child Rights' NGO, 2012).

Three main forms of discrimination against girls on account of their sex emerged from the research findings. These were: female genital mutilation (FGM), early marriage, and the barring of pregnant girls from school: each of these are discussed in the following paragraphs.

6.4.1.1 Female Genital Mutilation (FGM)

As first indicated in Chapter 3, the prevalence of FGM in Sierra Leone is among the world's

highest, with approximately 89.6 per cent of women having undergone the procedure, including 81 per cent of girls aged 15-19 (Government of Sierra Leone, 2013), despite efforts by NGOs and civil society to raise awareness of the dangers, among communities and policy makers alike (HRCSL, 2015) There is an increasing body of literature evidencing the damage caused by FGM and it is considered a serious violation of girls' rights to health, privacy, and protection from abuse and harm (Bjalkander et al., 2012). The impact on girls' physical health is severe, with "haemorrhage, infection, chronic pelvic inflammatory disease, shock, infertility, sexual dysfunction, obstructed labour and death" among the risks associated with the practice (Rembe and Okedu, 2009: 64). During the course of the research in Freetown, a group of DCI project managers described a recent mass initiation, in which three young girls had almost bled to death. FGM was included as one of the harmful traditional practices highlighted by Sierra Leone's Child Rights Coalition in their alternative progress report³⁶, submitted to the CRC in 2015. In this report, prepared by young people with the assistance of NGOs, it was noted that FGM is still "rife" in all communities.

FGM continues to be an integral part of Sierra Leonean culture. During the fieldwork, it was reported that there is strong social pressure on girls to take part in initiation ceremonies through the secret Bondo societies. These initiations are not just centred on girls' circumcision or 'cutting', but are also regarded as important social events, representing an opportunity to gather friends, families and communities together.

Other girls, they don't want to be part of it [FGM], their parents are forcing them to do so because it is part of their tradition, so they must go through with that process. (Girl Power

³⁶ As part of the reporting process to the Committee on the Rights of the Child, NGOs and other civil society actors have the opportunity to submit reports and recommendations, as well as comments on state submissions regarding children's rights in their country (Child Rights Connect, 2019).

group member, 2012).

Aside from the obvious health risks and the long-term impact on girls' physical wellbeing, FGM has damaging effects on other aspects of their lives. FGM is a route into forms of sexual exploitation, such as marriage, as, once initiated, a child is no longer considered a girl, but a woman. It also perpetuates stereotypes of girls needing to stay "pure" in order to be desirable to their husbands and "entrenches the subordinate and submissive position of girls" (Rembe and Okedu, 2009: 64). FGM was regarded by informants as having a serious impact on disengagement from education, due to its symbolic role in marking girls' transition to womanhood. In Sierra Leone, the most common age range at which a girl is "cut" is between 10 and 14 years (Bjalkander et al., 2012: 127), just as they are on the cusp of puberty and the transition to secondary education.

While there is currently no law in place banning FGM, the Child Rights Act (2007), like Article 24(e) of the CRC, prohibits "any harmful treatment, including any cultural practice that dehumanises or is injurious to the physical and mental welfare of the child" (Human Rights Commission of Sierra Leone, 2015). Research participants highlighted a number of problems involved in tackling FGM. Firstly, as part of deeply- entrenched customs, it is closely tied with community bonds and celebrations as well as being regarded as an important personal milestone for girls. Secondly, it was mentioned in several interviews that FGM in Sierra Leone is a 'political' issue, meaning that it is a subject avoided by politicians who do not wish to lose their backing amongst traditional communities, and used by others who wish to gather support through sponsoring mass initiations.

6.4.1.2 Early marriage

Early marriage is recognised as a human rights violation in a number of key international standards, including the Convention on the Elimination of all Forms of Discrimination against Women (1979), the Maputo Protocol (2003), as well as the CRC, which sets the minimum age for marriage at 18. In Sierra Leone, children under 18 can marry with parental permission under the the Registration of Customary Marriage and Divorce Act (2009), which runs contrary to the provisions of the country's Child Rights Act (2007) that established 18 as the minimum marriage (HRCSL, 2015). Although civil society organisations are lobbying to address this contradictory legal situation, the ambiguity in the eyes of the law is clearly problematic, with consequences for what can be construed as being in the “best interest of the child”. In Sierra Leone, girls continue to be married at an early age, with those living in the poorest and least educated homes at greatest risk. As in other parts of Sub-Saharan Africa, early marriage remains a significant problem in more conservative and rural areas, where customary laws and local traditions are powerfully influential and where the traditional bride price or dowry are very important for poor families (Delprato et al., 2016). The Sierra Leone Children's Complementary Report to the CRC Committee describes the experiences of girl brides thus: “Our sisters (girls) are married at a young age, this is stressful for such girls in getting to perform the role of mother, bear children, etc.” (2015:19).

Girls who marry young are at greater risk of sexual exploitation (Rembe and Okedu, 2009), are less well-educated than who are able to delay marriage, and face many risks to their health and wellbeing including “repeated unwanted pregnancies, [...] obstetric fistula, intimate partner violence, and HIV” (Maswikwa et al., 2015: 59). The issue is not just linked to a culture where girls are expected to get married at an early age in order to ensure their

“purity”, but also a fear amongst parents that their daughters may get pregnant out of wedlock, bringing shame upon their families (Robinson, 2015: 27). Participants commented that early marriage is hugely damaging to girls’ right to education, because girls are seen as forfeiting all their rights as children once they become married ‘women’.

In Freetown, where efforts to promote the minimum marriage law has had more success, problems were more focused on girls’ involvement in sexually exploitative relationships, particularly with older men in exchange for money or gifts, as well as formal prostitution, as highlighted in Chapter 5. Poverty plays a role here: participants reported that in deprived communities, girls’ desire for basic items, as well as luxuries such as mobile phones, was one of the main reasons for their involvement in such relationships. Disengagement from education normally follows, especially if a girl becomes pregnant.

6.4.1.3 Exclusion of pregnant girls from school

UNICEF (2013: 12) describes teenage pregnancy and motherhood as “the second most prevalent form of child abuse” in Sierra Leone. The UNICEF report attributes the high birth rate among young mothers (standing at 68 per cent among sexually active teenagers) to the sexual exploitation of girls, traditional attitudes regarding gender roles, risky sexual behaviours and lack of knowledge of contraceptives, among other factors. The Human Rights Commission of Sierra Leone states that pregnancy is the main reason why the majority of girls drop out of school by the age of 15 (2015). In a country without an adequate welfare system, where there is a scarcity of options for young mothers pushed out of school, teenage pregnancy was viewed by the research informants as a huge factor perpetuating the cycle of poverty in slum areas. Reflecting the ambiguous views of girls and childhood described

earlier, teenagers were viewed as having relinquished their rights as children once they became pregnant. As the Krio expression goes, 'pikin nor de born pikin' - a child cannot give birth to a child.

One of the most serious examples of discrimination against girls related to the bar on pregnant teenagers attending school and sitting their school exams, which represents an appalling violation of their right to education. This issue was taken up by Amnesty International, which, in 2015, published a report criticising the Sierra Leone government on the grounds of violating girls' right to non-discrimination, to education, to privacy, and to freedom from inhuman and degrading treatment and punishment. During the research in Freetown, a group of NGO workers described how some girls were excluded from school and barred from sitting exams during their pregnancy. It was interesting to hear how (in this instance at least), pregnancy itself was not a barrier, but rather the perception that a heavily pregnant girl could not be allowed to attend, lest she set a bad example to her peers.

Some of the girls were allowed to sit, some who were very big did not. They were strict about who could go for the exams and who couldn't. Those who were just initially pregnant, they were allowed to sit the exams and that was it. (NGO project manager, 2012).

In 2015, the government published a policy paper stating that "visibly pregnant" girls would not be allowed "in the school setting" (Amnesty International, 2016:1). However, some provision is being made for them at so-called "bridging schools", separate to mainstream schools, but this only serves to reinforce the stigma and isolation of pregnant girls, who are given no choice as to which school they attend. A recent report by DCI Sierra Leone stated that, even following the birth of their babies, girls may not be readmitted to mainstream

education, with serious consequences for schools who do allow them to return, quoting a government official who explained:

Government schools are not allowed [to permit adolescent girls after giving birth]. Private schools can decide that they can reaccept girls if they want. (But) if a government school allowed a pregnant girl back it would be serious. Stern measures can be taken against (the head teacher) because it's not allowed. (DCI-SL, 2018b: 4).

The Children's Report to the CRC by the Sierra Leone Child Rights Coalition, also decries the injustice of the government's approach: "Pregnant girls must be particularly encouraged and the door not shut on them. The government should provide education for all children regardless of specific circumstances. Government outlawing pregnant girls taking public examination in our view is a bit harsh on us" (2015: 16). The detrimental effects of this ban are potentially huge, and given the high rate of teenage pregnancy in Sierra Leone, it could result in significant numbers of girls being unable to finish their schooling. For girls who have babies, the barriers to re-engagement at school are many, including stigma attached to being unmarried mothers; a lack of childcare options for young mothers who wish to return to school; a lack of financial support, and, a culture where girls are treated as adults once they have given birth even if they are "babies having babies" (Robinson, 2015: 29). As indicated in the previous chapter, unfortunately, the Ebola epidemic has intensified this desperate situation even further.

Although the government is making an effort to tackle teenage pregnancy through its National Strategy for the Reduction of Teenage Pregnancy (established in 2013), its ban on teenage girls at mainstream schools remains in place. As Amnesty International (2016) points

out, several sets of national exams have been taken since the ban was put in place, and pregnant girls have not been allowed to sit any of them

6.4.2 The right to survival and development

Under Article 6 of the CRC, the inherent right to life of all children is described, with states obliged “to ensure, to the maximum extent possible, the survival and development of the child”. Most of the so-called “provision rights”, such as the right to basic health, education and welfare services, fall under this principle (Howe and Covell, 2010: 92). In this section, I will look at two of the main challenges to girls’ right to survival that emerged from the fieldwork, namely living in poverty-stricken slum conditions and limited access to healthcare, with reference to how these represent underlying vulnerability factors for sexual and gender-based violence. With regard to the right to development, the right to education is discussed with a focus on the barriers facing teenage girls.

6.4.2.1 Poverty and slum life

Poverty, defined as “the inability to meet basic health, nutritional, educational, shelter, social and recreational needs”, often makes it “impossible for African states to protect the rights of the child” (Mulinge, 2010: 11). Despite the progress made in recent years, 77 per cent of children in Sierra Leone are estimated to be living in poverty (Government of Sierra Leone: 2016). Poverty poses the most significant barrier to the implementation of child rights standards, and “children are the most vulnerable to its effects” (Bentley, 2005: 109). In Africa, the majority of children live in deprived environments where there is little in the way of social security or welfare (Evans and Skovdal, 2015). The terrible living conditions for

children living in the Freetown slums was summed up in the Sierra Leonean children's submission to the CRC Committee: "some of us live in very crowded and dirty settlements. There is nowhere to dispose of garbage and gutters and filth run near our houses. This is unsightly and does not augur well for our development and growth" (2015: 16). These conditions are clearly in violation of Article 27 of the CRC (adequate standard of living), which obliges governments to support poor families who cannot provide for their children's physical and mental needs.

The research participants, who all either lived and/or worked in the slums, described how girls are at risk from violence in their homes, on the streets and in their schools; from strangers, their peers and from those responsible for protecting them. It was consistently highlighted throughout the discussions in Freetown, that due to poverty, many slum parents encourage and indeed push their daughters into relationships, transactional sex and formal prostitution, often for as little as 'a bag of rice'. Poverty meant that for many families, it was more important for a girl to scrape a day-to-day living through trade or prostitution, rather than focussing on her long-term future.

Lack of money has kept many of our friends out of school particularly those without parents or with very poor parents. Most of them were forced to drop out of school and do trading or got into marriage or prostitution. (Girl's follow-up interview, 2015).

Sexual violence against girls is a brutal fact of life for girls in poor communities: informants to Mathur et al.'s study of adolescent girls and young women in deprived areas of Kenya and Zambia reported high levels of sexual violence perpetrated by intimate and non-intimate partners, with serious health implications including HIV (2018). There is well-documented

evidence that adolescent girls living in slums get involved in exploitative relationships with ‘sugar daddies’ as well as transactional sex, as a means of improving their lives. In the short term, these behaviours allow them to overcome the financial constraints to buying the basic goods they need, as well as providing an elevated status among their peers (Kuate-Defo, 2004; Atwood et al., 2011). Women and girls in slum communities lack social capital, they have few financial resources of their own, and so exchanging sex for money and goods is frequently the only way in which they can cope when they face unexpected financial difficulties.

As discussed in Chapter 5, one of the most striking findings from the consultations is the contradiction of conservative social norms remaining strong in the Freetown slums, while at the same time, parents and communities encourage and force their teenage girls into unmarried sexual relationships with older men. In the slum communities, the environment in which girls grow up is one where the risk of sexual violence is all-pervasive, and where they are expected to adopt the roles of adult women at an early age. This phenomenon is not confined to urban Sierra Leone. Moore et al. established that in many African societies, the exchange of sex for gifts or money is often not coercive in nature but accepted as “a routine aspect of dating” (2007: 45). These inherent contradictions sum up the difficulties faced by girls trying to navigate their way through adolescence, the moral minefield of slum life and the financial insecurity and health risks it poses.

With early marriage on the decline in Freetown, this dynamic illustrates the contradiction highlighted earlier, between the outwardly conservative nature of Sierra Leonean family life vis-à-vis women's roles, and the manner in which risky sexual relations are condoned by parents. Girls are trapped in impossible roles – to retain their virtue while providing for their

families. In the slums, parents are willing to settle for their girls entering into sexually exploitative relationships with men who will provide for them, even when the girls are as young as 12 or 13 years of age. At the same time, however, they wish their daughters to be restrained in their behaviours in their close-knit communities and to avoid the public stigma and shame of unmarried sex and parenthood.

6.4.2.2 Challenges to the right to health

A child's right to health is set out in Article 24 of the CRC, which states the right of the child to "the best health care possible", as well as the right to clean water and living conditions. As described earlier, the standard of living in the Freetown slums is dire, particularly for children who have little power over where they live and who depend on adults to ensure that they have access to food, water, sanitation and healthcare. During the course of the fieldwork, the main health-related themes identified were related to access to contraception, teen pregnancy and birth; sexually transmitted diseases; and the impact of the Ebola outbreak, which are discussed in turn below.

Access to contraception, pregnancy and childbirth: One of the main reasons for the high rate of teenage pregnancy in Sierra Leone (estimated at 28 per cent of all pregnancies) is the low rate of contraceptive use: a recent survey on contraceptive use among sexually active adolescents found that more than 40 per cent "had used neither condom nor contraception during their last sexual encounter" (Labat et al., 2018: 1). This is a problem mirrored across much of sub-Saharan Africa, and alongside early pregnancy, is also considered responsible for high fertility rates, short intervals between pregnancies and above average maternal mortality figures. A number of barriers to contraceptive use in Sierra Leone have been

identified, including cost, lack of information, hostility from women's partners, "cultural resistance" and lack of access to family planning services (Government of Sierra Leone/UNFPA, 2011: 1).

The older women, they will tell us - you guys are bringing this Western stuff to us and you don't want our children to bear children in the future. They believe that if you use contraceptives, you can give birth to one, and not more. (NGO project manager, 2012).

In their study of contraceptive use in urban Senegal, Sidze et al. found that among unmarried females, the preferred form of contraception was condoms, compared to higher use of injectable contraceptives and the pill among their married peers (Sidze et al., 2014: 178). Although they offer protection against sexually transmitted diseases (STDs), dependency on condoms as a form of contraception can be risky: girls can be coerced into unprotected sex due to "power differentials", especially when older men are involved (Atwood et al., 2011: 114). If their male partners resist the suggestion of condoms, girls are normally not empowered to insist on their use, especially where sex is exchanged for money or gifts. Girls were sometimes described by research informants as not being able to 'take care of themselves', which is to say that did not know how to use condoms or to insist on their use in their relationships with men.

When a girl becomes pregnant, the detrimental health impact of becoming a mother at an early age in Sierra Leone is well-known. According to Amnesty International, the prevalence of early motherhood and the government's failure to provide the most basic maternal health facilities has resulted in the country having the highest rates of maternal mortality in the world (Amnesty International, 2009). Abortion is not permitted in Sierra Leone, although one

participant mentioned that it is possible for women and girls to obtain illegal terminations. The risks associated with these procedures are great and evidence suggests that young girls represent a high proportion of those who experience illegal abortions. According to Moore et al., it is estimated that girls aged 15-19 years make up a quarter of those who undertake unsafe illegal abortions in Africa (2007: 45). Young girls who go on to give birth have been found to be responsible for a high proportion of maternal deaths in parts of West Africa³⁷, as their bodies are not sufficiently developed to allow for the easy delivery of a full-term baby (Okonofua, 2013). This very real risk of death for young mothers, is accompanied by a death in a metaphorical sense. The Girl Power participants were very clear in their fatalistic opinions regarding the impact of pregnancy on a girl's future life chances:

When you give birth to a child that's the end of your life, so you just ignore being educated.
(Girl Power group member, 2012).

Exposure to HIV and other sexually-transmitted diseases: During the course of the original consultations, concerns regarding disease and other public health issues were voiced mainly in the context of the need for adequate sanitation facilities at schools and in the slum areas, in light of the cholera epidemic that affected Freetown in 2012. Although the high rate of teenage pregnancy and efforts to improve take-up of contraception were mentioned, few of the research informants discussed these issues with regard to preventing sexually transmitted diseases, including HIV. This is despite the fact that a high level of prevalence of HIV and STDs are found among teenage girls in sub-Saharan Africa, which has the highest rate of HIV infection of any region in the world and where three out of four new infections in the 15-19 age group are female (UNAIDS, 2018). In Sierra Leone, sex workers (HIV prevalence

³⁷ Information on maternal mortality in Sierra Leone is provided in Chapter 3, page 51.

of 8.5 per cent), gay men and other men who have sex with men (14 per cent) are those most affected by HIV (UNAIDS, 2019).

The lack of focus of on the health impact of risky sexual behaviours may be explained by the fact that participants were requested to focus on educational issues or because people, especially the young girls, were reluctant to discuss intimate sexual issues in group settings. However, given the amount of sexual risk-taking in the slum areas, the prevalence of transactional sex and prostitution, the high levels of concurrent sexual relationships, the spread of HIV and other sexually transmitted diseases, there is a clear threat to public health, as evidenced in other studies (for example, Greif et al, 2011).

Aside from the dynamics mentioned earlier, where male dominance in relationships and finances acts as a deterrent to condom use, research informants highlighted that a lack of knowledge and awareness regarding sexual health matters was a major driver for teenage pregnancies in the slums. A youth advocacy NGO working with teenagers in the slum communities explained that the main problem regarding sexual risk-taking is the dearth of sexual and reproductive health education in schools and general information in the public sphere. In other studies based in sub-Saharan Africa, the lack of information and misinformation regarding safe sexual practices have been linked to the prevalence of myths regarding HIV and other STIs. For example, Kuate-Defo's study of young people's relationships with "sugar daddies" and "sugar mummies" states: "many young people hold the common perception that clean, well-dressed and good-looking people are not and cannot be infected with HIV. In Nairobi, it was found that many older men (sugar daddies) choose young girls for sex in the belief that they couldn't possibly be infected with HIV" (2004: 18-

19) Although these themes were not explored in detail during the current research, it is likely that many of these myths are held in popular belief in Freetown.

Because girls do not have education about sexual and reproductive health. They have not been told the dangers, the hazards, like the HIV, the other sexually transmitted diseases that are there. (National coordinator, youth advocacy organisation, 2012).

Where contraception and condom use was mentioned, it was raised by NGO workers explaining cultural barriers to change and reducing teenage pregnancy, rather than disease prevention. Their comments were very illuminating regarding commonly held attitudes towards forms of contraception, highlighting how contraception can be perceived as an alien Western imposition.

The community turned against it. Yes, they were not happy with it. They thought we were teaching their children how to engage in certain improper sexual activities when we started talking to the school pupils on how to prevent themselves [from pregnancy], how to keep themselves in school. (NGO project manager, 2012)

And some parents even, they have the feeling that the contraceptive is poisonous to their girls. (NGO project manager, 2012).

The Ebola epidemic: During the follow-up interviews, the emphasis was, unsurprisingly, on the impact of the Ebola epidemic and the extent to which it had affected girls' lives. The Girl Power participants highlighted that their teenage peers were involved in risky sexual behaviours to an even greater extent than before the crisis, driven to prostitution and

unprotected sex due to the dearth of other options, in order to survive. These experiences could be realistically described as examples of what is termed ‘survival sex’, with girls exchanging sex for money or food just to stay alive. It was also reported that the Ebola crisis had a detrimental impact on efforts to contain the spread of AIDS (UNAIDS, 2019), as health centres have closed and those in need of treatment avoided clinics for fear of contracting Ebola.

The Ebola outbreak worsened the already difficult living conditions for many people in Freetown and beyond the capital, with a devastating impact on the country’s children. In addition to the number of children who lost their lives to Ebola (118 confirmed deaths), many more became orphans because of the crisis. The epidemic led to schools being closed for months and damaged the social fibre of communities: “the disease has slowed down economic growth; closed businesses and disrupted the livelihood of Sierra Leoneans, especially the most poor and vulnerable. This environment has created increased vulnerabilities for children; Ebola affected children therefore face a very uncertain and dire future (Children’s Report to CRC Committee, 2015: 11). As described in Chapter 5, the girls interviewed for this research explained how the epidemic rendered them lonely, isolated, afraid and often hungry. The Ebola crisis has left the poor of Sierra Leone even poorer and cut off from their livelihoods, leaving them with no way of making money. The already serious problems of sexual exploitation and engagement in transactional sex became even more prevalent as a result of the outbreak, as girls turned to relationships with older men and boys in order to survive.

6.4.2.3 Challenges to the right to education

The right to education is set out in Articles 28 and 29 of the CRC, as well as Sierra Leone's Education Act (2004) and Child Rights Act (2007). As previously discussed, the right to education is a key enabling right, as it has the potential to help girls escape the cycle of poverty, illiteracy, and early motherhood that blights the lives of so many in the Freetown slums.

In terms of rights benchmarks, four elements have been identified as central to the right to education, namely availability (provision of free education with properly qualified teachers and facilities); accessibility (an educational system which does not discriminate); acceptability (an appropriate curriculum and safe school environment for children) and adaptability (provision of a system that can be adapted to meet the needs of different groups, including girls), which are described in paragraph 6 of General Comment 13 on the right to education (1999). It is clear that many of these factors are lacking in the Sierra Leonean system. Discriminatory practices, as well as the failure to implement progressive policies, are keeping girls out of school and locked into traditional female roles. The girls' groups consistently highlighted problems with the physical infrastructure in their schools; poor facilities and untrained teachers mean that many children who are going to school do not receive a quality education, while a chaotic system and short school days deny pupils the quantity of education to which they are entitled (Robinson, 2015: 26).

Education has long-term benefits for girls, their families and the communities around them: "if states invest in one extra year of primary education, productivity in the future will increase by 10-30 percent" (Sillah and Chibanda, 2013: 51). The denial of this right robs

women and girls of their ability to build social capital and therefore perpetuates their dependency on men, and their vulnerability to sexual violence and exploitation. School attendance has been demonstrated to act as a deterrent against girls' involvement in sexual behaviours in Sub-Saharan Africa, school-going girls are more likely come into contact with a range of "social norms that discourage the development sexual or romantic relationships"; social norms that also may also place a higher premium on empowering girls and young women (Bingenheimer and Reed, 2014: 185). As we learned in earlier chapters, the girls consulted for this research were committed to their education despite the difficulties they often faced. They made a clear link between education and finding a job that would allow them to lift themselves out of the cycle of poverty, abuse and exploitation. The harsh reality of their lives in the Freetown slums meant that this was likely to be an unmet aspiration.

As a result of poverty and cultural barriers, girls in Sierra Leone face discrimination in education. The example of pregnant teenagers being barred from school is an obvious case, but girls also miss out on account of having their periods, domestic work, or fear of abuse from teachers and other school staff. Staying on in education is a double-edged sword for girls. While those who drop out early are considered at risk of sexual exploitation, girls also have to engage in transactional sex in order to have the money to buy the essentials for school, including fees, "while teachers sometimes elicit sex in exchange for better grades" (Atwood et al. 2011: 116). As previously shown, school-based forms of gender-based violence such as sexual harassment was highlighted as a problem by the Girl Power participants and a number of the professionals; such behaviours allow for a culture where girls can feel unsafe and victimised, which is not conducive to learning. In schools, this harassment was described as unwanted attention and pestering by school employees such as teachers, cleaners and security staff, as well as male peers (Robinson, 2015: 26).

We have testimonies from children in Sierra Leone, which are the girls, they have been harassed in school, by all components – by teachers, by other school authorities like the cleaners, the people who take care of the school, the security, you understand? And also by their peers – peers who are high grade, more than junior grade or those that are in the same form. And they are also faced with bullying, and bullying is one form of gender-based violence. (Youth activist, Freetown, 2012)

Being out of schooling has long been established as a key vulnerability factor for child sexual exploitation in both African and European contexts, as girls are disengaged from the ‘normality’ of their peer group and a school routine that can act as a protective influence in their lives (Scott and Skidmore, 2006). Once girls are out of education, they normally consign themselves to lives as domestic helps, often illiterate, and with little to pass on to their future children other than the same way of life in the slum. One of the participants highlighted that girls affected by sexual and gender-based violence lack the self-confidence to attend school, especially once they have had a baby. They simply feel ‘I can’t make it anymore’, because the stigma and the burden of work is too great to bear.

6.4.3 The right to participation

The participation rights set out in the CRC describe rights to “freedom of expression, association and assembly” (Articles 13 and 15) and of “thought, conscience and religion” (Article 14), as well as the right to participate “in artistic and cultural life, and in the administration of justice” (Articles 31). It is highlighted throughout the literature that guaranteeing the right to participation does not allow children to take control over their

actions and choices, but that any decisions made on their behalf must acknowledge their views “in accordance with the age and maturity of the child” (Howe and Covell, 2010: 93). Participation rights are especially important because they recognise children as they are in their present state as human beings, rather than future adults (Harcourt and Hagglund, 2013), and support the development of democratic norms that are essential for the realisation of rights (Sillah and Chibanda, 2013). Although the rights of children had been recognised in previous international instruments including a UN Declaration in 1959, “there was no recognition of a child’s autonomy, of the importance of a child’s views, nor any appreciation of the concept of empowerment” (Freeman, 2000:277). The CRC helped to shift perspectives away from a view of children as powerless and incompetent. The right to participation challenges the assumption that children are incapable of making informed choices about their lives and it is a guarantee that should be praised and enforced as best as possible (Chirwa, 2002).

Unlike the so-called ‘provision’ and ‘protection’ rights, which are normally accepted without reservation, the right to participation described in the CRC has proved contentious for a number of reasons. Among these is the recognition of the child as an autonomous being. As described earlier, in African cultures children are normally not treated as individuals with the wisdom or experience to make the ‘right’ choices. It usually falls to adults in their lives, such as their parents or male “elders” in their communities to make these decisions (Chirwa, 2002: 160). While it is difficult to argue against the provision of basic services and a child’s right to be protected from abuse, participation rights are often challenged or ignored as “there is a common belief among many adults that children have too many rights and not enough responsibilities” (Howe and Covell, 2010: 91). One of the NGO informants to the research, who runs an organisation to support girls to reengage in education, blamed the rights culture

for the cynical attitudes and behaviours of girls who use their ‘rights’ to justify sexually risky behaviours.

The excuse is about human rights; I tell you what. Human rights. I tell the girls, do the human rights ask you to sleep around with men? They say no. Do human rights ask you to become rude? They say no. Did the human rights ask you not to go to school and educate yourself? Giving excuses, having babies all around? They say no. Yes, you have a right to education, but are you not ashamed any longer for you to become pregnant? (2012).

Participation rights have also proved problematic as they can come into conflict with other rights, such as the right to parental guidance, because they are sometimes perceived as challenging the authority of parents and other adults responsible for children (Te One, 2011). This was very apparent during the fieldwork process in Freetown, where it was observed and reported that girls had very little control over the decisions, minor and major, in their lives. The right to disengage from education, for example, was almost always taken by a girl’s parents, regardless of whether she wanted to stay on at school or not.

The Child Rights Coalition of Sierra Leone emphasised the importance of promoting participation rights in their children’s report to the CRC, highlighting that children are rarely consulted with regard to issues that impact on their lives, including the school curriculum, local initiatives, and the religion they practice, which are dictated to them by adults. Their views are normally overlooked by their communities: “no one involves us in any village level meetings, we are only called to provide services such as support cleaning, labour and other menial work” (Children’s Report to the CRC Committee, 2015: 21). The focus groups with the Girl Power participants also highlighted the importance of informing children about their

rights, not just in terms of raising awareness of their entitlements regarding basic services, but also in empowering the girls to support others and to get involved in initiatives that can make a difference to their lives. The fieldwork experience highlighted that a balance needs to be struck between ensuring that children's voices are heard so they are permitted to influence decisions that impact on their lives, and not being left without support, effectively "abandoned to their rights" (Bentley, 2005: 109).

6.4.4 The best interests of the child

Article 3 of the CRC sets out that the best interests of the child must always be considered with regard to any decisions or actions that involve them, while Article 4 describes the responsibilities of governments to guarantee children's rights under the CRC and is intended to "direct all implementation efforts" (Arts, 2014: 279).

Like the right to participation, the 'best interest' principle has the scope to be contentious, given the ambiguity of the term and because no definition of 'best interest' is actually provided. The rationale for this is so that the principle may be applied appropriately to the particular conditions in which the child lives (Arts, 2014: 279). However, as Sillah and Chibanda (2013) point out, such openness of terminology (similarly to that in the African Charter on the Rights and Welfare of the Child) means that violations of girls' rights, such as FGM, may be justified as being carried out in their best interests, in the eyes of their traditional culture. In their research on FGM in the Sierra Leonean towns of Bombali and Port Loko, Bjalkander et al. found that in the vast majority of cases, it was a female relative such a mother or grandmother, alongside community elders, who took the decision as to

whether and when a girl would undergo the procedure. It was “not usual” for girls to make the decision for themselves (2012: 120).

The notion of family is protected under Article 5 of the CRC, which emphasises the central role of parents in the upbringing of their children (Davidson and Waddell, 2009). Traditional roles and relationships are clearly changing in Sierra Leone, with the decline of early marriage and large scale urban migration. As a result: “parents’ long held values of children obtaining permission and consent prior to engaging in sexual behaviour and/or choosing a marriage partner are lost in contemporary Sierra Leonean society” (UNICEF, 2013: 5).

However, support from parents, both personal and financial, was regarded by the girls in Freetown as the key factor which decided whether they would be able to stay on at school.

Given the power and influence of parents and elders over girls’ lives, it was argued that these groups need information and financial assistance to help keep their daughters in school, to better appreciate the value of education, and to stop the cycle of poverty and illiteracy. As previously evidenced, in one of the groups, the participants highlighted that girls themselves have a role to play in ensuring that they complete their education by avoiding the distractions posed by boys and the material good offered through sexually exploitative relationships and formal prostitution.

With regard to the sexual and gender-based violence against girls, as mentioned earlier, research participants did not necessarily regard those involved as passive victims of abuse, but rather as having the ability to make choices that could improve their lives, in a material sense at the very least. This is evident in other research. In their study of transactional sex in Liberia, Atwood et al. remark how these interactions bestow a sense of ‘social agency’ on girls who would be otherwise socially and financially constrained and unable to participate in

their local economies (Atwood et al, 2011: 115). However, there is no doubt that coercive and forced sex was a concern for the girls who participated as part of the Girl Power groups, all of whom were still at school and were mostly aged under 18 years. Reading the participants' views and accounts of sexual and gender-based violence, it is clear that the majority of the scenarios they describe involve a degree of sexual coercion, even in situations where girls appear to be making a conscious choice.

Children are often seen as not being “the best judges of their own best interests and rights” (Bentley, 2005: 108). The Girl Power informants to the fieldwork, who were mainly teenagers, were both capable and able of making informed decisions about their lives and were frustrated by external factors, such as parental influence, lack of money and pressure to help with household tasks, which could keep them out of school. For girls such as these, the CRC guidance, to take into account the “evolving capacities of the child” described under the best interest principle, thus allowing for greater autonomy for older children (Arts, 2014: 280), is a worthwhile step forward. Many of the girls expressed the belief that their education could bring about benefits beyond their own lives, for their families, communities and their nation as a whole. This could be achieved through providing a good income for their children and educating the next generation of girls. To reiterate from Chapter 5, these attitudes were best summed up by the phrase: “educate a woman, educate the nation”, which was frequently mentioned in the girls' groups.

It is good to learn for your own personal gain, but it would also be beneficial for the others, for the people around you. (Girl Power Participant, 2012).

6.4.5 The right to protection from abuse and neglect

In order to shield children from harmful practices, the CRC describes a number of “protection rights” (Howe and Covell, 2010: 92). These include Article 19, which sets out the right to protection from abuse and neglect, while under Article 34, states are obliged to “protect children from sexual abuse and all forms of sexual exploitation”, including child prostitution (Doek, 2009: 774). In addition, in April 2011, the Committee on the Rights of the Child issued General Comment 13, which represented an attempt to “strengthen” children’s protection rights by providing further guidance regarding policies and implementation (Svevo-Ciani et al, 2011: 979). The Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (2002) states that girls are at particular risk of abuse through sexual exploitation (Arts, 2014: 272).

During the course of the research consultations, a number of different forms of sexual exploitation were discussed with regard to girls living in Freetown’s slum areas. A picture emerged of a society where high levels of poverty and deprivation, coupled with a complete lack of social security, are driving adolescent girls to engage in risky behaviours in return for basics such as money and food, as well as luxury items including Western style clothing and the latest mobile phones. These girls are doubly disadvantaged in a society where gender inequality is accepted and condoned, creating a natural imbalance of power as men are presumed to be in control of relationships as well as financial affairs.

In common with much of sub-Saharan Africa, gender inequality in Sierra Leone is rooted in traditional roles whereby men are assumed to be dominant and assertive in their sexual behaviours and girls to be virginal and submissive (Bingenheimer and Reed, 2014). Greif et

al.'s study of the impact of poverty on sexual norms across five Sub-Saharan cities, found that slum residents were more likely to engage in risky sexual behaviours than non-slum dwellers, including "earlier sexual debut, lower condom usage and more multiple sexual partners among women residing in slum households" (2011: 947). It is difficult to estimate the prevalence of sexual and gender-based violence in general due to the hidden nature of the problem, but also because sexuality and sexual exploitation are often considered taboo subjects (ECPAT, 2014: 13) and to attempt to do so was beyond the limitations of this research. However, the nature of the sexual exploitation found in Freetown takes many forms - in terms of relationships (both consensual and forced) with older men and peers, transactional sex, as well as formal prostitution. As outlined above, early marriage, although less popular in Freetown than in rural areas of Sierra Leone, remains a problem and is a recognised form of child sexual exploitation.

A number of studies focusing on the issues of sexual exploitation and transactional sex have established that these practices are highly prevalent in sub-Saharan Africa (Moore et al., 2007; Atwood et al., 2011; Greif et al., 2011; Robinson and Yeh, 2011). It is clear that the exchange of sex for goods such as money and gifts, in relationships or casual encounters, is now so common that it is almost expected in sexual interactions, particularly in poorer communities. For girls and their parents, the short-term benefits of engaging in relationships of this nature with older men and transactional sex are obvious, as it provides a means of making money, possible access to luxury goods, and an elevated status among their peers.

There are not enough positions or scholarships for our children out here, especially for girls. So, they end up having to turn to an uncle, they call them their sugar daddies, a boyfriend or something. (Country Director, Women's Education Project, 2012)

Moore et al. found that girls' vulnerability to coercive sex was directly linked to their financial dependence on their partner, identifying sex in exchange for "economic survival [which] includes being pressured (actively or passively) by parents to secure needed goods for the household" as "the most coercive reason to have sex" (2007: 46). In the Freetown research, it was reported that young girls were engaging in inappropriate and exploitative relationships with influential men in their communities, such as NGO workers and teachers, who were stepping into to fill the void left by parents unable to financially support their families (Robinson, 2015). Ironically, these men were often "duty bearers" in the girls' lives, charged with ensuring that their rights are upheld. These relationships were often regarded as a positive outcome for the girl involved, regardless of the impact on her education and future life chances.

Their parents know about their boyfriends, they do not take care of them, they have the willingness but the resources are not there, the means is not there to actually take of their girl child. So, the girls sometimes what they end up doing is to have a lover who is maybe an NGO worker in that community or a teacher or a businessman, and that man controls the life of that girl. (NGO lead, 2012).

Parental attitudes were often highlighted with regard to girls' involvement in sexually exploitative relationships. For poor families living in slum communities, a daughter in a relationship can represent one fewer person to feed and support (Robinson, 2015: 28). It was also mentioned that girls from deprived backgrounds face being pushed into prostitution by their parents in order to support themselves and their families. Due to illiteracy and the lack of opportunities to make money, they often have few other options open to them.

Girls' involvement in sexual relationships with their peers of their own age could also be viewed through the prism of exploitation, as the gender inequalities so evident in Sierra Leone society mean that girls are normally less empowered than their male peers to take decisions in their relationships. In Mgalla et al.'s study of child sexual exploitation at school, almost the same proportion of teenage girls reported sexual harassment by boys (56 per cent) as older "village" men (58 per cent) (1998: 23). Similar to relationships with older men, there is an element of peer pressure involved in girls' interactions with boys their own age, with girls trying to 'keep up with the crowd' in having an attractive partner who provides for her. During the girls' group discussions, many references were made to relationships with boys their own age, mainly in the context of the need for single sex toilets. In one of the groups, references were made to boys in their peer group who had money and would be in a position to 'treat' girls.

The consequences, if any, for the perpetrators of gender-based violence are less damaging for the male offenders than the female victims. In Freetown, as in most places where children are sexually exploited, child sexual abuse remains a taboo subject. Abuse and discrimination against girls in schools, which should provide a protective and nurturing environment, often passes without consequences for offenders, particularly teachers (Mgalla, 1998; O'Reilly, 2014). While girls' right to protection from harm and abuse are set out in Sierra Leonean law, for a myriad of reasons such as the culture of secrecy surrounding sexual and gender-based violence, lack of awareness regarding the law, the reluctance of girls to report abuse, and a corrupt culture that allows abusers to walk free, perpetrators of these crimes often go unpunished.

The culture of impunity in this county is the problem. In this country they say that rape is a

crime. That's what the law says. When you rape and you are found guilty you are sentenced to, sometimes seven years. But there are men that are working around here who have raped and we know them and they are still working. So one of the problems is, if you are an elite so to speak, or a government official, and your brother was whatever, you do not go to court.

(Country lead, girls' education NGO, 2012)

Poverty also plays a role here: DCI-SL reported that poorer families will often compromise on cases of sexual violence against girls because of the “benefit or compensation” they receive from the perpetrators of abuse (2018: 41). Part of the problem with challenging different forms of abuse and exploitation, is that they occur in private, they are considered taboo, hidden from view and are rarely discussed. The CRC, meanwhile, is very much concerned with the public sphere, although, under Article 19, the state is obliged to protect children from abuse from parents, carers and other guardians (Arts, 2014). Sierra Leone has made a number of worthy attempts in law and policy-making to address harmful cultural practices and the high level of gender-based violence in the country, such as the introduction of the Sexual Offences Act (2012). However, as in many African countries, child protection services in Sierra Leone are inadequate and ill-equipped to cope with widespread exploitation and the cultural norms that allow it (Svevo-Ciani et al., 2010).

6.5 Discussion

The research in Freetown, supported by the literature on child rights and sexual abuse, demonstrates that forms of sexual and gender-based violence are widespread in the city's slums, underpinned by severe poverty, poor public service provision, and harmful cultural practices. This represents an appalling violation of girls' rights under the CRC, which Sierra

Leone ratified almost 30 years ago. The provisions of the CRC, however, offer a comprehensive agenda through which these violations can be understood and addressed, through providing a framework for long-term structural plans to challenge poverty and social norms, raise awareness of children's rights, gather data to learn the full nature and extent of abuse and exploitation, and to support families and communities to turn their backs on harmful cultural values and practices. These themes will be explored in further detail with reference to the role of the state and social movements in the following chapter.

Chapter 7: Addressing Sexual and Gender-Based Violence through the United Nations Convention on the Rights of the Child - the role of the State, Civil Society and NGOs

7.1 Introduction

The evidence presented in previous chapters demonstrates how the rights of Freetown girls, as humans and citizens of Sierra Leone, were regularly violated in their private and public spheres, and at individual, community and state level. However, despite the particular challenges posed by poverty and discriminatory socio-cultural practices and values, a wide range of actions and strategies also emerged from the research, which would enable human rights norms to be translated into real-life changes. This chapter will outline some of the efforts to realise the provisions of the Convention on the Rights of the Child (CRC) in social policy and practice, with reference to the state and civil society actors in Sierra Leone, whose complicated relationship is often characterised by tensions regarding power, influence and funding.

Due to the key role played by civil society and non-governmental organisations (NGOs) in the research, I will explore how the position of non-state actors has evolved in Africa over recent decades; the legacy of Western-funded programmes and the value of their efforts in promoting and protecting human rights. I also examine some of the progress made by the state in Sierra Leone to reduce sexual and gender-based violence against women and girls, as well as some examples where the state has proved unwilling or unable to meet its obligations. Finally, the work of DCI-SL's Girl Power/Girls' Advocacy Alliance programme (2011-2015; 2016-2020), is examined to explore how, if at all, human rights organisations working with grass-root bodies are affecting real and sustainable transformations in girls' lives in

accordance with the principles of the CRC³⁸. As outlined in the introduction to this thesis, it is important to emphasise that this does not represent an evaluation of the programme, but an analysis of data shared by DCI-SL and the Girl Power Alliance (the international umbrella group for the programme), to illustrate the challenges and successes associated with implementing a child rights-focussed initiative in Freetown.

7.2 Background to civil society and NGOs in Africa

7.2.1 Civil society

The concept of civil society has been central to this research, in terms of its framework and consultation process, but also with regard to its function in the realisation of girls' rights in Africa. Sierra Leone has a robust civil society, which has provided "both a space for citizens participation, as well as training and experience for active citizenship" (Arnott, cited in Bentley, 2011: 53). Kanyako describes civil society in Sierra Leone as involving "indigenous nongovernmental entities that are founded, staffed and managed locally [...] Non-political civic intervention, in its various forms has played key roles in bringing people together for the common good" (2011: 5-6). In the Freetown slums, the existence of a vibrant civil society was evident all around: in community groups; girls' clubs; the many NGOs working in the area that provided health, education and social support; and, indeed, the secret Bondo societies, so significant in traditional Sierra Leonean life.

³⁸ Note on the Girl Power programme: From 2011-2015, DCI-SL was a local implementation partner for the Dutch government-funded Girl Power programme, which aimed to protect girls against forms of gender and sexual based-violence, teenage pregnancy and early marriage, across 10 countries. The work of the Girl Power programme is being continued by the Girls Advocacy Alliance (GAA) initiative (2016-2020), which has an added emphasis on the economic exclusion of girls. Information from both stages of the programme is used extensively throughout this chapter, in the form of reports, presentations and outcome monitoring documents provided by DCI-SL.

Civil society is important because, as Chaney remarks, there is a clear “disconnect” between the policies and behaviours of the state and the lived experiences of children (2017: 10), and civil society can offer a bridge between the two worlds. The presence of what we would term ‘civil society’ is not unusual in an African context but the concept is in its official form, such as NGOs, a Western construct, with all the historical ‘baggage’ that entails. Hearn writes that, far from being a unifying concept, civil society in Africa is “a potential battleground”, where different interests – be they the state, donors or local activists – vie for influence on key national issues (2001: 43). The emphasis on Western-influenced notions of civil society is not always regarded as a force for good, with question marks hovering over the consequences, intended or otherwise, of their interventions in African affairs. The notion of civil society should not be taken for granted as a positive force for “good”: Landman describes the dangers presented by what he terms “uncivil” organisations within civil society (such as Bondo societies or the questionable leadership of community chieftains who frequently support discriminatory practices), which can pose a threat to human rights through violence and intimidation (2006: 32).

Grounded in the grey area between the state and the private sphere, civil society has long been regarded in a positive light, as a means of supporting poverty-stricken African nations through building social cohesion, improving public services and providing a voice for the marginalised and vulnerable. Williams and Young identify four key roles for civil society in the social, cultural, political and economic domains, namely: “as an arena within which individuals can pursue their own projects through freely associating with others [...] as an arena of free debate and criticism it provides a constraint on the power of the state; [...] as a place for the cultivation of certain attitudes and virtues that are important for sustaining liberal social life” (2012: 8). During the research in Freetown, a focus on all three elements

was identified among the organisations involved. Although, conversely, all of the NGOs involved were in receipt of foreign funding, none had the capacity to mount a serious challenge against the failings of the state, and they frequently reported problems regarding their ability to engage with traditional elements in their communities, when these proved hostile to efforts to promote girls and young women's rights. Anecdotal evidence from this research suggests that while civil society groups are prolific, they are not necessarily powerful and that a "disconnect" can also exist between organisations working to promote grassroots interests and the communities they claim to represent.

7.2.2 Non-governmental Organisations (NGOs)

Like the notion of civil society in general, NGOs exist in a middle ground, set apart from public services provided by the state but also outside the private sector. Despite their diverse roles and functions, it has been highlighted that their very title denotes NGOs in a negative sense: "Despite its contemporary popularity, the term NGO represents a complicated concept. To begin with, it is a negative term [non]. It does not reveal what kind of organisation we're dealing with; it merely says what it is not. And even that is not always true." (Holmen, 2010: xi).

In its NGO Policy (2009), the government of Sierra Leone defines NGOs as: "any independent, not-for-profit making, non-political and charitable organisation, with the primary objective of enhancing the social, environmental, cultural and economic well-being of communities" (Article 2.1.1). The NGO 'model' as we know it today has its roots in the 1950s and 1960s; since then, "a great many well-meaning individuals, organisations and donors have made it their mission to lift Africa out of poverty", in line with Western

priorities regarding development and progress (Holmen, 2010: vii). NGOs justify their activities as a means to establish and develop socio-cultural, civil and political rights in conditions where people, particularly the most vulnerable, suffer as a result of their absence (Pinkey, 2009). It should be noted, however, that transnational NGOs in Africa are also agents of globalisation. Although they may claim to “engage the local” (as advocated by Coomaraswamy, 2002), their agendas reflect changing priorities on the international stage, which are in turn played out in local settings dependent on international aid: “illuminating the articulations between “the local” and “the global” is essential to understanding Africa’s NGO revolution [...] NGO leaders – along with other cultural entrepreneurs – are painfully aware of the shifting nature of the global system upon which they depend for their livelihoods – and which holds important opportunities for improving conditions in their communities.” (Igoe and Kelsall, 2005: 3-4).

Organisations with a particular focus on protecting and promoting human rights are especially relevant for the current research. The realisation of human rights depends not only on development of legal norms and social policies, but “through the organised struggles of ordinary people” (Frezzo, 2015: 3), and NGOs have also been described as holding the key to the development of a culture where rights are respected through building on existing grassroots movements and helping to educate and empower local communities (Monshipouri, 1997: 214). Human rights organisations in Africa have long played a role in highlighting human rights abuses and promoting political, social, economic and cultural rights, “at societal and government levels”, although often with limited success (Dicklitch and Lwanga, 2003: 483). These groups are frequently in the receipt of foreign funding, and this, coupled with their focus on rights and entitlement, often brings them into conflict with the state.

Describing the situation in Uganda, Dicklitch and Lwanga describe how the efforts of human

rights groups are frequently curtailed by repressive governments; they argue that rights activists should concentrate on developing a bottom-up approach, where all elements of political and civil society are engaged to develop a “rights positive culture”, rather than pandering to the will of despotic regimes (2003: 482-485). As DCI-SL has encountered in their engagements with both the state and local communities, this is by no means an easy task.

The uncritical, idealistic view of NGOs operating in Africa has been met with a strong counter-argument, one which places greater scrutiny on their missions and roles (Hearn, 2007). In common with criticisms of the human rights doctrine (described in Chapter 4), much of the language, values and structures associated with NGOs can appear as alien impositions on African cultures and societies, especially when few efforts are made to integrate programmes with local communities.

Igoe and Kelsall (2005: 10-16) set out different strands of thinking on NGOs in the literature³⁹, among them the ‘liberal’ viewpoint that NGOs have been instrumental in helping to promote social and economic development, cultures where human rights are recognised, and giving voice to the most marginalised. From a liberal perspective, civil society represents a valuable channel through which progressive doctrines such as human rights can be interpreted for the benefit of the grassroots, normally acting as a benevolent alternative to the “illiberal, authoritarian, often patriarchal state” (Igoe and Kelsall, 2005: 13). The reforms

³⁹ Liberal, Communitarian and Marxist perspectives (discussed with regard to NGOs in this chapter) have also proved central in the development of the human rights doctrine. As Leary describes: “Liberalism has been the predominant philosophical foundation for the concept of human rights in the West [...] Liberal ideology emphasises the freedom of individuals, civil and political rights”. In contrast, communitarianism “emphasizes that the person lives in a community with others and not as an isolated individual”. Finally, “Marxist ideology has been critical of liberal concepts of rights, considering them to be “bourgeois rights” which sustain power relations in society. Marxists have emphasized economic and social rights” (1992: 105- 107)

brought about by NGO bodies in Africa have been gradual but vital in securing sustainable and long-term political and cultural change. For example, through providing socio-legal aid to victims of abuse at their community centres, DCI-SL is helping to overcome the culture of secrecy surrounding the exploitation of children, encouraging victims to seek support and redress when their rights are violated. Across the continent, NGOs have lobbied for political and civil rights, promoted the status of women in traditional communities and guaranteed basic rights to food, health and education that would otherwise not exist, due to the inability of African states to provide them (see Davis et al, 2012; Pinkey: 2009). In a broader sense, NGOs have long-played a critical role in campaigning for developing nations; providing support in disaster situations and are active in lobbying for debt forgiveness (Pinkey, 2009).

Despite this, NGOs normally promote modern ideas regarding what constitutes positive development and change, which may not harmonise well with African values and traditions and serve to alienate local actors (Holmen, 2010). From a Communitarian perspective (as described by Igoe and Kelsall, 2005: 13-14), one of the main accusations levelled at foreign funded NGOs is that they are simply a continuation of the 19th century “scramble for Africa” when European powers fought for land and resources on the continent (Hearn, 2007: 1100): “a new historically specific manifestation of the long, unequal encounter of Africa with Euro-America” (Olaniyan, 2011: 47). Hearn discusses the notion of NGOs as “compradors”, that is to say, they act as outside “agents” working to further the agendas of foreign interests, in this case the interests of Western powers (2007: 1098). Amutabi, in his critique of the NGO sector in Kenya, describes how NGOs have hampered the efforts of African nations to develop, as they move resources towards international programmes, to the detriment of local and national actors, and, at the cost of traditional social structures. Amutabi also disapproves of terms used by the NGO sector such as “field” (i.e. the space occupied by African subjects

of aid programmes), highlighting the “conceptual interface” with the “office” (where white Westerners tend to be based), viewing such terms as patronising and reinforcing the image of Africa as a backward continent (2006: 54).

Finally, there are often questions raised regarding the transparency and legitimacy of NGOs, due to their dependence on foreign donors and their focus on funding priorities rather than local needs (Dicklitch and Lwanga, 2003: 507). Such criticism and questions raised often have their own ideological underpinnings. As Igoe and Kelsall highlight, Marxists regard NGOs with suspicion, due to their reliance on foreign funding and their potential to redirect valuable resources away from sovereign states, the primary actors concerned with the provision of economic and social rights (2005: 8). Some commentators argue that the growing power of NGOs has damaged the state as an entity, with repercussions for national sovereignty and the development of a viable welfare state: “Their advocacy or practical activities, whether by omission or commission serve to weaken the powers of the state, and this is bad because in the long run, there is no effective caretaker of the interests of the polity as a whole than the state” (Olaniyan, 2011: 46-47). Critics of NGOs often cite how external funding organisations also play a role in sustaining the culture of dependency. For example, speaking about the roles of NGOs in post-conflict Sierra Leone, Kanyako describes how “in development circles, funding actors tend to emphasise local needs and downplay local capacities in post conflict peace building. Such an approach fails to account for the creativity and resilience of these groups” (2011: 4).

NGO relationships with local communities can be complex and the issue of staffing in particular is often problematic, emphasising the gulf between the grassroots and “briefcase NGOs” (Igoe and Kelsall, 2005: 9). Regardless of whether they are foreign or indigenous

staff, these workers embody a sense of superiority over the people they aim to serve: “the Westernised African elite *is* an NGO elite” (Olaniyan, 2011: 55). As outlined in earlier chapters, NGO staff were identified by informants to this research as being among the ‘big men’ who engaged in transactional sex and relationships with young girls in the slum communities, often with the blessing and indeed encouragement of the girls’ parents. It is easy to attract local staff, who are drawn by the higher salaries and status offered by the non-governmental sector, but this too has its pitfalls as local services are weakened where NGOs ‘poach’ teachers and educational administrators from public services. Well-paid foreign-funded jobs offer a route to a successful career for ambitious young graduates as an alternative to often corrupt and poorly-paid public services, but again, this is at odds with NGOs image as the champions of the marginalised and poor (Yarrow, 2008).

It has been noted that, with regard to girls and women’s rights, sensitivity to local customs is particularly essential: “one needs to understand the complexity and nuance of local spaces in order to realize forms of gender equality” (Unterhalter and North, 2011: 4). When attempting to address sexual and gender-based violence and discrimination against girls, a top down approach will not suffice and the involvement of local actors should be prioritised, given the difficulties associated with overcoming deeply entrenched social and cultural norms. Human rights norms and laws are indeed far removed from the daily reality of life in Freetown. NGOs working to achieve their acceptance and legitimacy will require more than foreign donations and ideals to be successful: they need the input of local communities *and* the support of the state, to ensure the smooth running of programmes and to sustain their progress once funding comes to an end.

7.3 The role of the State

Despite the growing role and influence of NGOs, responsibility for translating child rights law and rhetoric into policy and practice remains with nation states - a paradox whereby responsibility to promote and protect rights is placed on the very actors who are frequently their worst violators. The state in Sierra Leone is both poor and fragile, dependent on international donors and the NGO sector to fill in gaps in service provision⁴⁰, but, on the national stage, the state remains the dominant actor. The modern nation state, although kept in check in some respects by international law and global markets, is in other respects arguably more powerful now than ever: “The modern state, even in the Third World, not only has been freed from many of the moral constraints of custom but has a far greater administrative and technological reach” (Donnelly, 2003: 92). Ideally, there should exist a system of checks and balances to promote and protect human rights, given the potential of the modern state to abuse its power. The UN has developed wide-ranging legislation and structures, but it remains relatively powerless to discipline nation states that fail to protect and promote the rights of their citizens, as it is ultimately the nation state that “holds not only the duty but also the right to implement human rights in their own territories” (Donnelly and Whelan, 2018: 32).

Chapter 3 outlined the efforts made in translating international standards into domestic legislation in Sierra Leone, and to harmonise these with customary and Islamic traditions. During the course of the consultations in Freetown, there was a broad consensus that the state has made good progress in terms of moving the rhetoric of the CRC into solid laws and

⁴⁰ In 2015, foreign aid represented 51 per cent of Sierra Leone’s “recurrent and capital expenditure” (UNDP, 2018).

policies, but this has simply not been translated into real-life practice. Research participants cited a number of reasons for the sluggish implementation of many of the provisions of the CRC, which included a lack of capacity and resources; lack of political will; discriminatory attitudes to girls and women; and a strong attachment to traditional social and cultural practices and values, including early marriage.

It would be difficult to discuss the implementation of the CRC without reference to the economic as well as social context in which they are being delivered: Sierra Leone remains a desperately poor country, scarred by the legacy of conflict, disease and natural disasters. Economic difficulties have affected the delivery of basic services and increased the cost of living for ordinary people in Sierra Leone, putting girls and young women at risk of exploitation, as the scarcity of employment opportunities lead to an increase in transactional sex (Girls' Advocacy Alliance, 2016:102). The increase in cost of living is, as a result of inflation, attributed to high government spending on road building and debt repayment (DCI-SL, 2018a: 6): The International Monetary Fund suspended its loans to the country in February 2018 as a result of Sierra Leone's inability to "improve revenue collection", which at this time is dependent on exports of iron ore and diamonds (Reuters, 2018). The low level of investment on social protections, with just 11 per cent of government expenditure dedicated to health services (WHO, 2019)⁴¹ and 12.5 per cent allocated for education (UNESCO, 2016), offers an explanation as to why the state is failing to meet its basic obligations under the CRC and other rights standards. The gender equality agenda in Sierra Leone was granted only 1.1 per cent to 2.7 per cent of the national budget (2006-2011) and depends almost entirely on external donors such as the United Nations Population Fund for

⁴¹ This is well below the pledge by members of the African Union, for 15 per cent of the state's annual budget to be given over to the health sector, called for under the Abuja Declaration, 2001, intended to represent the standard for African Union members (WHO, 2011).

its funding, which, again, throws some light on why progress to implement new laws and social policies has been so slow (Abdullah, 2012: 10). Economic problems at macro level have filtered their way through to local communities, with a lack of basic health, sanitation, education and other services, described by many informants to this research. DCI-SL have also reported difficulties in meeting their economic empowerment outcomes for local girls, as a result of the scarcity of job opportunities (DCI-SL, 2018a: 7).

The limited social welfare safety-net in Sierra Leone means that few supports are in place for victims of sexual and gender-based violence, outside of the NGO sector. As Abdullah points out in her report on gender inequality in Sierra Leone, a number of factors relating to “funding, logistics and inadequate personnel to undertake programmes” are affecting the government’s ability to implement social and economic initiatives designed to improve gender equality in the country (2012: 10). She also describes how Family Support Units (FSUs), which are based within Sierra Leone’s police service and are responsible for the practical realisation of the gender rights agenda, lack the funding, expertise, mobility and capacity to meet their objectives, which has implications for the reporting and prosecution of cases of domestic violence, sexual exploitation and harassment.

Many of the barriers to progress are also political in nature. A progress report shared by DCI-SL stated that law reform and programme funding processes had stalled completely prior to the March 2018 election campaigns, as the “government’s priorities changed” (DCI-SL, 2018a: 6). Instead, money was channelled towards areas which would be popular with voters. For example, although advances had been made in drafting legislation for harmonising child marriage laws, in late 2017, as the election approached, work on this was halted by the Minister for Justice:

The minister and the entire government were more preoccupied with campaigns, prioritising only tangible projects such as road construction, electricity supply etc. that can easily attract voters. They virtually abandoned works on policy reforms and other non-tangible programs. By November 2017, the parliament was dissolved and the bill could not be tabled for enactment in parliament. (DCI-SL, 2018a:14).

State failings often result in tensions with NGOs and civil society organisations (CSOs), when concerns are raised or the government is challenged regarding its inaction, or its pursuit of discriminatory policies, such as the ban on pregnant girls in mainstream education (see Chapter 6, section 4.1.3). The denial of political and civil rights has a knock-on impact on the ability of civil society and NGOs to promote economic and social rights: “rights to association assembly, free speech and petition are conducive to social movement activity in the name of other objectives” (Frezzo, 2015: 91). In Sierra Leone, women’s rights organisations have been the subjects of harassment via threatening phone calls and text messages by members of the public, in addition to being accused by government officials of “undermining the country’s economic development” (International Service for Human Rights, 2015: 2). The relationship between the All-Party Congress (APC) government (in power in Sierra Leone until March 2018) and civil society organisations, became increasingly fraught over time. In 2017 the APC Minister for Social Welfare, Gender and Children’s Affairs suspended the registration certificates of several NGOs, including DCI-SL, who had challenged the government on social welfare issues. In addition, a number of committees involving NGOs that were in the process of developing anti gender-based violence strategies linked to child marriage, Female Genital Mutilation, and teenage pregnancy, were suspended by the same minister, in order to impede the work of NGOs deemed ‘unfriendly’ to the then

government. The useful ‘tool’ of social media has also been restricted, given the ability for users to hold the government to account. In June 2017, the previous administration banned the posting of any negative material referring to the government, threatening to prosecute any person or institution who did so, on the basis of posing a threat to “public security” (DCI-SL, 2018a: 8).

However, despite the grim economic outlook and tensions with the NGO sector, the state is pushing forward gradual reforms that should positively impact on the rights of girls and young women. During the consultations in Freetown, it became apparent that the abuse of children through corporal punishment, intimidation or harassment by their teachers and peers, was widespread and, indeed, accepted as part of their school experience. In 2017, the Ministry of Education initiated a programme to tackle the sexual harassment and violence against girls in schools, and a committee to review the National Code of Conduct for Teachers was established, in order to address gaps in the current code with regard to enforcement and punishment of offenders (DCI-SL, 2018a: 22). There are also strategies in place to tackle early marriage through training and awareness raising activities. The African Union ‘Campaign to End Child Marriage’, launched in August 2016 by the Office of the First Lady of Sierra Leone, formed a coalition of bureaucrats, religious leaders, civil society and international agencies, including Unicef, to advance efforts to eliminate the practice (African Union, 2016). The complicated legal and political structures that exist in Sierra Leone, with its system of paramount chiefs and customary laws, are slowly changing in line with the harmonisation efforts outlined in Chapter 3. DCI-SL have reported a willingness on the part of community leaders to engage with efforts to address violence and abuse, including one paramount chief who assisted police to arrest a town chief who had blocked a case of sexual abuse from progressing (2018a: 12).

Demonstrating the positive change that can come about when public services are properly resourced, there has been a rise in the prosecution of cases under the Sexual Offences Act, linked to sexual and gender-based violence against girls and women, with a 5 per cent increase in the Western area where Freetown is located (DCI-SL, 2018a: 20). This has been linked to an increase in the number of magistrates and judges across Sierra Leone. Funding for legal aid for victims of abuse has also been increased. A special court has been established for the Western area, dealing with cases of domestic violence and sexual abuse, while training is being provided for magistrates and judges across Sierra Leone in order to raise awareness of gender-based violence, children's rights and new legislation to protect girls and women. DCI-SL comment that this is, in turn, leading to a (very gradual) change in the culture of secrecy that normally surrounds cases of sexual abuse and violence. The increase in reporting and prosecution of sexual offences has led to more victims coming forward, with the backing of their families:

We observed that in most cases, parents accompanied their children to make reports at the police station. In the past, parents were shy to report sexual and gender-based violence cases in order to save the image of the family. (DCI-SL, 2018a: 15).

Political events can also bring about positive change. In the run-up to the 2018 election, DCI-SL highlighted an increase in the number of FGM cases across the country, leading to fears that politicians were funding the practice to gain votes through sponsoring mass initiations. However, the practice of FGM was in fact banned for the duration of the election campaign, to prevent politicians from buying votes through courting traditional "values" (Devi, 2018: 415). DCI-SL reported that all three of the main political parties set out specific policies on children and women's rights in their manifestos, with the Sierra Leone People's Party (SLPP,

whose candidate Julius Maada Bio went on to win the election), quoting DCI-SL recommendations verbatim in their document. While these commitments remain only ‘paper promises’, it augurs well for, at least, the new government’s intentions: time will show what becomes of actual policies.

In Sierra Leone, the role of the state in addressing violence and discrimination against girls and women is dependent on its political and economic situation, pressures on resources and a degree of adherence to cultural norms to stay in power. The development of a positive legal environment through the passing of progressive laws relating to women and children’s rights does not necessarily ensure their implementation in practice, particularly when investment in social, health, legal and education services remains low. The country’s ongoing economic problems are due, in part, to financial mismanagement, with too great a focus aimed at ‘easy’ political gains at the expense of long-term goals. In addition, the behaviour of the former APC government, with its restrictions on social media and revoking of the licenses granted to NGOs who dared to challenge it or raise awareness of its failings, stresses the importance of establishing a system of checks and balances that can safeguard against the rise of oppressive ruling parties. However, the progress made in prosecuting cases of sexual and gender-based violence demonstrates that advancements can be made when the political will and investment are channelled in the right direction.

7. 4 The relationship between the State, NGOs and civil society

Under the provisions of the CRC (Articles 4, 42 and 44), there is an “explicit” requirement on governments to cooperate with civil society to build a culture where rights of children are protected and promoted (Chaney, 2017: 6-8). Establishing good relationships at community level is essential for the successful delivery of human rights NGO projects, but a positive relationship with the state, including local government, is equally vital to ensure their long-term sustainability and to embed a human rights culture in to social policy and practice (Akyeampong, 2006). NGO ‘partnership’ with the state is a controversial concept, one that can leave organisations open to accusations of co-option by repressive governments.

Organisations, such as DCI-SL, need to walk a thin line between working in partnership with the Freetown government (for example, in the development of a national child protection strategy for public service workers), and remaining independent so that it can criticise the government’s failings, such as its reluctance to act on eliminating FGM.

Problems frequently arise, in African contexts, where states are often weak and resource-poor, or led by authoritative governments (Monshipouri, 1997). The evidence provided by DCI-SL demonstrates how even petty grievances⁴² can obstruct efforts to combat serious social problems such as sexual and gender-based violence. Muhumuza argues that a number of elements must be in place in order for state-NGO partnerships to succeed, namely “trust and mutual respect, a democratic environment and a collaborative framework in which the terms of engagement are agreed upon” (2010: 2). However, the relationship between African

⁴² DCI-SL reported that some Sowei refused to engage with civil society organisations in efforts to reduce FGM following the intervention of the (former) Minister of Social Welfare Gender and Children’s Affairs, who publicly supported FGM practitioners and suspended the cross-sector committee on ending FGM (among others). This was done in order to “narrow the space” of Sierra Leone NGOs who criticized the government (2018a: 8).

states and NGOs is often marked by “insecurity, suspicion and mistrust” (Dicklitch and Lwanga 2003: 502) and the suspicion that NGOs operate to challenge and weaken the authority of national governments (Olanyian, 2011). In Sierra Leone, Kanyako describes how service provision in some communities has been taken over completely by small civil society organisations working in collaboration with international bodies, “much to the chagrin of the central authorities” (2011: 5).

As foreign funders circumvent corrupt governments and NGOs play a growing role in ‘governance’ through service provision and forming policy development, it can be difficult to identify where the true power lies. However, the delicate balance of power between African states and NGOs, which for a long period leaned in favour of non-state actors, is tilting back towards the state (Pinkey, 2009: 12). It is the state who wields power over laws, the police force and the army and which can claim an electoral mandate from its people, which NGOs, even with local support, are unable to assert (Dicklitch and Lwanga, 2003). While NGOs draw international support and funding, they are still required to operate within the boundaries of the nation state, one that can dictate the parameters and limitations of their roles: “increasingly African governments are insisting that NGOs should be nothing more than an extension of the state – that it should be the function of NGOs to carry out state development policy” (Igoe and Kelsall, 2005: 25). Citing the example of Uganda, Dicklitch and Lwanga describe how human rights NGOs often retreat from contentious political or civil rights issues that will bring them into conflict with repressive states, leaving their potential to promote and protect human rights unfulfilled (2003). As discussed in the previous section, DCI-SL reports that in recent years the relationship between the state and civil society has changed, with the state increasingly using its power to intimidate and curb the activities and influence of the non-state sector:

It was observed that government is increasingly becoming inconsistent in the way they perceive and work with CSOs. They recognise CSOs as a source of information and agents of change at the community level. Hence, they use CSOs when addressing critical problems in policy and practice at community level. However, when CSOs become critical and try to hold them accountable, they hound them and narrow the space for their operation. The state does not want CSOs to campaign against or for critical and sensitive issues such as FGM and access to mainstream education for pregnant girls. (2018: 40).

Although the political situation in Sierra Leone is relatively stable, human rights organisations do not operate in a completely open and safe environment, as their staff face persecution and imprisonment when they come into conflict with the government, an issue that has raised concerns internationally. While this is a worrying development in itself, its repercussions are potentially wide-reaching as “It would not be difficult to show that beings cannot successfully enjoy social rights to health care in societies that severely curtail political and civil rights” (Turner, 2006: 37). The International Service for Human Rights (ISHR) reports that Sierra Leone is violating its human rights obligations as “human rights defenders face harassment, arrest and violence; and civil society organisations remain subject to substantial restrictions” (2015: 1). In February 2018, the UN Special Rapporteurs on the promotion and protection of the right to freedom and expression, and the situation of human rights defenders, wrote to the Sierra Leone Ambassador to the UN expressing their concerns regarding restrictive new policies concerning NGOs and their potential impact on civil society, stating, “it would be extremely difficult for CSOs to operate as critiques of government and be counterweights to its actions and policies”.

At international level, UN reporting structures allow civil society and NGOs to have a voice

at the highest level. Sierra Leonean civil society organisations, including DCI-SL, have participated in the UN Universal Periodic Review process (UN-UPR), which offers civil society organisations, as well as states, the opportunity to contribute to reporting and to highlight rights violations and areas where the state is failing to honour its obligations under international law. In his review of north African countries' submissions to the UN-UPR Chaney (2017: 25)⁴³ highlighted a significant disparity in the official state submissions (which tended to be bland, general, and heavy on bureaucratic jargon) and the submissions of civil society organisations, whose detailed reports gave an international audience a direct insight into the problems that affect children's rights on a daily basis, as well as practical perspectives on implementation.

In the case of Sierra Leone, which underwent its last Review in 2016, there were substantial discrepancies in the reports submitted by the state and civil society (evidence from the Children's Report, used extensively in Chapter 6, highlights the extent of sexual and gender-based violence and discrimination experienced by girls, while the state mainly provided a description of its efforts to implement child friendly policies). Ultimately, however, the UN-UPR process, whilst influential, is not legally binding; Amnesty International reports that, subsequent to the reporting process, the Sierra Leone state rejected recommendations regarding the exclusion of pregnant girls from education and the outlawing of FGM, each in open violation of the CRC.

Established in 1998, in the midst of the civil war, DCI-SL has taken responsibility for meeting children's basic needs where the state has not, and has made a significant

⁴³ The UN-UPR has been described as "of pivotal importance in shaping CRC implementation, notably determining which Convention articles are prioritised and how they are addressed" (Chaney, 2017: 7).

contribution to policy development relating to children's rights. However, as evidenced from the experiences of their Girl Power programme, DCI-SL can only affect change to the extent that the state will allow it. DCI's persistent campaigning and lobbying efforts regarding FGM have not borne fruit because national and local politicians lack the will to end harmful practices at the expense of the 'traditional' vote. In addition, DCI reported that tensions with the former government resulted in what it termed "measures to narrow the space of CSOs and NGOs" (2018: 7-8). These measures were seemingly vindictive in nature, but, have an adverse impact on the development of policies to safeguard girls and young women, including the suspension of committees involving non-state actors to inform the development of new policies, such as a strategy for the reduction of FGM; a national action plan to end child marriage, and a system to support victims of gender-based violence.

7.5. Background to Girl Power programme

In this section, I will examine the work of the Girl Power NGO programme in Freetown, and its ongoing attempts to tackle the complex problems facing girls living in the city's slum neighbourhoods through addressing their rights at individual, socio-cultural and institutional levels. The Girl Power organisation emphasized the need for local actors to take an active role in order to develop the capacity of communities to tackle sexual and gender-based violence and to promote economic inclusion:

The overall objective of the Girl Power [Defence for Girls] programme: To build and strengthen civil society to ensure the rights of girls and young women in developing countries to full and equal participation in the social, economic and political development of society.

(General Information Sheet on the Girl Power Programme of the Girl Rights Alliance

(formerly Child Rights Alliance), 2011: 2).

The initiative is typical of NGO groups which use human rights norms and language as a means to justify their interventions: “SMOs (social movement organisations) and their allies translate their grievances into the language of human rights. This process of translation often involves reference to major documents in the human rights canon.” (Frezzo, 2015: 41).

Designed and administered through the Child Rights Alliance network⁴⁴, an umbrella group of six Dutch NGOs and funded by the Dutch Ministry for Foreign Affairs, the original Girl Power programme (2011-2015) had the objective of ensuring girls’ equal rights through reducing gender-based violence, empowering girls and young women to participate in decision-making, and securing access to quality education. Sierra Leone was one of ten countries where the need for investment was identified; involving a partnership of nine NGOs under the leadership of Plan Sierra Leone and rolled out in two districts of the country, Moyamba and Western (where Freetown is located). The overall programme was titled ‘Girl Power’, while the subsections administered through DCI-SL were known as ‘Defence for Girls’. Throughout this research, I have maintained the use of the term Girl Power, as this was the umbrella term used for the programme across the 10 countries involved and also how it was referred to by the informants to the research in Freetown, including the girls’ groups.

The Girl Power programme worked across three levels, that of the individual (to support girls and young women); socio-cultural (working with families and communities); and finally, at institutional level (to engage with NGOs and local and national government) to help address the root causes of gender-based violence and to support at-risk girls and young women. In Sierra Leone, DCI-SL aimed to implement its programme of action through achieving the

⁴⁴ Subsequently renamed the Girl Power Alliance.

following objectives:

- To increase access to justice for girls and young women- victims of violence;
- To break cultural and social barriers that limit girls access to quality education and other development programmes;
- To empower girls and young women to participate in civil society; and
- To strengthen both government institutions and community based mechanisms.

(DCL-SL presentation to side event at Human Rights Council, June 2015).

As highlighted in Chapter 5 of this thesis, the problems facing girls were complex and had deep socio-cultural and economic roots. At the start of the programme, DCI-SL and its partner organisations carried out a contextual analysis in order to identify the areas of greatest need locally and to target resources accordingly. Flexibility in programme design and implementation was important, given that different countries have different challenges and so priority themes varied according to the country settings. The Girl Power alliance partners, including DCI-SL, identified four main themes linked to the Millennium Development Goals (MDGs) – violence against girls and women, (secondary) education, socio-economic participation, and, economic empowerment – to address these issues (Avance Consulting, 2016: 2). As noted earlier, the remit of NGOs in Africa normally falls into two broad categories: service provision; and advocacy and campaigning work. The Girl Power programme in Sierra Leone included elements of both: direct provision to address causes of gender discrimination, poverty and social exclusion, as well as advocacy to lobby the government to uphold its commitments to protect the rights of girls and young women.

Through its efforts in Freetown, the Girl Power project was able to directly reach thousands

of girls and young women in the slum communities, promoting gender rights through girls' groups, life skill courses and providing social and legal support (DCI-SL, 2015). The tangible success they achieved is now being continued and built upon by the Girls' Advocacy Alliance. Stemming from the original groups set up by DCI-SL, there are now self-supporting girls and women's organisations working to address the many problems they face, including transactional sex, limited access to secondary education, and harmful cultural practices. Recent DCI-SL reports show that measures to inform girls regarding their right to resist early marriage, and information about contraception, have improved access to health, contraceptives, justice, education, and social services among vulnerable women, helping them to strengthen their social capital (DCI-SL, 2018a: 30). However, as stated in its Final Term Evaluation of the programme, Girl Power was prevented from achieving its full implementation objectives in Sierra Leone and Liberia as a consequence of the Ebola epidemic: "the Ebola crisis forced GPA (Girl Power Alliance) to reconsider and re-plan its activities in these two countries and as a result the orientation of activities in these two countries was also changed to respond more to new challenges that were produced by the Ebola crisis" (Avance Consulting., 2016: 8).

7.6 Girl Power: Relationship with the State and Civil Society

Feedback from DCI-SL highlights that, instead of antagonising or challenging the government, Girl Power partners usually attempted to work alongside it, using 'soft power' to promote girls' rights through galvanising support at both community and government level, while improving facilities and services for girls in deprived communities (DCL-SL, 2015). Despite tensions with the state with regard to culturally sensitive issues, including discrimination against pregnant girls, the fact that the programme used a local 'face' through

its partner organisations, helped interpret its objectives into an African setting, building on existing relationships (DCI-SL: 2015). The sustainability component of the process, developing the capacity of public service actors such the police and child protection officers, while liaising with civil servants to roll out awareness-raising programmes in schools and other settings, meant that activities complemented those of the state instead of clashing with or duplicating existing schemes. However, the programme also demonstrated the limitations faced in implementing ambitious programmes to affect sustainable social and economic transformations. The follow-up to the Girl Power organisation, the Girls' Advocacy Alliance, identified a number of challenges facing the state and NGOs in implementing policy and legislation including: weak and under-funded government ministries and agencies; low awareness of progressive laws and policies amongst decision makers and the general public; inability to deliver services due to resource constraints; restrictions placed on civil society; and, limited private sector capacity (2015: 10). It aims to address these obstacles during its current period of programming.

Rather than coming into conflict with the state, and drawing away valuable resources from local authorities, Girl Power's strategic agenda aimed to directly involve the state on a number of levels. Indeed, one of the four main components of the programme was to strengthen not just civil society but also government institutions in order to protect the rights of girls (DCI-SL, 2015). Relations with the state were also potentially helped by the fact that the programmes focussed on economic, social and cultural rights, which traditionally have had less potential for conflict than lobbying on political and civil rights. Through its advocacy and lobbying strategy, Girl Power engaged the state via lobbying and formal dialogue to help establish and implement child and gender-sensitive policy and practice, and also push to ensure that the state fulfilled its obligations to girls and young women, under

international law (DCI-SL, 2015). With regard to its service delivery, Girl Power collaborated with state actors to provide direct services in certain circumstances, including child protection services and the strengthening of institutional arrangements to ensure effective delivery of programmes. This was designed as a short-term strategy, as these initiatives would be integrated with mainstream local authority services following training and capacity building programmes, thus avoiding clashes regarding remits and resources. The Girl Power groups initiated sustainability strategies, to enable them to continue once the funding channels were no longer available. For example, groups gave drama and dancing performances that allowed them to fundraise among their communities, building awareness and support for the initiative at the same time (DCI-SL, 2015).

Working with, and as part of, local communities Girl Power aimed to use civil society as key partners in the programmes' delivery (Girls' Advocacy Alliance, 2015: 1). Girl Power's emphasis on changing attitudes and behaviours was especially important given the hostility and open opposition that often meets attempts to raise awareness on subjects such as gender violence and girls' education (Unterhalter and North, 2011: 13). It developed a range of activities to strengthen civil society, for example through establishing girls and children's rights clubs and training key actors such as community leaders, social workers and the police through what was termed "community sensitization" (DCI-SL, 2015). In Freetown, Girl Power developed the capacity of local groups in slum communities (such as those who participated in the research in Rokupa and Bonga Town) to identify and tackle forms of sexual exploitation, to strengthen systems of reporting and monitoring abuse so that perpetrators could be brought to justice and to develop existing mechanisms in the community (such as child protection officials, family support units and the police), in order to manage cases of gender-based abuse appropriately. The Girl Power organisation deliberately

targeted a number of key “duty bearers” who were identified as vital in promoting change including: parents; child welfare committees; MPs; school principals; councillors, and chieftains (DCI-SL, 2015). These attempts to embed ownership of the initiative and to raise awareness of girls’ rights were an important means of garnering grassroots legitimacy and acceptance, because while progressive legislation and policies are important, they are not sufficient as “state policies can be altered or even abolished over time” (Frezzo, 2015: 41).

While funded and managed by external sources, Girl Power in Sierra Leone is staffed and run by locals who have been attached to their DCI national sections for many years. DCI-SL is an established presence and has experience of working with vulnerable girls and young women through their education and juvenile justice programmes. Therefore, their staff were known and trusted in the communities, especially among the groups whom Girl Power wished to target in Freetown. Through their experiences of working within their local communities, DCI staff and volunteers were aware of cultural sensitivities, spoke the local language, and were able to identify the social and cultural norms that potentially pose a challenge to changing attitudes and behaviours. There was a determined effort from the outset to identify the local community leads, NGO actors and networks who would be most effective in delivering the programme’s key goals. When problems arose regarding the perception that girls were receiving preferential treatment (for example, building toilets for girls but not for boys), greater efforts were made to involve boys and men in the scheme (Girls’ Advocacy Alliance, 2016: 12). Working in partnership with communities was emphasised as the best way to endow the programme with a sense of local ownership and legitimacy, and, in this way, to maximise the potential to achieve long term political, social and cultural change.

7.7. How Girl Power-GAA address violations of girls' rights under the CRC⁴⁵

This section examines how the Girl Power programme addressed violations of girls' rights under the CRC, including the various forms of sexual and gender-based violence that emerged from this research. As we have seen in previous chapters, children in Freetown normally experience a childhood that is far from the idealised Western norm. Girls experience the burden of poverty from an early age: they are heavily involved in domestic work, caring for family members, contributing to their family finances through selling at markets and exploitation through transactional sex and relationships with older men. They are also far removed from the image of poor children as vulnerable victims and deserve to participate in the decisions that impact on their lives. Through reaching out to community groups and schools based in the slum areas of Freetown, Girl Power were able to target girls who contributed much to their family and communities, but without the benefit of gaining much social capital as a result. Aware of cultural sensitivities around taboo issues such as sex and pregnancy, DCI-SL worked to make the Girl Power team more "gender friendly" by employing female staff and volunteers, a broader objective of the programme (Girls' Advocacy Alliance, 2016: 15). Table 7.1 sets out the main actions undertaken by the Girl Power programme, which focussed on four key areas, namely protection, education, socio-political participation, and economic participation, in order to support changes in girls' lives at individual, family/community and institutional levels. The sections that follow will move on to discuss how the Girl Power programme (and Girls Advocacy Alliance) have attempted to overcome violations of the child rights' principles as set out in Chapter 6.

⁴⁵ It is important to note that some of the outcomes of the initiative occurred after the programme transitioned from Girl Power to the Girls' Advocacy Alliance (GAA). However, they were delivered as part of an ongoing programme that represented the next step of Girl Power, involving the same DCI-SL team and partners.

Table 7.1: Examples of the Girl Power programme's work⁴⁶

Themes	Levels of Intervention		
	Individual Support	Socio-Cultural Change	Institutional Change
Protection	Assisting victims of violence. Making child helplines easily accessible. Enhancing self-confidence and self-esteem of girls through sports such as football and karate.	Supporting community leaders who want to prevent child marriage or female genital mutilation. Establishing community child welfare committees. Rights awareness and sensitization to address socio-cultural norms and practices.	Lobbying government to introduce or change laws. Policy advocacy and development. Training police officers, teachers, health and social workers and other government front line staff how to improve protection services for girls.
Education	Supporting families and girls who want to continue their education. Facilitation of transition from primary to secondary school.	Raising awareness on girls' right to education. Forming girls' clubs in schools. Holding sporting events.	Helping create girl-friendly educational policies. Support to school infrastructure.
Socio-political Participation	Enhancing girls' confidence and self-esteem. Leadership training for girls.	Training communities on gender so as to improve the socio-cultural status of girls and women in society. Involving girls and young women in school committees and community consultations.	Including girls and boys in municipal consultations. Supporting networks of girls and young women's organizations to lobby the government.
Economic Participation	Providing training on business skills and vocational training Training trainers for youths in business skills and micro-finance	Rights awareness and sensitization. Development capacity of CSOs and local authorities. Formation of girls' clubs. Training traditional leaders in gender rights. Career talks in school.	Policy advocacy and service development.

⁴⁶ Taken from Girl Power Alliance *Empowering Girls: Learning What Works. Lessons from the Girl Power Programme 2011-2015* (2016: 3). The table is supplemented by additional information from Avance Consulting *Final Term Evaluation of Girl Power Programme (2011-2015): Volume 1 Main Report.* (2016: 5-6).

The right to non-discrimination: A key problem regarding the promotion of women's rights is that the areas of concern, including marriage, childbirth and domestic work, have traditionally been viewed as belonging in the private or family sphere. Yamin (2005: 1225) describes how the 'wall' between the public and private spheres is "porous" and the discrimination that denies women the right to access adequate health, education and reproductive services, as well as their facing discriminatory sexual and gender-based violence, permeates through both family and community life. According to contextual analyses carried out by Girl Power in 2011 and the Girls' Advocacy Alliance in 2016, this was reflected in Sierra Leone where teenage girls were regarded as being at "high risk of discrimination" and issues affecting their well-being, such as early marriage and disengagement from education, were resolved in their family private setting, or through community structures via the Bondo societies (Girls' Advocacy Alliance, 2015: 102). This is, therefore, a difficult theme to address for an NGO such as DCI-SL, but one which is vital for achieving outcomes to reduce gender inequality and discrimination against girls.

To deal with traditional attitudes as well as forms of abuse and discrimination required a targeted, sustainable approach at family and community level, while also challenging discriminatory and unjust laws and practices. Girl Power managed this using a number of channels. Information on services – health, reproductive and social – was widely distributed so that girls and families were aware of resources they were entitled to. Community members, particularly the parents of girls, were involved to raise awareness of the value of girl child education, as an alternative to domestic work, street selling or involvement in exploitative relationships (DCI-SL, 2015). Girl Power staff initiated activities highlighting the health risks posed by practices such as FGM, opened dialogues with community chiefs regarding alternative rites of passage, and challenged local politicians who support the

Bondo. In late 2017, the programme helped to facilitate an agreement with Soweï (female practitioners of FGM) in the Western (Freetown) area on what were termed “concrete actions” to end FGM (DCI-SL, 2018:16). This is an important step, sending a message to the communities that change is afoot, particularly in the continuing absence of legislation to restrict or ban the practice. Feedback from DCI-SL is extremely insightful as well as disturbing, throwing light on the power of the Bondo and the methods they would use to forcefully initiate girls:

They [the Soweï] have decided to destroy or move any Bondo initiation house that is closer to schools or other places that are frequently visited by children, they have also abolished the Bondo rule of forcefully initiating anyone that enters their Bondo house or Bush. This rule used to be one of the ways that girls were pushed into Bondo innocently because someone would just ask them to accompany them somewhere and by the time they realise it, they are already in the Bondo bush. The practitioners were using this rule to set traps for girls and young women. (DCI-SL, 2018a: 16).

When working with girls and their parents, DCI-SL remarked that, while the cutting aspect of initiation did not appeal to the girls, they were interested in the Bondo society because of the social connections offered by membership, the sense of belonging it confers and the companionship involved in preparing with other girls for womanhood and marriage (2018a: 39). Therefore, any efforts to eliminate FGM should respect and retain the positive elements that the Bondo holds for women, while challenging the aspects that are harmful, such as cutting and the emphasis on women’s traditional roles. To elevate the status of girls in their families and communities, girls’ groups were established that aimed to build confidence and “empower through education”, to increase their awareness of rights, including their right not

to be pushed into marriage by their parents: from a grassroots perspective, these initiatives were regarded as a success, with a gradual change in attitudes and behaviours noted by Girl Power staff (DCI-SL, 2015).

Unfortunately, at institutional level, there was less success in challenging discriminatory policies such as the exclusion of pregnant girls from school. The prohibition of pregnant girls attending school is a significant national issue, one currently being tackled by DCI-SL, with Girl Power members lobbying for change at international level through their submissions to the Universal Periodic Review in 2016. As discussed in previous chapters, the ban is taken very seriously by the government, with serious repercussions for state schools that allow pregnant girls to continue their education:

Government schools are not allowed. Private schools can decide that they want to readmit girls if they want (but) if a government school allowed a pregnant girl back in it would be serious. Stern measures can be taken because it's not allowed. (Ministry of Education official, cited in DCI-SL, 2018b: 4).

To raise awareness of the injustice of denying girls their right to education and highlight alternatives to school-expulsion found in other countries, including Kenya, Nigeria and the UK, in 2018 DCI-SL developed a review of national policies regarding access to education for pregnant girls, providing education outside traditional educational settings, and re-engagement in education. The report was developed with a view to informing government policy, reiterating that the ban represents a violation of girls' human rights and has consequences for Sierra Leone's economic and social development, reiterating the recommendations of the CRC Committee in 2016 to lift the ban and provide adequate support

for girls and young mothers in need (2018b: 12-13). Despite these efforts, however, the ban remains in place and therefore remains a priority focus for the Girls Advocacy Alliance agenda.

The right to survival and development: In the previous chapter, the absolute poverty experienced by children in the Freetown slums was highlighted as a violation of their rights to a quality of life under the CRC. In addition, it demonstrated the difficulties in prioritising human rights in an environment characterised by daily struggles to find work and sufficient food. The Girl Power programme targeted its projects to slum areas where girls were among the most vulnerable members in the poorest of communities. The programme's anti-poverty focus was based on the fact that sexual and gender-based violence is "both a cause and a consequence" of deprivation and social exclusion, so that both need to be tackled together in order to be eliminated. As DCI-SL states:

All of the victims of gender-based violence that have been assisted by DCI-SL come from poor families and their poverty status may have put them at risk of exploitation and abuse. (2018a: 31).

As a result, Girl Power did not merely provide social supports through mentoring and girls clubs, but also liaised with NGOs, such as FAWE (Forum for African Women in Education), that provided financial support to girls such as school scholarships, including several informants to the research.

Girl Power had, and continues to have via the Girls' Advocacy Alliance, a special focus on the right to education, which is explicitly guaranteed under Articles 28 and 29 of the CRC,

aiming to break down the socio-cultural barriers that prevent girls from accessing their right to a “quality education and other development programmes”. The emphasis on education was especially important in the context of child sexual exploitation, as the slum projects endeavoured to present schooling as a viable alternative to transactional sex and relationships with older men. DCI-SL reported that many of the girls encountered as part of the programme who were disengaged from education (mainly as a result of pregnancy) returned to school following their interventions (DCI-SL, 2015). The programme also focussed attention on the importance of the quality of education received by children. While external factors including teenage pregnancy were the main reason for early disengagement from education, DCI highlighted that girls also drop out because they are unhappy with the poor quality of schooling:

In addition to the fact that protecting girls from gender-based violence can help their retention at school, the quality of education that they receive is equally important in motivating them to stay in school and continue after primary school. Sometimes girls drop out of school not because of gender-based violence but due to poor quality of education that does not inspire them. (DCI-SL, 2018a: 31).

In addition, the programme has recognised the role that social media and technology is playing with regard to improving literacy and writing skills amongst the girls, to build the girls’ enthusiasm into their group activities and to use social media sites to disseminate news and information. Communication is an all-important driver and girls who previously would not have had an outlet to improve or use their literacy skills, are now learning through online engagement with their peers.

Even illiterates or dropouts are eager to use the social media and by so doing apply lots of efforts to learn how to read and write. There are now lots of young women who never went to school or dropped out earlier but can now do basic communication in English through social media. (DCI-SL, 2018a: 38)

The right to health, guaranteed under the CRC (Article 24) was also targeted by the Girl Power programme, through sharing information, raising awareness regarding basic health and sanitation issues and providing services (for example, with regard to reproductive health) where there were previously none. Girl Power reached out to girls living in the most deprived areas of Freetown, areas which lacked basic sanitation and health services, had no running water and toilet facilities, and thus lead to regular outbreaks of diseases such as malaria and cholera. In addition, through tackling FGM, a taboo subject for many in Sierra Leone political and policy circles, Girl Power attempted to tackle the problem at community *and* state level, through lobbying to support prohibition of the practice. Early pregnancy, alongside the poor-quality maternity services in Freetown, represented a significant threat to girls' health. Girl Power groups offered information and advice, highlighting the risks of unprotected sex and supporting young mothers access to health services (DCI-SL, 2015). During the Ebola epidemic, with the assistance of DCI-SL, the Girl Power groups provided direct assistance to families affected by the crisis and raised awareness regarding disease prevention methods, demonstrating the real value of the programme at family and community level (DCI-SL, 2015).

The right to participation: Using the principle of treating children and young people as “active participants” (Bentley, 2011: 49), the CRC represents a tool through which children's knowledge and capabilities can be harnessed with the support of community actors to deliver

changes that have a positive effect on rights, a key objective of the Girl Power programme. Debates continue, however, around the extent to which these rights are bestowed upon them “as passive recipients of duties [...] as the voiceless possessions of groups and families” (Bentley, 2011: 46). The treatment of children as vulnerable, passive victims lacking any agency of their own has parallels with the ‘culture of dependency’ supposedly nurtured by the NGO culture, an issue acknowledged by DCI-SL and Girl Power. The importance of civil society in reaching out to children and young people is vital, it “matters for not only does it inform an understanding of the current state of democracy, it also tells us about young people and contemporary notions of citizenship” (Chaney, 2017: 21).

As outlined above, the Girl Power organisation involved girls and young women from the earliest stages of its design and implementation, taking part in meetings and consultations to inform the development of the programme’s objectives and activities, identifying important issues for their communities such as the need for health care facilities, secondary schools, and safe, pipe born water in their local areas. According to Shier’s model of participation (2001), which was used to draft the research methodology, the programme would have positively answered the questions relating to the involvement of children. As Table 7.1 demonstrates, the programme centred its activities around two forms of participation, political and social, and economic. Girl Power members were active in organising and attending lobbying and awareness raising meetings in their communities, with the support of DCI-SL. Here they informed and supported the Girl Power programme plans to reduce sexual and gender-based violence issues, teenage pregnancy and disengagement from education in their area. Economic participation focussed on developing business and vocational skills, as well as advocacy and lobbying efforts, collating information and presenting to councillors and parliamentarians (DCI-SL, 2015).

Girl Power's emphasis on engagement with the local community demonstrated their objective to establish a balanced relationship where they listened to and learned from their communities, as well as to inform and raise awareness. The focus on improving the knowledge and skills of key stakeholders, including teachers, civil servants and community leaders through training is vital, as the absence of professional training around gender discrimination and deprivation has been cited as one of the main reasons for the limited success of initiatives such as the Education For All campaign, a UNESCO-run global movement to improve the quality of basic education (Unterhalter and North, 2011: 6).

The best interests of the child: As the best interest principle underpins the implementation of the CRC, it had a particular resonance for the Girl Power programme. Far from being passive victims of violence and discrimination, Girl Power had a special objective around empowering girls and young women to participate in decisions that affect their lives, with particular focus on their communities and civil society. In order to enable girls to make informed choices about their health, education and social life, the programme focussed on investing in girls to drive the process themselves, so that they had a sense of ownership over the initiative (DCI-SL, 2015). Following on from the sustainability approach set out in the original Girl Power programme for action, girls currently run their own community organisations, which undertake awareness raising, peer education, and programmes to help others at risk of exploitation and abuse. DCI-SL states that in the Western area, girls and young women have used the knowledge and awareness gained to make reports on issues at school and in their communities (2018a:16). The best interest principle worked on many levels: girls were made aware of their rights and 'duty holders', such as their parents and community leads, were informed of their obligations to uphold them.

As previously mentioned, change is a gradual process but in the long term, the objectives of the Girl Power programme were to inform girls so that they would not be forced into FGM and marriage, and to have social and legal supports available to them when they wished to say no to these (DCI-SL, 2015). As a result of the rights-focussed approach of the initiative, there is a growing awareness among girls in the slum communities of their ability to challenge traditional socio-cultural norms, and how this is easier to do as a group than individually. They also have the growing weight of community leads behind them, increasingly acting in the “best interests of the child”. With regard to male peers in the community, for example, DCI states that meetings have been held to help educate local boys and young men on the role they can play in empowering girls and young women, which appear to be having some impact on attitudes and behaviours:

As a result of these meetings, boys and young men are now demonstrating willingness and commitment to respect and protect girls and young women and some have become girls’ rights advocates in their communities. (DCI-SL, 2018a: 16).

The right to protection from harm and abuse: At the core of the Girl Power programme for action was an effort to combat forms of sexual and gender-based violence, through practice and policy initiatives. Using a three-pronged approach, there was a focus on practical supports such as child helplines, direct aid for victims of abuse, and self-defence activities, as well as training community leads and those in public services (police, health professionals and teachers) to identify and support victims of abuse (DCI-SL, 2015). The girls’ groups aimed to act as a deterrent to girls’ engagement in sexually exploitative relationships, by offering alternatives to these lifestyles: raising awareness of the benefits of staying on in school, the dangers of risky behaviours and becoming a young mother (DCI-SL, 2015). One

of the key objectives of Girl Power in Sierra Leone was to increase access to justice for girls and young women who were victims of violence, through legal aid, case management, counselling and medical support. The focus on civil society paid real dividends, as a result of these measures there is now improved liaison between chiefs, FSUs and community welfare committees, a recording system is in place and community leads can refer cases to the appropriate services. As DCI reports “with this in place, girls now have better chances to survive forced marriage, FGM and even domestic servitude”. (DCI-SL, 2015)

DCI-SL targeted the programme at girls living in the poorest and most marginalised communities, who are at particular risk of abuse and violence. Via DCI-SL’s socio-legal centre, the girls were offered an outlet to which they could bring their problems regarding discrimination and abuse, deprivation and other issues that affect them, as well as providing access to legal support to those who required them. The Girl Power outreach team also worked in schools and communities to identify and support girls in need of protection and care (particularly pregnant girls), and provide referrals for families in need to other services that could support them (DCI-SL, 2015).

The programme has been able to facilitate the development of protective measures at local level. In Rokupa, the riverside Freetown community where community representatives and Girl Power members were consulted for the research, a group of public stakeholders, including councillors, community chiefs, Community Welfare Committee (CWC) members and harbour masters, came together for the first time to agree on measures that they would take to address sexual violence against women and girls in their community. Girl Power representatives played a key role, through providing feedback regarding the nature of sexual

abuse in the area, including the practice of “fish for flesh”, where girls were being sexually exploited by fishermen in exchange for food. (DCI-SL, 2018a: 15)

One of the key learning points that emerged from the Girl Power projects centred on the development of effective child protection systems, an area where there are many challenges still in place. The Girls’ Advocacy Alliance identified child protection as a priority theme in their 2016 contextual analysis, especially with regard to lobbying the government for more funding, liaising with actors including teachers, social workers and police to raise awareness of child protection policies and practices, and improving systems of referral at “central, district and chiefdom level” (2016: 104). The slum communities retain their attachment to harmful traditional practices – the practice of FGM continues, pressure is placed on girls to prioritise their duties in the family home and rates of sexual violence remain high. Where there are high levels of hardship and deprivation, it remains difficult to prioritise girls’ education and prevent them from engaging in transactional sex and exploitative relationships. And, as always, funding and services for girls and civil society in the slum communities remain limited.

7.8 Next steps

The Girl Power programme achieved a number of significant goals as part of its efforts to reduce gender-based violence against girls in Freetown. Amongst their main achievements include:

- Reaching over 2500 girls and young women directly through sensitisation messages and socio-legal supports, extra-curricular work and life skills training. Girls’ groups have provided information and advice on legal, sexual and reproductive health,

psychosocial and self-help, as well as information and access to local services that can support them.

- Girls have been enabled to empower themselves through organising their own community groups, such as the Hope Girls group established during the Ebola epidemic, to carry out advocacy, awareness raising, peer education and advice, and provide help to vulnerable girls and families in their communities, for example through referrals to support agencies. These groups are attempting to be self-sustaining through fundraising efforts, to reduce their dependency on external funders.
- Community child protection measures have been established; with mechanisms put in place to enable Community Welfare Committees, chiefs, the FSUs and local groups working together to refer cases of abuse and violence against girls, with a case recording system now in place.
- Through lobbying and advocacy at local and national level, much progress has been made with regard to reducing the rate of child marriage through raising awareness of the minimum-age laws; while campaigns on improving access to justice through increasing numbers of judges and magistrates have also borne fruit. (DCI-SL, 2015, 7-8).

The agenda for the Girls' Advocacy Alliance is continuing the work of Girl Power, concentrating on child marriage, sexual violence, FGM, and economic exclusion. DCI-SL have stated that, while progress on child marriage and tackling forms of sexual violence has been steady, working to reduce FGM and economic exclusion has proved more difficult due to factors outside of their control in the political and economic environment. FGM is a difficult area to tackle, as the Bondo society retains a powerful hold on Sierra Leonean

culture. However, it is hoped that taking a multi-disciplinary approach – working with government bodies, international NGOs, UN agencies, as well as local community organisations and the private sector – will help the Girls' Advocacy Alliance to overcome these obstacles to achieve its 2020 objectives. DCI-SL is especially concentrating its efforts on campaigning against FGM, stating that they will aim to address the social and cultural appeal the practice holds for women, instead of appeals to safeguard girls' health and human rights, which are having little effect. With regard to economic exclusion, DCI-SL is currently facing problems due to the lack of job opportunities in the areas where they work, which is backed up by the high rate of unemployment among young people across the country. Without significant investment in upskilling the workforce and job creation at macro level, as well as strategies to expand Sierra Leone's economic base beyond the export of raw materials such as diamonds, NGOs will continue to struggle to assist girls and young women to find quality employment opportunities where they simply do not exist.

Going forward, DCI-SL leads have prioritised direct work with the new government, because, while its individual and community-lead work has enjoyed some successes, this has not translated into sustainable long-term change, which requires strategic support at national level. However, the Girl Power programme has demonstrated that while NGO interventions have their limits, they can be highly effective in raising awareness of sexual and gender-based violence and nurturing a sense of community solidarity in support of vulnerable and marginalised children.

7.9 Discussion

Achieving real change in law and policy, and more broadly in attitudes and behaviours, is

normally a challenging and gradual process. Civil society and NGOs represent a bridge between the state and grass-root communities and, as such, are an effective channel through which human rights norms and laws can be translated to real-life changes for girls living in deprived communities in Africa. Foreign funding continues to flood into the continent, normally administered through Western-based NGOs with a Western-influenced agenda for change. Unsurprisingly, many African commentators object to this system of development, in particular with regard to the culture of dependency and its potential to undermine existing social systems. Therefore, the key challenge of NGOs is to develop programmes that can involve and motivate local actors without stripping communities of their autonomy, which requires the participation of those whose lives the programmes will impact. Programmes should also raise awareness of what rights actually mean to people in their everyday lives, so that they have knowledge and agency to recognise, promote and protect their rights whenever they need to. The difficult task of building a positive, solid relationship with the state at national and local level, without compromising on values and principles, is also crucial to achieving sustainable successes. However, the ‘ideological’ concerns of, for example, Communitarian and Marxist stances, regarding the undermining of state structures by the international order through NGOs were *not* supported by feedback from the Girl Power initiative. In fact, their experiences highlights that without the will and cooperation of the state it is extremely difficult to make long-term, meaningful structural and cultural changes to overcome discrimination and violence against girls.

The Girl Power programme represented a means of implementing the provisions of the CRC through targeting areas where girls’ rights were being violated through forms of discrimination, violence and abuse. Unfortunately, the Ebola epidemic had a huge impact on the ability of the programme’s partners in Sierra Leone to realise their objectives. However,

efforts to address sexual and gender-based violence against girls are being continued via the Girls Advocacy Alliance (GAA), which is being implemented by DCI-SL in partnership with other civil society organisations. According to DCI-SL representatives, the GAA represents a continuation of the Girl Power focus on realising the provisions of the CRC in practice, but also differs from Girl Power in two important respects, namely a greater focus on advocacy and lobbying of state and private sector interests, and a greater focus on the “economic exclusion” of girls through post primary education, employment and entrepreneurship opportunities (DCI-SL, 2018a). In addition, while the programme will continue to be underpinned by the provisions of the CRC, the GAA also engages with the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which offers a powerful platform through which issues affecting girls as young women, such as early marriage and motherhood, could be addressed. While the original programme enjoyed some successes at community level, including the girls’ clubs and in overall community capacity building, influencing at state level to improve policies and services was less successful. Both the state and civil society can benefit when they work together: the lessons of the Girl Power programme demonstrate that, while much can be done at grass-root level to affect change, long-term transformations in girls’ lives will require engaging the local while pursuing adequately resourced policies and strategies at national level.

Chapter 8: Conclusion

8.1 Outcome of analysis

Sexual and gender-based violence against girls and young women in Sierra Leone represents a violation of their human rights under international and domestic law; it reinforces gender inequalities and harmful and discriminatory practises; undermines the country's social and economic potential; and, from generation to generation, perpetuates the cycle of deprivation in communities such as the slum areas of Freetown. Although underpinned by the hardship of life in the slums, the forms of sexual and gender-based violence that emerged from this research were linked to social and cultural norms, where girls and young women were not defined as social equals but through their inferior status in their relationships with the men in their lives.

This thesis has argued that sexual and gender-based violence against girls can be understood and addressed via the laws and norms espoused by the doctrine of universal human rights, in particular the United Nations Convention on the Rights of the Child (CRC), the internationally recognised standard bearer for children's rights. The advancement of human rights through progressive legislation, social policies and practices, as well as its embrace by social movements including grass-root community organisations, render it a powerful tool that can make a real difference in girls' lives. Unfortunately, it can be difficult to secure even the most basic human rights in situations where the state is weak and poor. Chapters 3 and 7 demonstrated the extent of the economic and social challenges affecting Sierra Leone, where extreme poverty and corruption are widespread; the majority of people work in subsistence farming or in low-skilled informal jobs; and where women and girls bear the burden of

unpaid labour in their homes, in the marketplace and on the land. Growing appreciation of human rights norms, however, has played a significant role in efforts by the state as well as international NGOs and grassroot organisations to reduce poverty and gender inequality. While Sierra Leone's fiscal situation remains dire, the effective targeting of resources to vital areas affecting girls' and women's rights has resulted in some transformational change. With regard to two key areas discussed in this thesis, sexual and gender-based violence and the right to education, major progress has been made through embedding human rights norms in legislation (including the Education Act, 2004 and the Sexual Offences Act, 2012). The realization of these laws in policy and practice has benefitted girls and women through the achievement of gender parity in primary school education and ensuring that Sierra Leone's high levels of sexual violence are tackled as a matter of urgency by the judiciary. This progress has been complemented by the efforts of grassroot organisations and NGOs to promote human rights through awareness-raising, advocacy and direct service provision. In addition, the Sustainable Development Goals (SDGs), one of the main channels through which Sierra Leone's development programme is being realized, are firmly underpinned by human rights principles: Sierra Leone has identified SDG 4 (education) and SDG 16 (justice) as its priority objectives, which if delivered will help millions of poor and marginalized families to keep their children in school and improve access to legal advice and representation. While the principles of the CRC may seem abstract and remote from the reality of life in the Freetown slums, the interpretation of these human rights norms in policy and practice continue to form the backbone of efforts to improve the everyday lives of girls and young women in Sierra Leone.

The human rights doctrine can claim moral legitimacy based on the universal nature of our common humanity, as well as our common vulnerability, as argued by Turner (2006: 1).

Although they are difficult to implement and enforce, comprehensive international, regional and domestic legal standards now exist to promote and protect the rights of girls and young women in Sierra Leone. Where human rights are violated on the grounds of cultural norms, such as FGM and early marriage, such practices cannot be defended due to the harm that they cause to the health and wellbeing of girls and young women. Culture is a fluid concept; in fast-changing environments such as the Freetown slums, it is possible for traditional values to evolve and for norms that respect the dignity of girls and young women to achieve cultural legitimacy. The protections and provisions offered by the rights doctrine are very tangible; they are enshrined in international development programmes including the SDGs, which are linked to measurable objectives and benefit from international support and aid.

As described in Chapter 3, although much progress has been achieved since the end of the civil war in 2002, underlying social and economic problems persist in Sierra Leone that contribute to sexual and gender-based violence and discrimination against girls and young women. Despite the passing of peaceful elections and the development of a raft of progressive legislation and policies, the factors that contributed to the outbreak of conflict almost 30 years ago are still in evidence: the vast majority of people continue to live a precarious, hand-to-mouth existence, with limited or no access to decent sanitation, health, education and social services; the price of basic food staples has rocketed over the past decade due to high inflation while investment in long term development goals remains relatively low. Achieving gender parity in primary education has been a success, but girls continue to disappear from the system during their adolescence due to pregnancy, early marriage, involvement in sexually exploitative relationships and pressure to support and provide for their families. What Peters (2011) termed the 'crisis of youth' endures, with high rates of unemployment among young people. While traditional community and familial

bonds unravel, particularly due to migration, the state is unable to replace the social supports that these ties once supplied. The Ebola outbreak and the recent mud slides in Freetown took a terrible toll on human life, but also highlighted the perilous state of the country's health system, the lack of urban planning, and disregard for human life and the natural environment, which contributed to the devastating scale of the disasters. The state represents both the main protector and violator of human rights, but despite its many failings, it plays an essential role in realising our fundamental rights as humans and as citizens: it is in the absence of state institutions that the very worst violations of rights usually occur, as demonstrated by Sierra Leone's experiences in the 1990s.

Chapter 4 argued that embedding human rights norms in Sierra Leone's legislature, socio-economic structures, policies and everyday practice has the potential to overcome sexual and gender-based violence against girls and many other problems affecting the population at large. While international human rights instruments such as the CRC may seem far removed from the daily reality of life for girls and young women in Freetown, the basic principles set out in these standards - dignity, liberty and equality – are universal; they belong to all people and should not be confined to the West. Traditional African societies have valued notions of empathy and justice and during the continent's recent history of slavery, colonisation and oppression, African social movements made appeals to their 'human rights' as a means to justify their protests. The social and cultural barriers to overcoming discriminatory practices and attitudes towards girls and women have been discussed at length in this thesis, which rejects the relativist argument that the modern human rights norms have no place in determining what represents harmful cultural or social norms in Sierra Leone. The concept of universality extends the protections and provisions of human rights to all, including the right to protection from harm and abuse. Harmful practices such as FGM and child marriage

cannot be defended on cultural grounds, while the declining rates of early marriage in Sierra Leone are testament to the effectiveness of human rights norms when realised in law and policy. Much progress has been made in a legislative context in Sierra Leone, with the ratification of international instruments; the development of human rights treaties with an African emphasis, such as the African Charter on the Rights and Welfare of the Child; the translation of these laws into domestic standards; and the beginnings of harmonisation with traditional customary law. These developments signal a desire and determination on the part of the state to protect girls and women in law: their realisation would radically transform the situation and status of girls in their families and communities. Economic reform to improve the state of public services is essential to realising basic human rights to survival and development, but addressing the social and cultural norms that underlie sexual and gender-based violence against girls and young women will be key to attaining legitimacy through grass-root acceptance.

Before shifting to a focus on sexual and gender-based violence in Freetown, this research was originally conceptualised as a study on girls' right to education. In Chapter 5, evidence from focus groups with girls and young women in the slum communities of Freetown demonstrated the importance they attached to educational achievement, despite the many barriers to staying on post-primary level. The top priorities for the girls were safe, clean local schools, with adequate sanitation facilities and well-trained and motivated teachers.

Harassment of girl students by male teachers in the form of sexual abuse and corporal punishment was stressed as a huge deterrent to school attendance, as was the lack of proper toilet facilities, which was described as a particular problem for girls during their menstrual periods. Although poverty, teenage pregnancy and pressure from parents were cited as the key underlying reasons for disengagement from education by all the participants, girls also

faced, and continue to face, difficulties staying on at school due to stereotypical views, where an emphasis is placed on girls' roles as wives, mothers and domestic workers in the home, while the education of boys is prioritised. The Ebola epidemic had a devastating impact on the lives of children in Sierra Leone, with thousands directly affected by the outbreak. In addition to the tragic loss of life, the impact on the country's education system was immense as the lives of teachers were claimed and schools were closed for almost a year. The follow-up research interviews demonstrated the personal cost of the crisis: the fear, the hunger, the social isolation caused by the closure of schools and the ban on public meetings, in addition to the increase in reports of girls engaging in transactional and survival sex to stay alive.

Feedback from informants to this research, children and adults alike, described how sexual and gender-based violence against girls was evident in every aspect of their lives: in their private homes, where girls undertake the lion's share of domestic work and where desperate parents push their daughters into exploitative relationships; in their communities, where "big men" prey on vulnerable girls and where initiation into the Bondo through FGM is an accepted part of a girl's transition to womanhood; in their schools where girls face sexual harassment from their teachers and peers; and finally at an institutional level, where pregnant girls are denied their right to education and to be protected in law from FGM. Teenage girls in the slum communities contend with a double standard whereby they are expected to conform to traditional social norms regarding morality and behaviour, while also being required to engage in risky sexual behaviours to support themselves and their families. Child sexual exploitation, including relationships with older men; transactional sex and abuse through prostitution, represented the main forms of sexual and gender-based violence perpetrated against girls and young women that emerged from the research. This abuse was linked to poverty, with girls exchanging sex for, not only luxuries such as mobile phones, but

for basics such as food. Informants reported that child marriage is less prevalent in Freetown than in more rural parts of Sierra Leone, due to disengagement from traditional cultural norms, higher levels of education, greater employment opportunities for girls and women and growing awareness and respect for new laws setting the minimum age for marriage at 18 years. However, a decrease in early marriage rates does not necessarily imply an improvement in conditions for girls': they remain at high risk of sexual exploitation and its consequences such as pregnancy, but without the veil of respectability granted by marriage.

Alongside child sexual exploitation, FGM emerged as the most virulent and deeply-rooted form of sexual and gender-based violence affecting girls and young women. Although its negative impact on girls' health and wellbeing is well-documented, circumcising girls as a means of initiating them into womanhood remains widespread, with almost 9 out of 10 women in Sierra Leone having undergone the practice. The Bondo society, whose 'Sowei' are responsible for performing FGM, is represented as a source of power and influence for women, who have little control in an otherwise paternalistic society. The initiation process is an important social occasion and the ceremonies remain popular because of the perceived benefits they confer on girls, enhancing their status in their communities and readying them for marriage. However, this veil of female empowerment is deceptive, as the Bondo societies are controlled by (male) paramount chiefs and Bondo's fundamental message emphasises women's inferior status: subservient to men and limited to their traditional role in the home. Appeals to human rights and the major health risks associated with the practice have had little impact: DCI-SL report that the socio-cultural traditions and attachments to the Bondo society will need to be addressed before any progress can be made to reduce the high rate of FGM in Sierra Leone.

The various forms of sexual and gender-based violence against girls and young women that emerged from the fieldwork can be identified as violations of their rights under the basic principles of the CRC, as set out in Chapter 6. The right to non-discrimination continues to be openly flouted by the state, which pursues its unjust and unlawful ban on pregnant girls attending school; while discriminatory social and cultural norms combined with familial and communal pressures result in Sierra Leone's high rates of FGM and early marriage. The vast majority of Sierra Leonean children (77 per cent) live in poverty, which poses a huge barrier to their ability to access their rights to survival and development. In the deprived communities of Freetown, children live in crowded and precarious shack settlements that lack basic sanitation, including toilets and clean water. Girls' right to health is endangered by early pregnancy and childbirth, linked to lack of information and access to contraception, and their exposure to sexually-transmitted diseases via risky behaviours, including transactional sex. The denial of the right to education has a long-term impact, given the importance of education as an enabling right and as a protective influence against sexual and gender-based violence in girls' lives. Informants to the research reported that girls' right to participation was routinely violated, as their lowly social status makes it difficult to take control of their lives and to challenge the authority of parents and elders in their communities, when pressurised to drop out from school or face initiation by FGM into the Bondo society. The best interest principle is also contentious, as the open nature of terminology used in the CRC means that harmful practices such as early marriage can be justified as being carried out in their best interest, through the perspective of traditional social and cultural norms. Finally, girls and young women were described as being at constant risk of sexual and gender-based violence and abuse, in their homes, on the streets, in their schools and from a range of perpetrators, many of whom (including parents and teachers) were duty-bound to uphold girls' rights. The forms of violence and exploitation experienced by girls and young women

in the Freetown slums, represent the worst kinds of violation of their right to protection from harm and abuse, guaranteed under the CRC.

As described in Chapter 7, the state in Sierra Leone is making sluggish progress with regard to implementing its obligations to girls under international and domestic law. The country's economic difficulties mean that essential services in education, health and social care are underfunded while the gender equality agenda relies almost completely on aid from foreign donors. The complex legal structures that exist in Sierra Leone, including three different systems of law, also complicate the process of translating human rights laws and norms into real-life changes. However, the state is making progress in its attempts to harmonise constitutional with customary laws, particularly with regard to child marriage. Sierra Leone's ratification of the Maputo Protocol represents an important step forward and efforts must focus on social and legal reforms to integrate it, as this legally binding document explicitly calls for the protection for girls and women from FGM and forms of sexual based violence. It is also significant that this demand for change stems from an African perspective, not as a result of pressure from the West. There are also indications that strategies and funding to address sexual and gender-based violence are starting to take effect. The increase in reporting and prosecutions of cases of sexual violence in Freetown suggests that attitudes are changing and that violence directed against girls and women is regarded less as a problem belonging in the private sphere of the home or the community, but a criminal offence with consequences for the perpetrators. In a country with the highest rate of maternal mortality in the world, where the majority of adult women have undergone FGM, marry young and are illiterate, much more needs to be done to improve the status of women in Sierra Leonean society. Tackling 'taboo' subjects such as child sexual exploitation, teenage pregnancy and FGM is challenging, especially in settings where traditional and patriarchal social and cultural norms

continue to hold a strong grip. It is also difficult to prioritise long-term gender equality goals when people's basic survival rights are not guaranteed, where food prices are high and income sources are uncertain. However, investing in the channels that empower girls and women – education, improving access to health and contraceptive services, providing social safety nets such as childcare to allow girls and women to return to work and education, and tackling the culture of impunity for perpetrators of gender-based violence – will be essential to overcoming many of the social and economic problems that continue to blight Sierra Leone.

The study of the work of the Girl Programme in Sierra Leone (Chapter 7) produced many important learning points with regard to NGO activity and realising human rights principles in practice. Despite the devastating impact of Ebola, which prevented the Girl Power partners in Sierra Leone from achieving the majority of their objectives, the programme enjoyed some successes at the grass-root level, supporting thousands of girls directly with sensitisation messages, life skills and legal support; empowering them to support their communities and to set up their own groups; to undertake advocacy and peer education; making significant progress on community issues including work with local leaders to devise strategies to tackle forms of child sexual exploitation; and engaging with FGM practitioners to put an end to the practice. However, Girl Power ran into challenges when attempting to achieve objectives that were linked to the macro level, such as strengthening government institutions. Sierra Leone continues to experience severe economic difficulties, with low levels of investment in essential health, education and social services. Given the dearth of employment opportunities in their target communities, it is proving difficult for Girl Power and its successor programme (Girls' Advocacy Alliance) to reach their objectives to address the economic exclusion of girls. Elsewhere, there have been problems in efforts to lobby the government to address

discriminatory practices and policies towards girls including the ban on pregnant teenagers in mainstream schools and the continued absence of legislation to restrict FGM. Here, politicians are appealing to traditional voters, who do not know or are not concerned with the human rights violations that these harmful practices represent. In addition, the former government was becoming increasingly restrictive in its approach to dissenting voices, as demonstrated by the ban on negative social media and the revoking of NGO licenses for ‘non-compliant’ organisations. The Girls’ Advocacy Alliance, which has continued the Girl Power programme of work since 2016, includes an extra focus on lobbying the state and the economic empowerment of girls. It remains to be seen what direction the new government will take with the election in 2018 of the SLPP, but while the early signals are positive with regard to their engagement with NGOs, including DCI-SL, the deeply-entrenched social and economic problems that underpin widespread sexual and gender-based violence in Freetown and throughout Sierra Leone remain widespread, and will be difficult to overcome.

8.2 Suggestions for future research

This research was a small-scale study on sexual and gender-based violence; its fieldwork limited to interviews and focus groups carried out over the space of a week in two Freetown communities. However, there is scope for further research based on the issues addressed in the thesis, which could make a valuable contribution to the knowledge base on girls’ rights and to assist the development of social policy and practice in Sierra Leone.

Although the research shifted from its original focus solely on the right to education, facilitating girls to remain in education is vital. However, given the girls’ attitudes and experiences of the school system in Sierra Leone, engaging in education is not without its risks. The right to education is promoted as a major channel through which girls and young

women can be empowered, with wider social and economic benefits, but school also emerged as one of the main settings where girls experience abuse and violence, while the extra costs associated with schooling was described as one of the reasons for girls' engagement in transactional sex and exploitative relationships. There are clearly complex dynamics involved and it would be useful to undertake further research to explore the extent to which education acts as protective influence in girls' lives, as well as the relationship between sexual and gender-based violence and education in Sierra Leone.

Informants to the research frequently mentioned teenage pregnancy as a serious social problem affecting the Freetown communities, but it was difficult to ascertain whether these pregnancies stemmed from consensual relationships, abuse, exploitation, or rape. Further research should be undertaken regarding the relationship between sexual and gender-based violence and the high rates of teenage pregnancy in Sierra Leone, which could in turn prove useful for future strategies and interventions to support sexually exploited girls and to address the impact of abuse, including pregnancy, on their lives.

A significant issue raised by research informants concerned the implementation of human rights laws and social policies. It was difficult to find information relating to the strategies put in place to translate new laws into policy and practice, and what progress, if any, is being made with regard to implementing Sierra Leone's gender equality agenda. An attempt to gather and collate information of this nature would be extremely useful and would provide an effective tool with which to lobby for further progress at government and grass-root levels.

Finally, the increased use of technologies is an issue that has emerged since the original research consultations took place in Freetown in 2012. DCI-SL highlighted throughout its

most recent annual report, in 2018, that the expansion in mobile technology and social media is having an impact on the country's political climate and at a micro-level, on the day-to-day lives of girls. Social media was largely presented as a positive development, but it is possible that new technologies are also presenting new opportunities for child abuse and exploitation, as is the case in developed countries. This could present an important area for further research, to explore how the growth of the internet and mobile technologies offer a tool for the education and empowerment of girls and young women, but also present new channels through which they could be abused and exploited.

References

Books

- Alderson, P., and Morrow, V. (2004) *Ethics, social research and consulting with children and young people*. Barking: Barnardo's.
- Amutabi, M. (2006) *The NGO Factor in Africa: The Case of Arrested Development in Kenya*. New York: Routledge.
- An-Na'im, A.A. (ed.) (1992) *Human Rights in a Cross-Cultural Perspectives: A Quest for Consensus*. Philadelphia: University of Pennsylvania Press.
- Butcher, T. (2011) *Chasing the Devil: On Foot through Africa's Killing Fields*. London: Vintage.
- Conteh, J.A. (2016) "Dowry and Bride-Price". In: Naples, N.A., Hoogland, R.C., Wickramasing, M. and Wong, W.C.A. (eds.) *The Wiley Blackwell Encyclopedia of Gender and Sexuality Studies*. Hoboken, New Jersey: Wiley-Blackwell.
- Donnelly J. (2003) *Universal Human Rights: In Theory and Practice* (Second Edition). Cornell University.
- Donnelly, J. and Whelan, D. J. (2018) *International Human Rights*. London and New York: Routledge.
- Evans R. and Skovdal M. (2015) "Defining Children's Rights to Work and Care in Sub-Saharan Africa: Tensions and Challenges in Policy and Practice". In: Kallio, K., Mills, S. and Skelton, T. (eds.) *Politics, Citizenship and Rights. Geographies of Children and Young People*. New York: Springer.
- Ezeilo, J.N. (2005) "Feminism and Human Rights at a Crossroads in Africa? Reconciling Universalism and Cultural Relativism". In Waller, M.R. and Marcos, S. (eds.) *Dialogue and Difference: Feminisms Challenge Globalization* (231–52). New York: Palgrave MacMillan.
- Fagan, A. (2010) *The Atlas of Human Rights: Mapping Violations of Freedom Worldwide*. Brighton: Earthscan.
- Fagan, A. (2017) *Human Rights and Cultural Diversity: Core Issues and Cases*. Edinburgh: Edinburgh University Press.
- Firman, C. (2013) 'Something Old or Something New: Do Pre-Existing Conceptualisations of Abuse Enable a Sufficient Response to Abuse in Young People's Relationships and Peer Groups?'. In: Melrose, M. and Pearse J. (eds.) *Critical Perspectives on Child Sexual Exploitation and Related Trafficking* (38-51). Basingstoke: Palgrave Macmillan.
- Forna, A. (2003) *The Devil that Danced on the Water*. London: Flamingo.
- Freeman, M. (2002) *Human Rights*. Oxford: Polity Press.

- Frezzo, M. (2015) *The Sociology of Human Rights*. Cambridge: Polity Press.
- Gilchrist, E. (2013) "Domestic Abuse in the UK: Why We need to Understand Perpetrators". In Lombard N. and McMillan, L. (eds.) (2013) *Violence Against Women: Current Theory and Practice in Domestic Abuse, Sexual Violence and Exploitation* (159-176). London: Jessica Kingsley Publishers
- Greene, G. (2006 edition) *Journey Without Maps*. London: Vintage.
- Himonga, C. (2008) "African Customary Law and Children's Rights: Intersections and Domains in a New Era". In Sloth-Nielsen J. (ed.) *Children's Rights in Africa: A Legal Perspective* (73-90). Oxford: Routledge.
- Holmen, H. (2010) *Snakes in Paradise: NGOs and the Aid Industry in Africa*. Sterling, VAM, USA: Kumarian Press.
- Hynes P., Lamb M., Short, D. and Waites, M. (eds) (2011) *Sociology and Human Rights: New Engagements*. Oxford: Routledge Press.
- Ibhawoh, B. (2018) *Human Rights in Africa: New Approaches to African History*. Cambridge: Cambridge University Press.
- Igoe, J. and Kelsall T. (eds) (2005) *Between a Rock and a Hard Place: African NGOs, Donors, and the State*. Durham, N.C.: Carolina Academic Press.
- Jones, P. (1994) *Rights: Issues in Political Theory*. Basingstoke: Palgrave.
- Landman, T. (2006) *Studying Human Rights*. Oxford: Routledge.
- Leary, V.A. (1992) "Post-Liberal Strands in Western Human Rights Theory: Personalist-Communitarian Perspectives". In An-Na'im (ed.) *Human Rights in a Cross-Cultural Perspectives: A Quest for Consensus* (105-129). Philadelphia: University of Pennsylvania Press.
- Lloyd, A. (2008) "The African Legal System for the Protection of Children's Rights". In Sloth-Nielsen J. (ed.) *Children's Rights in Africa: A Legal Perspective* (53-72). Oxford: Routledge.
- Lombard N. and McMillan, L. (eds.) (2013) *Violence Against Women: Current Theory and Practice in Domestic Abuse, Sexual Violence and Exploitation*. London: Jessica Kingsley Publishers.
- Melrose, M. (2013) 'Young People and Sexual Exploitation; A Critical Discourse Analysis'. In: Melrose, M. and Pearce J. (eds) *Critical Perspectives on Child Sexual Exploitation and Related Trafficking* (9-22). Basingstoke: Palgrave Macmillan.
- Oakley, A. (2016) *Sex, Gender and Society*. Oxford: Routledge Press.

Pearce, J. (2009) 'A Social Model of Abused Consent'. In: Melrose, M. and Pearce J. (eds.) *Critical Perspectives on Child Sexual Exploitation and Related Trafficking* (52-68). Basingstoke: Palgrave Macmillan.

Pearce, J. (2009) *Young People and Sexual Exploitation: It's not hidden, you just aren't looking*. Oxford: Routledge.

Pinkey R. (2009) *NGOs, Africa and the Global Order*. Basingstoke: Palgrave Macmillan.

Steady, F. (2005) *Women and Collective Action in Africa: Development, Democratisation and Empowerment, with a Special Focus on Sierra Leone*. Basingstoke: Palgrave Macmillan.

Tomasevski, K. (2003) *Education Denied: Costs and Remedies*. London: Zed Books.

Turner, B. (2006) *Vulnerability and Human Rights*. Pennsylvania: The Pennsylvania State University.

Journal Articles

Aaronson, S.A. and Higham, I. (2013) "Re-righting Business": John Ruggie and the Struggle to Develop International Human Rights Standards for Transnational Firms". *Human Rights Quarterly*, vol. 35.3, 333-364.

Addo, M.K. (2010) "Practice of Human Rights Treaty Bodies in the Reconciliation of Cultural Diversity with Universal Respect for Human Rights". *Human Rights Quarterly*, vol. 32:3, 601-664.

Akyeampong K. (2004) "Aid for Self-Help Effort? Developing sustainable alternative route to Basic Education in Northern Ghana". *Journal of International Cooperation in Education*, vol. 7.1, 41-52.

Albrecht, P. (2015) "The Chiefs of Community Policing in Rural Sierra Leone". *Journal of Modern African Studies*, vol. 53.4, 611-635.

Arts K. (2014) "Twenty-Five Years of the United Nations Convention on the Rights of the Child: Achievements and Challenges". *Netherlands International Law Review*, vol. 61.3, 267-303.

Atwood, A., Kennedy, S.B., Barbu, E.M., Nagbe, W., Seekey, W., Sirleaf, P., Perry, O., Martin, R.B., Sosu, F. (2011) "Transactional Sex among Youths in Post-conflict Liberia". *Journal of Health, Population and Nutrition*, vol. 29.2, 113-122.

Azoulay A. (2015) "What are human rights?". *Comparative Studies of South Asia, Africa and the Middle East*, vol. 35.1, 8-20.

Ben-Ari, N. and Harsch, E. (2005), "Sexual violence, an 'invisible war crime'". *Africa Renewal*, vol. 18.4, 16-18.

Bentley, K. (2011) "Learning through doing: Suggesting a deliberative approach to children's political participation and citizenship". *Perspectives in Education*, vol. 29.1, 46-54.

- Bentley, K.A. (2005) "Can there be any universal children's rights?". *The International Journal of Human Rights*, vol. 9:1, 107-123.
- Behrman, J.A., Peterman, A., Palermo, T. (2017) "Does keeping girls in school prevent against forced sex? Quasi- experimental evidence from Eastern and Southern Africa". *Journal of Adolescent Health*, vol. 60.2, 184-19.
- Bingenheimer J.B. and Reed, E. (2014) "Risk for Coerced Sex Among Female Youth in Ghana: Roles of Family Context, School Enrollment and Relationship Experience". *International Perspectives on Sex and Reproductive Health*, vol. 40.4, 184-195.
- Besson, S. (2005) "The Principle of Non-Discrimination in the Convention on the Rights of the Child", *The International Journal of Children's Rights*. vol. 13, 433-461.
- Bjälkander O., Leigh B., Harman G., Bergstrom S. and Almroth L. (2012) "Female Genital Mutilation in Sierra Leone: Who are the decision makers?". *African Journal of Reproductive Health*, vol. 16.4, 119-131.
- Bjälkander, O., Bangura, L., Leigh, B., Berggren, V., Bergström, S., Almroth, L. (2012) "Health complications of female genital mutilation in Sierra Leone". *International Journal of Women's Health* vol. 4.1, 321-31
- Brems, E. (1997) "Enemies or Allies? Feminism and Cultural Relativism as Dissident Voices in Human Rights Discourse". *Human Rights Quarterly*, vol. 19.1, 36-164.
- Burman, M.J., Batchelor, S.A. and Brown, J.A. (2001) "Researching girls and violence: facing the dilemmas of fieldwork". *British Journal of Criminology*, vol. 41.3, 443-459.
- Chaney P. (2017) "Comparative analysis of state and civil society discourse on the implementation of the United Nations' convention on the rights of the child in North Africa". *The Journal of North African Studies*, vol. 22:1, 6-34
- Chant, S. (2016) "Women, girls, and world poverty: empowerment, equality or essentialism?" *International Development Planning Review*, vol. 38. 1, 1-24.
- Chirwa M.C. (2002) "The merits and demerits of the African Charter on the Rights and Welfare of the Child", *The International Journal of Children's Rights*, vol. 10, 157-177.
- Coleman, I. (2004) "The Payoff from Women's Rights", *Foreign Affairs*, vol. 83-.3, 80-95.
- Coomaraswamy R. (2002) "Are Women's Rights Universal? Re-engaging the Local". *Meridians*, vol. 3.1, 1-18.
- Davidson H. and Waddell A. (2009) *Has the U.N. Convention on the Rights of the Child Made a Difference? What Would U.S. Participation Mean? 20th Anniversary Observations*.
- Decker, M.R., Latimore, A.D., Yasutake, S., Haviland, M., Ahmed, S., Blum, R.W., Sonenstein, F., Astone, N.M. (2015) "Gender-Based Violence Against Adolescent and

Young Adult Women in Low- and Middle-Income Countries”. *Journal of Adolescent Health*, vol. 56, 188-196.

Delprato, M., Akyeampong, K., Dunne, M. (2017) “Intergenerational Education Effects of Early Marriage in Sub-Saharan Africa”. *World Development*, vol. 91, 173-192.

Devi, S. (2018) “FGM in Sierra Leone”. *The Lancet*, vol.391, 415.

Denov, M., and MacLure. R. (2006) “Engaging the Voices of Girls in the Aftermath of Sierra Leone’s Conflict: Experiences and Perspectives in a Culture of Violence”. *Anthropologica*, vol. 48.1, 73-85.

Dicklitch, S. and Lwanga, D. (2003) “The Politics of Being Non-Political: Human Rights Organisations and the Creation of a Positive Human Rights Culture in Uganda”. *Human Rights Quarterly*, vol. 25.2, 482-509.

Donnelly, J. (2007) “The Relative Universality of Human Rights”. *Human Rights Quarterly*, vol. 29.2 281-306.

Doek J.E. (2009) “The CRC 20 years: An overview of some of the major achievements and remaining challenges”. *Child Abuse and Neglect*, vol. 33, 771-782.

Elden S. (2012). “Inviting the messy: drawing methods and ‘children’s voices”. *Childhood* vol. 0(0): 1–16.

Evans, J.L. (2001) “Guest Editorial: Women’s Rights and Children’s Rights: Challenges and Opportunities”. *Development*, vol. 44.2.

Evans, R. and Skovdal, M. (2015) “Defining Children’s Right to Work and Care in Sub-Saharan Africa: Tensions and Challenges in Policy and Practice”. *Politics, Citizenship and Rights*, vol. 12.1, 1-14.

Fagan, A., “Identifying and Confronting the Gentrified Elitism of Human Rights”. *Human Rights Quarterly*.

Freeman, M. (2000) “The Future of Children’s Rights”. *Children and Society*, vol. 14, 277-293.

Gadda A. (2008) “Rights, Foucault and Power: A Critical Analysis of the United Nations Convention on the Rights of the Child”. *Edinburgh Working Papers in Sociology*, vol. 31, 1-13.

Gokah, T. (2006) “The Naïve Researcher: Doing Social Research in Africa”. *International Journal of Social Research Methodology*, vol. 9.1, 61 – 73.

Goodhart, M.E. “Origins and Universality in the Human Rights Debates: Cultural Essentialism and the Challenge of Globalisation”. *Human Rights Quarterly*, vol. 25.3, 935-964.

- Greif, M.J., Nii-Amoo Doodoo, F. and Jayaraman, A. (2011) "Urbanisation, Poverty and Sexual Behaviour: The Tale of Five African Cities". *Urban Studies*, vol. 48.5, 947-957.
- Grugel, J. (2013) "Children's rights and children's welfare after the Convention on the Rights of the Child". *Progress in Development Studies*, 19-30.
- Harcourt, D, and Hagglund S. (2013) "Turning the UNCRC upside down: a bottom-up approach on children's rights". *International Journal of Early Years Education*, vol. 21.4, 286-299.
- Harris-Short, S. (2003) "International Human Rights Law: Imperialist, Inept and Ineffective? Cultural Relativism and the UN Convention on the Rights of the Child", *Human Rights Quarterly*, vol. 25.1, 130-181.
- Haugen, G. and Boutros, V. (2010) "And Justice for All: Enforcing Human Rights for the World's Poor", *Foreign Affairs*, vol. 89.3, 51-62.
- Hearn, J. (2001) "The 'uses and abuses' of civil society in Africa", *Review of African Political Economy*, vol. 87, 43-53.
- Hodgson, D.L., (2002) "Women's Rights as Human Rights: Women in Law and Development in Africa (WILDAF)", *Africa Today*, vol. 49.2, 3-26.
- Holland S., Renold E., Ross, N.J. and Hillman A. (2010) "Power, agency and participatory agendas: A critical exploration of young people's engagement in participative qualitative research". *Childhood* vol. 17.3, 360-375.
- Hollar, J. (2013) "Review: Human Rights Instruments and Impacts". *Comparative Politics*, vol. 46.1, 103-120.
- Howe, R.B. and Covell, K. (2010) "Miseducating Children about their Rights". *Education, Citizenship and Social Justice*, vol. 5.2, 91-102.
- Ibhawoh, B. (2000) "Between Culture and Constitution: Evaluating the Cultural Legitimacy of Human Rights in the Africa State". *Human Rights Quarterly*, vol. 22.3, 838-860.
- Ibrahim, A.F. and Shepler, S. (2011) "Introduction: Everyday Life in Postwar Sierra Leone". *Africa Today*, vol. 52.2, v-xii.
- Kabasakal Arat, Z.F. (2006) "Forging A Global Culture of Human Rights: Origins and Prospects of the International Bill of Rights". *Human Rights Quarterly*, vol. 28.2, 416-437
- Kaime T. (2005) "The Convention on the Rights of the Child and the cultural legitimacy of children's rights in Africa: Some reflections". *African Human Rights Journal*, 221-238.
- Kanyako, V. (2011) "The Check is Not in the Mail: How Local Civil Society Organisations Cope with Funding Volatility in Post-Conflict Sierra Leone". *Africa Today*, vol. 58.2, 2-12.

- Kuate-Defo, B. (2004) "Young People's Relationships with Sugar Daddies and Sugar Mummies: What do we know and what do we need to know". *African Journal of Reproductive Health*, vol. 8.2, 13-37.
- Kuruvilla S., Bustreo F., Hunt P., Singh A., Friedman E., Luchesi T., Germann S., Terje Loraas K., Yamin A.E., Andion X., Frenk J., and other members of the Working Group on the MDGs and Human Rights for the UN Secretary-General's Global Strategy for Women's and Children's Health (2012) "The Millennium Development Goals and Human Rights: Realizing Shared Commitments", *Human Rights Quarterly*, vol. 34.1, 141-177.
- Labat, A., Medina, M., Elhassein, M., Karim, A., Jalloh, M.B., Dramaix, M., Zhang, W-H, Alexander, S. and Dickson, K.E. (2018) "Contraceptive determinants in youths of Sierra Leone are largely behavioural". *Reproductive Health*, vol. 15.66, 1-11.
- Lebbie-Moebiyor, M. (2003) "Sierra Leone: A Country Report". *NWSA Journal*, vol. 15:1, 133-136.
- Lundy L. and McEvoy A. (2011) "Children's rights and research processes: Assisting children to (in)formed views". *Childhood* (September) 1- 16.
- Mahtani, S. (2013) "Women and the Criminalisation of Poverty: Perspectives from Sierra Leone". *Signs*, vol. 39.1, 243-264.
- Makhlouf Obermeyer, C. (1995) "A Cross-Cultural Perspective on Reproductive Rights". *Human Rights Quarterly*, vol. 17.2, 366-381.
- Maluwa, T. (2004) "Human Rights, the Rule of Law and Development in Africa (review)". *Human Rights Quarterly*, vol. 26.4, 1098-1102.
- Manjoo, R. (2016) "Violence against Women as a Barrier to the Realisation of Human Rights and the Effective Exercise of Citizenship". *Feminist Review*, vol. 112, 11-26.
- Maswikwa, B., Richter, L., Kaufman, J. and Nandi, A. (2015) "Minimum Marriage Age Laws and the Prevalence of Child Marriage and Adolescent Birth: Evidence from Sub-Saharan Africa". *International Perspectives on Sexual and Reproductive Health*, vol. 41.2, 58-68.
- Mathur S., Okal J., Musheke M., Pilgrim N., Kishor Patel S-, Bhattacharya R., et al. (2018) "High rates of sexual violence by both intimate and non-intimate partners experienced by adolescent girls and young women in Kenya and Zambia: Findings around violence and other negative health outcomes". *PLoS ONE*, vol. 13.9, 1-13
- Mauras, M. (2001) "Public Policies and Children's Rights: Entering the Third Decade of the Convention on the Rights of the Child". *The Annals of the American Academy of Political and Social Science*, vol. 633, 52-65.
- Mgalla Z., Schapink D. and Boerma J.T. (1998) "Protecting school girls against sexual exploitation: A guardian programme in Mwanza, Tanzania". *Reproductive Health Matters*, vol. 6.12, 19-30.

- Mgbako C., Saxena M., Cave A., Farjad, N., (2010) "Penetrating the Silence in Sierra Leone: A Blueprint for the Eradication of Female Genital Mutilation". *Harvard Human Rights Journal*, vol.23, 111-140.
- Mikhail, S.L.B. (2002) "Child marriage and child prostitution: Two forms of sexual exploitation". *Gender and Development*, vol. 10.1, 43-49.
- Monshippouri, M. (1997) "Book Review: "Protecting Human Rights in Africa: Roles and Strategies of Non-Governmental Organisations" by Claude E. Welsh, Jr.", *Human Rights Quarterly*, vol. 19.1, 214-218.
- Moore, A.M., Biddlecom, A.E. and Zulu, E.M. (2007) "Prevalence and meanings of exchange of money or gifts for sex in unmarried adolescent sexual relationships in sub-Saharan Africa". *African Journal of Reproductive Health*, vol. 11.3, 44-61.
- Muhumuza, W. (2010) "State-Civil Society Partnership in Poverty Reduction in Uganda". *Eastern Africa Social Science Research Review*, vol. 26.1, 1-21.
- Mulinge, M. M. (2010) "Persistent socio-economic and political dilemmas to the implementation of the 1989 United Nations' Convention on the Rights of the Child in sub-Saharan Africa". *Child Abuse and Neglect*, vol. 34, 10-17.
- Nolan, J. (2014) "Refining the Rules of the Game: The Corporate Responsibility to Respect Human Rights". *Journal of International and European Law*, vol. 30.78, 7-23.
- Okonofua, F. (2013) "Prevention of Child Marriage and Teenage Pregnancy in Africa: Need for more Research and Innovation". *Journal of African Reproductive Health*, vol. 17.2, 9-13.
- Olaniyan, T. (2011) "The Paddle That Speaks English: Africa, NGOs and the Archaeology of an Unease". *Research in African Literatures*, vol. 42. 2, 46-59.
- O'Reilly, A. (2014) "Adolescent girls' experiences of violence in school in Sierra Leone and the challenges to sustainable change". *Gender and Development*, vol. 22.1, 13-29.
- Palermo, T. and Peterman, A. (2009) "Are Female Orphans at Risk for Early Marriage, Early Sexual Debut, and Teen Pregnancy? Evidence from Sub-Saharan Africa". *Studies in Family Planning*, vol. 40.2, 101-112.
- Vitalis Pemunta, N. and Tabenyang, T.C.J. (2017) "Cultural power, ritual symbolism and human rights violations in Sierra Leone". *Cogent Social Sciences*, vol. 3, 1-27.
- Pearce, T.O. (2001) "Human Rights and Sociology: Some Observations from Africa". *Social Problems*. vol. 48.1, 48-56.
- Perry, M.J. (1997) "Are Human Rights Universal? The Relativist Challenge and Related Matters". *Human Rights Quarterly*, vol. 19.3, 461-509.
- Peters, K. (2011) "The Crisis of Youth in Post-War Sierra Leone: Problem Solved?". *Africa Today* vol. 58.2, 128-153.

- Pollis, A. (1996) "Cultural Relativism Revisited: Through a State Prism". *Human Rights Quarterly*, vol. 18.2, 316-344.
- Punch, S. (2002) 'Research with Children: The Same or Different from Research with Adults?'. *Childhood*, vol. 9.3, 321-341.
- Ranganathan, M., MacPhail, C., Pettifor, A., Kahn, K., Khoza, N., Twine, R., Watts, C. and Heise, L. (2017) "Young women's perceptions of transactional sex and sexual agency: a qualitative study in the context of rural South Africa". *BMC Public Health*, vol. 17.666, 1-16.
- Relis, T. (2011) "Human Rights and Southern Realities". *Human Rights Quarterly*, vol. 33.2 509-551.
- Rembe S. and Odeku K. (2009) "Violation of Children's Rights by Traditional and Cultural Practices and the Responses by States in Eastern and Southern Africa". *Journal of Psychology in Africa*, vol. 19:1, 63-69.
- Robinson, J. and Yeh, E. (2011) "Transactional Sex as a Response to Risk in Western Kenya". *American Economic Journal: Applied Economics*, vol. 3.1, 35-64.
- Santos Pais, M. and Bissell, S. (2006) "Overview and Implementation of the UN Convention on the Rights of the Child". *The Lancet*, vol. 367, 689-690.
- Schumann, A.T. (2009) "Review of the Bangladesh Female Secondary School Stipend Project Using a Social Exclusion Framework". *Journal of Health, Population and Nutrition*, vol. 27.4, 505-517.
- Shepler, S. (2011) "The Real and Symbolic Importance of Food in War: Hunger Pains and Big Men's Bellies in Sierra Leone". *Africa Today*, vol. 58.2, 43-56.
- Shier, H. (2001) "Pathways to Participation: Openings, Opportunities and Obligations". *Children and Society*, vol. 15, 107-117
- Shier, H. (2006) "Pathways to Participation Revisited, Nicaragua perspective." *Middle Schooling Review*, vol. 2, 14-19.
- Sillah R.M. and Chibanda T.W. (2013) "Assessing the African Charter on the Rights and Welfare of the Child (ACRWC) As a Blueprint Towards the Attainment of Children's Rights in Africa". *Pakistan Journal of Social Sciences*, vol. 10.2, 117-122.
- Ssenyonjo, M. (2007) "Culture and the Human Rights of Women in Africa: Between Light and Shadow". *Human Rights Quarterly*, vol. 51:1, 39-67.
- Staller, K. (2011) "Children's Rights, Family Rights Whose Human Rights?" *International Review of Qualitative Research*, vol. 4.2, 171-188.
- Stoller, P. (2005) "Reviewed Works: In Sierra Leone by Michael Jackson." *Anthropological Quarterly*, vol. 78. 2, 483-489.
- Svevo-Ciani K.A., Hart, S.N. and Rubenson, C. (2010) "Protecting children from violence

and maltreatment: A qualitative comparative analysis assessing the implementation of UNCRC Article 19". *Child Abuse and Neglect*, vol. 34, 45-56.

Svevo-Ciani K.A., Herczog, M., Krappman, L. and Cook P. (2011) "The new UN CRC General Comment 13: "The right of the child to freedom from all forms of violence" – Changing how the world conceptualises child protection". *Child Abuse and Neglect*, vol. 35, 979-989.

Swai, E. (2008) "Review: The NGO Factor in Africa: The Case of Arrested Development in Kenya". *Africa Today*, vol. 54.4, 109-111.

Swaminathan, P. (2001) "Basic Education: Ignorance and Myths. Review of The Gender Gap in Basic Education: NGOs as Change Agents". *Economic and Political Weekly*, vol. 36.21, 1805-1806.

Te One, S. (2007). "Defining Rights: Children's Rights in Theory and Practice". *He Kupu Journal*, 41-57.

Thomas, N. (2007) "Towards a Theory of Children's Participation". *The International Journal of Children's Rights*, vol. 15.2: 199-218.

Unterhalter, E. and North A. (2011) "Girls' Schooling, Gender Equity and the Global Education and Development Agenda: Conceptual Disconnections, Political Struggles and the Difficulties of Practice". *Feminist Formations*, vol. 23.3, 1-22.

Williams D. & Young, T. (2012) "Civil Society and the Liberal Project in Ghana and Sierra Leone". *Journal of Intervention and Statebuilding*, vol. 6.1, 7-22.

Yamin, A.E. (2005) "The Future in the Mirror: Incorporating Strategies for the Defence and Promotion of Economic, Social and Cultural Rights into the Mainstream Human Rights Agenda". *Human Rights Quarterly*, vol. 27.4, 1200-1244.

Yarrow, T., (2008) "Life/History: Personal Narratives of Development Amongst NGO Workers and Activists in Ghana". *Africa: The Journal of the African Institute*, vol. 78.3, 334-358.

Zezeza P.T. (2007) "The Struggle for Human Rights in Africa". *Canadian Journal of African Studies/La Revue canadienne des études africaines*, vol. 41.3, 474-506.

Reports, international documents and instruments

Abdullah, H.J. (2012) *Gender Equality in Post-2015 Sierra Leone*. Dakar: United Nations.

African Child Policy Forum (2012) *Harmonising Children's Laws in West and Central Africa*. Addis Ababa: African Child Policy Forum (ACPF).

African Child Policy Forum (2014) *The African Report on Violence Against Children*. Addis Ababa: African Child Policy Forum (ACPF).

- Amnesty International (2015) *Shamed and Blamed: Pregnant girls' rights at risk in Sierra Leone*. London: Amnesty International Publications.
- Amnesty International (2016) *Sierra Leone: Submission to the UN Committee on the Rights of the Child*. Amnesty International.
- Avance Consultancy and Programme Management (2016) *Final Term Evaluation of Girl Power Programme 2011-2015: Including in-depth case studies (For the Girl Power Alliance) Volume I, Main Report*. Amsterdam: Avance.
- Bandiera, O., Buehren, N., Burgess, R., Goldstein, M., Gulesci, S. Rasul, I. and Sulaiman, M. (2012) *Empowering Adolescent Girls: Evidence from a randomised control trial in Uganda*. Washington: World Bank.
- Barnes, K., Albrecht, P. and Olson, M. (2007) *Addressing Gender-Based Violence in Sierra Leone: Mapping Challenges, Responses and Future Entry Points*. London: International Alert.
- Burman, M., Johnstone, J., de Hana, J. and Macleod, J. (2010) "Responding to Gender-Based Violence in Scotland: The Scope of the Gender Equality Duty to Drive Cultural and Practical Change. Project Report". Edinburgh: Equality and Human Rights Commission.
- Child Rights Coalition Sierra Leone (CRC-SL) (2015) *Children's Complementary Report 2015 to the United Nations Convention on the Rights of the Child*. Freetown: CRC-SL.
- Coinco, E. (2008) *The Out of School Children of Sierra Leone*. Freetown: Unicef.
- Coinco, E. (2010) *A Glimpse into the World of Teenage Pregnancy in Sierra Leone*. Freetown: Unicef.
- Committee on Economic, Social and Cultural Rights (CESCR) (1999) *General Comment 13: The Right to Education (Article 13)*. CESCR.
- Committee on the Rights of the Child (2016) *Concluding Observations on the combined third to fifth periodic reports of Sierra Leone*. United Nations.
- Davidson H. and Waddell A. (2009) *Has the U.N. Convention on the Rights of the Child Made a Difference? What Would U.S. Participation Mean? 20th Anniversary Observations*.
- DCI Sierra Leone (2015) *The Defence for Girls Initiative: Girl Power Programme, Sierra Leone – Presentation to side event at Human Rights Council, Geneva, June 2015*. (unpublished).
- DCI Sierra Leone (2018a) *Girls Advocacy Alliance: Alliance Programme Team Annual Report*. Freetown: Defence for Children International.
- DCI Sierra Leone (2018b) *Review of National Policies regarding Access to Education for Pregnant Girls: An example for Sierra Leone*. Freetown: Defence for Children International.

Denney, L. and Ibrahim, A.F. (2012) *Violence Against Women in Sierra Leone: How Women Seek Redress*. London: Overseas Development Institute.

Denney, L. and Gordon, R. (2016) *How to reduce teenage pregnancy in Sierra Leone*. London: Secure Livelihoods Research Consortium.

Economist Intelligence Unit (2019) *Democracy Index 2019: Me too? Political participation, protest and democracy*. London: The Economist Intelligence Unit Limited.

ECPAT (2014) *The Commercial Sexual Exploitation of Children in Africa: Developments, progress, challenges and recommended strategies*. Bangkok: ECPAT International.

Girls' Advocacy Alliance (2016) *Outline Programme Document: Girls Advocacy Alliance*. Amsterdam: Girl Power Alliance Partners.

Girls' Advocacy Alliance (2016) *Girls Advocacy Alliance – Annual Report 2016*. Amsterdam: Girl Power Alliance Partners.

Girl Power Alliance (2015) *Empowering Girls: Learning What Works. Lessons from the Girl Power Programme 2011-2015*. Amsterdam: Girl Power Alliance.

Girl Power Programme of the Child Rights Alliance (2011) *Vision and Mission of the Child Rights Alliance*. Amsterdam: Child Rights Alliance.

Government of Sierra Leone (2013) *Sierra Leone Health and Demographic Survey 2013*. Freetown: Government of Sierra Leone.

Government of Sierra Leone (2016) *Sierra Leone Child Poverty Report 2016*. Freetown: Government of Sierra Leone.

Government of Sierra Leone/Ministry of Education, Science and Technology (2018) *Education Sector Plan 2018-2020*. Freetown: Government of Sierra Leone.

Government of Sierra Leone and the United Nations Department of Social and Economic Affairs (2015) *The 2030 Agenda for Sustainable Development: Adaptation of the Goals in Sierra Leone*. Freetown: Government of Sierra Leone.

Government of Sierra Leone/UNFPA Sierra Leone (2011) *Survey of Availability of Modern Contraceptives and Essential Life-Saving Maternal and Reproductive Health Medicines in Service Delivery Points in Sierra Leone*. Freetown: Government of Sierra Leone.

Human Rights Commission of Sierra Leone (HRCSL) (2015) *Submission to the 72nd Pre-session working group of the Committee on the Rights of the Child*. Freetown: Human Rights Commission of Sierra Leone.

Interagency Working Group (2016) *Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse*.

International Center for Not for Profit Law/Government of Sierra Leone (2009) *Draft Revised Non-Governmental Organisation Policy Regulations*. Freetown: Government of Sierra Leone.

International Service for Human Rights (2015) *The situation of human rights defenders in Sierra Leone (UPR briefing paper)*. Geneva: ISHR.

Kemokai, A.M. (2015) *The Efficacy of Social Protection in Restoring the Human Rights of Children Affected by the Ebola Virus Disease in Sierra Leone: Write-up for the conference of the 25th Anniversary of the African Charter on the Rights and Welfare of the Child*. Freetown: Defence for Children International Sierra Leone.

Mandates of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and the Special Rapporteur on the situation of human rights defenders (2018) *Letter to Sierra Leone Ambassador to the United Nations*. Geneva.

McDonald, A.M. (2017) *Guilty of Being a Girl: Violence Against Girls in the Justice System in Sierra Leone*. Geneva: Defence for Children International.

Office of the High Commissioner for Human Rights (2011) *Guiding Principles on Business and Human Rights: Implementing the United Nations Protect, Respect and Remedy Framework*. New York and Geneva: OHCHR.

Office of the High Commissioner for Human Rights (2014) *Women's Rights are Human Rights*. New York and Geneva: OHCHR.

Plan International (2017) *Girls Rights are Human Rights: An in-depth study of the status of girls in the human rights framework*. Woking: Plan International.

Robinson, B. (2015) *A Mountain to Climb: Gender-Based Violence and Girls' Right to Education in Sierra Leone*. Geneva: Defence for Children International.

Scott, S. and Skidmore, P. (2006) *Reducing the Risk: Barnardo's Support for Sexually Exploited Young People*. Barkingside: Barnardo's.

Sierra Leone Child Rights Coalition (2015) *Children's Complementary Report to the UN Convention on the Rights of the Child*. Freetown: Sierra Leone Child Rights Coalition.

Statistics Sierra Leone (2015a) *Sierra Leone 2014 Labor Force Survey Report: Executive Summary*. Freetown: Government of Sierra Leone, ILO, World Bank.

Statistics Sierra Leone (2015b) *Sierra Leone 2015 Population and Housing Census: Thematic report on population structure and population distribution*. Freetown: Government of Sierra Leone.

UNDP (2018) *Human Development Indices and Indicators: 2018 Statistical Update. Briefing Note for Countries on the 2018 Statistical Update - Sierra Leone*.

UNDP (2015) *Ebola Recovery in Sierra Leone*. UNDP.

UNDP/Irish Aid (2015) *Accessing Sexual and Gender-Based Violence during the Ebola Crisis in Sierra Leone*. UNDP.

UNESCO (2012) *Education For All Country Profile: Sierra Leone*.

UNFPA (2011) *Children Bearing Children: The Determinants and Consequences of Teenage Pregnancy and Motherhood in Sierra Leone*. UNFPA Sierra Leone.

UN General Assembly (1948) *Universal Declaration of Human Rights*.

UN General Assembly (1979) *Convention on the Elimination of All Forms of Discrimination Against Women*.

UN General Assembly (1989) *Convention on the Rights of the Child*.

UN General Assembly (1993) *Vienna Declaration and Programme of Action*.

Unicef (2013) *Sierra Leone: An Evaluation of Teenage Pregnancy Pilot Projects in Sierra Leone*. Unicef.

Unicef West and Central Africa Regional Office (2008) *Child sexual exploitation in West and Central Africa*. Dakar: Unicef.

Wang, L. (2007) *Education in Sierra Leone: Present Challenges, Future Opportunities*. Washington: World Bank Publications.

World Bank (2002) *Globalisation, Growth and Poverty*. Washington: World Bank and Oxford University Press.

World Health Organisation (2013) *Global and Regional Estimates of Violence Against Women: prevalence and health effects of intimate partner violence and non-partner sexual violence*. Geneva: World Health Organisation.

Websites

African Child Policy Forum (2013) *Protection from Sexual Exploitation: International and Regional Laws*. [Accessed March 15th 2019 from: http://www.africanchildforum.org/clr/Harmonisation%20of%20Laws%20in%20Africa/other-documents-harmonisation_13_en.pdf]

African Union (2016) *The Republic of Sierra Leone Launches African Union Campaign to End Child Marriage in Africa*. [Accessed on March 25th 2019 from: <https://au.int/fr/node/31272>]

Child Rights Connect (2019) *Engaging in the Reporting Cycle of the UN Committee on the Rights of the Child*. [Accessed on 25th March 2019 from: <http://crcreporting.childrightsconnect.org>].

CIA (2019) *The World Factbook: Sierra Leone*. [Accessed March 15th 2019 from: <https://www.cia.gov/library/publications/the-world-factbook/geos/sl.html>]

DCI-Sierra Leone (2019) *DCI-SL Campaigns: Kick the Ebola Virus Out of Sierra Leone*. [Accessed on March 21st 2019 from: <http://www.dcsierraleone.org/camp.html>]

International Labour Organisation (2019) *Child Labour*. [Accessed on 15th March 2019 from: <https://libguides.ilo.org/child-labour-en>]

Mikkola, M. (2017) ‘Feminist Perspectives on Sex and Gender’. In: *The Stanford Encyclopedia of Philosophy*,” Edward N. Zalta (ed). [Retrieved 5th March 2019, from: <https://stanford.library.sydney.edu.au/entries/feminism-gender/>]

Office of the High Commissioner for Human Rights (2019) *What are human rights?* [Accessed on 21st March 2019 from: <https://www.ohchr.org/EN/Issues/Pages/WhatareHumanRights.aspx>]

Office of the High Commissioner for Human Rights (2019) *Status of Ratification Interactive Dashboard: Convention on the Elimination of All Forms of Discrimination against Women*. [Accessed on March 21st 2019 from: <http://indicators.ohchr.org>]

Sustainable Development Goals Knowledge Platform (2019) *Sustainable Development Goal 17*. [Accessed on March 21st 2019 from: <https://sustainabledevelopment.un.org/sdg17>]

UNAIDS (2018) *Global HIV and AIDS statistics – 2018 Fact Sheet*. [Accessed on 25th March 2019 from: <http://www.unaids.org/en/resources/fact-sheet>]

UNAIDS (2019) *Country Profile: Sierra Leone*. [Accessed on 25th March 2019 from: <http://www.unaids.org/en/regionscountries/countries/sierraleone>]

UN Department of Economic and Social Affairs (2019) *Sustainable Development Goals Knowledge Platform*. [Accessed 28th March 2019 from: <https://sustainabledevelopment.un.org/sdgs>].

UNDP (2019) *About Sierra Leone*. [Accessed 15th March 2019 from: <http://www.sl.undp.org/content/sierraleone/en/home/countryinfo/>]

UNESCO (2016) *Sierra Leone – General Information*. [Accessed January 23rd 2019 from: <http://uis.unesco.org/country/SL>].

UNESCO (2018) Table taken from *Statistics by Country: Sierra Leone*. [Accessed 15th March 2019 from: <http://uis.unesco.org/en/country/sl?theme=education-and-literacy>]

Unicef (2018) *Female Genital Mutilation* [Accessed 15th March 2019 from: <https://data.unicef.org/topic/child-protection/female-genital-mutilation/>]

Unicef (2019) *United Nations Convention on the Rights of the Child*. [Accessed 15th March 2019 from: https://www.unicef.org/crc/index_30177.html]

Unicef (2019) *Children in Africa: Key statistics on child survival and population*. [Accessed 25th March 2019 from <https://data.unicef.org/resources/children-in-africa-child-survival-brochure/>]

United Nations (2019) *The Universal Declaration of Human Rights 1948*. [Accessed 21st March 2019 from: <http://www.un.org/en/universal-declaration-human-rights/>]

World Health Organisation (2011) *The Abuja Declaration 10 Years On*. [Accessed 23rd January 2019 from: https://www.who.int/healthsystems/publications/abuja_declaration/en/]

World Health Organisation (2018) *Female Genital Mutilation: Key Facts*. [Accessed 21st March 2019 from: <https://www.who.int/news-room/fact-sheets/detail/female-genital-mutilation>]

World Health Organisation (2018) *Adolescent Health* [Accessed 15th March 2019 from: <https://www.who.int/en/news-room/fact-sheets/detail/adolescent-pregnancy>]

World Health Organisation (2019) *Countries: Sierra Leone*. [Accessed 23rd January 2019 from: <https://www.who.int/countries/sle/en/>]

World Bank (2019) *World Bank Open Data*. [Accessed March 15th 2019 from: <https://data.worldbank.org>]

Online newspaper articles

McAllister, E. (August 18th 2017) *Cities across Africa face threat of landslides like Sierra Leone*. Reuters at: <https://www.reuters.com/article/us-leone-mudslide-africa/cities-across-africa-face-threat-of-landslides-like-sierra-leone-idUSKCN1AY115>
[Accessed on: 4th July 2018].

Reuters (February 2nd 2018) *Sierra Leone says relations with IMF "normal" after suspended payout*. Reuters at: <https://www.reuters.com/article/leone-imf/sierra-leone-says-relations-with-imf-normal-after-suspended-payout-idUSL8N1PS5W6>
[Accessed on: 15th July 2018]

Peyton, N. (February 5th 2018) *Seeking fair elections, Sierra Leone Bans FGM during campaign season*. Reuters at: <https://www.reuters.com/article/us-leone-women-fgm/seeking-fair-elections-sierra-leone-bans-fgm-during-campaign-season-idUSKBN1FP2CB>
[Accessed on: 15th July 2018]

Blogs

Powers, S. (2016) *The Impact of Ebola on Education in Sierra Leone*. World Bank. <http://blogs.worldbank.org/education/impact-ebola-education-sierra-leone>
[Accessed on: July 4th 2018]

Appendix 1: United Nations Convention on the Rights of the Child (1989)

Adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989
entry into force 2 September 1990, in accordance with article 49

PART I

Article 1

For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.

Article 2

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

Article 3

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.
2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.
3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

Article 4

States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.

Article 5

States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a

manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

Article 6

1. States Parties recognize that every child has the inherent right to life.
2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

Article 7

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.
2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.

Article 8

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.
2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.

Article 9

1. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence.
2. In any proceedings pursuant to paragraph 1 of the present article, all interested parties shall be given an opportunity to participate in the proceedings and make their views known.
3. States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.
4. Where such separation results from any action initiated by a State Party, such as the detention, imprisonment, exile, deportation or death (including death arising from any cause while the person is in the custody of the State) of one or both parents or of the child, that State Party shall, upon request, provide the parents, the child or, if appropriate, another member of the family with the essential information concerning the whereabouts of the absent member(s) of the family unless the provision of the information would be detrimental to the well-being of the child. States Parties shall further ensure that the submission of such a request shall of itself entail no adverse consequences for the person(s) concerned.

Article 10

1. In accordance with the obligation of States Parties under article 9, paragraph 1, applications by a child or his or her parents to enter or leave a State Party for the purpose of family reunification shall be dealt with by States Parties in a positive, humane and expeditious manner. States Parties shall further ensure that the submission of such a request shall entail no adverse consequences for the applicants and for the members of their family.

2. A child whose parents reside in different States shall have the right to maintain on a regular basis, save in exceptional circumstances personal relations and direct contacts with both parents. Towards that end and in accordance with the obligation of States Parties under article 9, paragraph 1, States Parties shall respect the right of the child and his or her parents to leave any country, including their own, and to enter their own country. The right to leave any country shall be subject only to such restrictions as are prescribed by law and which are necessary to protect the national security, public order (*ordre public*), public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present Convention.

Article 11

1. States Parties shall take measures to combat the illicit transfer and non-return of children abroad.

2. To this end, States Parties shall promote the conclusion of bilateral or multilateral agreements or accession to existing agreements.

Article 12

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Article 13

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

(a) For respect of the rights or reputations of others; or

(b) For the protection of national security or of public order (*ordre public*), or of public health or morals.

Article 14

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.

2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.

3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

Article 15

1. States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.

2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

Article 16

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.

2. The child has the right to the protection of the law against such interference or attacks.

Article 17

States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health.

To this end, States Parties shall:

(a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of article 29;

(b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;

(c) Encourage the production and dissemination of children's books;

(d) Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;

(e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of articles 13 and 18.

Article 18

1. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.

2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.

3. States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible.

Article 19

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

Article 20

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.

2. States Parties shall in accordance with their national laws ensure alternative care for such a child.

3. Such care could include, inter alia, foster placement, kafalah of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

Article 21

States Parties that recognize and/or permit the system of adoption shall ensure that the best interests of the child shall be the paramount consideration and they shall:

(a) Ensure that the adoption of a child is authorized only by competent authorities who determine, in accordance with applicable law and procedures and on the basis of all pertinent and reliable information, that the adoption is permissible in view of the child's status concerning parents, relatives and legal guardians and that, if required, the persons concerned have given their informed consent to the adoption on the basis of such counselling as may be necessary;

(b) Recognize that inter-country adoption may be considered as an alternative means of child's care, if the child cannot be placed in a foster or an adoptive family or cannot in any suitable manner be cared for in the child's country of origin;

(c) Ensure that the child concerned by inter-country adoption enjoys safeguards and standards equivalent to those existing in the case of national adoption;

(d) Take all appropriate measures to ensure that, in inter-country adoption, the placement does not result in improper financial gain for those involved in it;

(e) Promote, where appropriate, the objectives of the present article by concluding bilateral or multilateral arrangements or agreements, and endeavour, within this framework, to ensure that the placement of the child in another country is carried out by competent authorities or organs.

Article 22

1. States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.

2. For this purpose, States Parties shall provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent intergovernmental organizations or non-governmental organizations co-operating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.

Article 23

1. States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community.

2. States Parties recognize the right of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and those responsible for his or her care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or others caring for the child.

3. Recognizing the special needs of a disabled child, assistance extended in accordance with paragraph 2 of the present article shall be provided free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child, and shall be designed to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development

4. States Parties shall promote, in the spirit of international cooperation, the exchange of appropriate information in the field of preventive health care and of medical, psychological and functional treatment of disabled children, including dissemination of and access to information concerning methods of rehabilitation, education and vocational services, with the aim of enabling States Parties to improve their capabilities and skills and to widen their experience in these areas. In this regard, particular account shall be taken of the needs of developing countries.

Article 24

1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.

2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:

(a) To diminish infant and child mortality;

(b) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;

(c) To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;

(d) To ensure appropriate pre-natal and post-natal health care for mothers;

(e) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents;

(f) To develop preventive health care, guidance for parents and family planning education and services.

3. States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.

4. States Parties undertake to promote and encourage international co-operation with a view to achieving progressively the full realization of the right recognized in the present article. In this regard, particular account shall be taken of the needs of developing countries.

Article 25

States Parties recognize the right of a child who has been placed by the competent authorities for the purposes of care, protection or treatment of his or her physical or mental health, to a periodic review of the treatment provided to the child and all other circumstances relevant to his or her placement.

Article 26

1. States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.

2. The benefits should, where appropriate, be granted, taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child.

Article 27

1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.
2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.
3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.
4. States Parties shall take all appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad. In particular, where the person having financial responsibility for the child lives in a State different from that of the child, States Parties shall promote the accession to international agreements or the conclusion of such agreements, as well as the making of other appropriate arrangements.

Article 28

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:
 - (a) Make primary education compulsory and available free to all;
 - (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
 - (c) Make higher education accessible to all on the basis of capacity by every appropriate means;
 - (d) Make educational and vocational information and guidance available and accessible to all children;
 - (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.
2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.
3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

Article 29

1. States Parties agree that the education of the child shall be directed to:
 - (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;

- (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
- (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;
- (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;
- (e) The development of respect for the natural environment.

2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

Article 30

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practice his or her own religion, or to use his or her own language.

Article 31

1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.
2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

Article 32

1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.
2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:
 - (a) Provide for a minimum age or minimum ages for admission to employment;
 - (b) Provide for appropriate regulation of the hours and conditions of employment;
 - (c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.

Article 33

States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.

Article 34

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity;
- (b) The exploitative use of children in prostitution or other unlawful sexual practices;
- (c) The exploitative use of children in pornographic performances and materials.

Article 35

States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

Article 36

States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

Article 37

States Parties shall ensure that:

- (a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age;
- (b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;
- (c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;
- (d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

Article 38

1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.
2. States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.

3. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest.

4. In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

Article 39

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

Article 40

1. States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.

2. To this end, and having regard to the relevant provisions of international instruments, States Parties shall, in particular, ensure that:

(a) No child shall be alleged as, be accused of, or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed;

(b) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:

(i) To be presumed innocent until proven guilty according to law;

(ii) To be informed promptly and directly of the charges against him or her, and, if appropriate, through his or her parents or legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defence;

(iii) To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and, unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians;

(iv) Not to be compelled to give testimony or to confess guilt; to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality;

(v) If considered to have infringed the penal law, to have this decision and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law;

(vi) To have the free assistance of an interpreter if the child cannot understand or speak the language used;

(vii) To have his or her privacy fully respected at all stages of the proceedings.

3. States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, and, in particular:

(a) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law;

(b) Whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected. 4. A variety of dispositions, such as care, guidance and supervision orders; counselling; probation; foster care; education and vocational training programmes and other alternatives to institutional care shall be available to ensure that children are dealt with in a manner appropriate to their well-being and proportionate both to their circumstances and the offence.

Article 41

Nothing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of the child and which may be contained in:

(a) The law of a State party; or

(b) International law in force for that State.

PART II

Article 42

States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.

Article 43

1. For the purpose of examining the progress made by States Parties in achieving the realization of the obligations undertaken in the present Convention, there shall be established a Committee on the Rights of the Child, which shall carry out the functions hereinafter provided.

2. The Committee shall consist of eighteen experts of high moral standing and recognized competence in the field covered by this Convention.^{1/} The members of the Committee shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution, as well as to the principal legal systems.

3. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.

4. The initial election to the Committee shall be held no later than six months after the date of the entry into force of the present Convention and thereafter every second year. At least four months before the date of each election, the Secretary-General of the United Nations shall

address a letter to States Parties inviting them to submit their nominations within two months. The Secretary-General shall subsequently prepare a list in alphabetical order of all persons thus nominated, indicating States Parties which have nominated them, and shall submit it to the States Parties to the present Convention.

5. The elections shall be held at meetings of States Parties convened by the Secretary-General at United Nations Headquarters. At those meetings, for which two thirds of States Parties shall constitute a quorum, the persons elected to the Committee shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

6. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election if renominated. The term of five of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these five members shall be chosen by lot by the Chairman of the meeting.

7. If a member of the Committee dies or resigns or declares that for any other cause he or she can no longer perform the duties of the Committee, the State Party which nominated the member shall appoint another expert from among its nationals to serve for the remainder of the term, subject to the approval of the Committee.

8. The Committee shall establish its own rules of procedure.

9. The Committee shall elect its officers for a period of two years.

10. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee. The Committee shall normally meet annually. The duration of the meetings of the Committee shall be determined, and reviewed, if necessary, by a meeting of the States Parties to the present Convention, subject to the approval of the General Assembly.

11. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.

12. With the approval of the General Assembly, the members of the Committee established under the present Convention shall receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide.

Article 44

1. States Parties undertake to submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made on the enjoyment of those rights

(a) Within two years of the entry into force of the Convention for the State Party concerned;

(b) Thereafter every five years.

2. Reports made under the present article shall indicate factors and difficulties, if any, affecting the degree of fulfilment of the obligations under the present Convention. Reports shall also contain sufficient information to provide the Committee with a comprehensive understanding of the implementation of the Convention in the country concerned.

3. A State Party which has submitted a comprehensive initial report to the Committee need not, in its subsequent reports submitted in accordance with paragraph 1 (b) of the present article, repeat basic information previously provided.
4. The Committee may request from States Parties further information relevant to the implementation of the Convention.
5. The Committee shall submit to the General Assembly, through the Economic and Social Council, every two years, reports on its activities.
6. States Parties shall make their reports widely available to the public in their own countries.

Article 45

In order to foster the effective implementation of the Convention and to encourage international co-operation in the field covered by the Convention:

- (a) The specialized agencies, the United Nations Children's Fund, and other United Nations organs shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their mandate. The Committee may invite the specialized agencies, the United Nations Children's Fund and other competent bodies as it may consider appropriate to provide expert advice on the implementation of the Convention in areas falling within the scope of their respective mandates. The Committee may invite the specialized agencies, the United Nations Children's Fund, and other United Nations organs to submit reports on the implementation of the Convention in areas falling within the scope of their activities;
- (b) The Committee shall transmit, as it may consider appropriate, to the specialized agencies, the United Nations Children's Fund and other competent bodies, any reports from States Parties that contain a request, or indicate a need, for technical advice or assistance, along with the Committee's observations and suggestions, if any, on these requests or indications;
- (c) The Committee may recommend to the General Assembly to request the Secretary-General to undertake on its behalf studies on specific issues relating to the rights of the child;
- (d) The Committee may make suggestions and general recommendations based on information received pursuant to articles 44 and 45 of the present Convention. Such suggestions and general recommendations shall be transmitted to any State Party concerned and reported to the General Assembly, together with comments, if any, from States Parties.

PART III

Article 46

The present Convention shall be open for signature by all States.

Article 47

The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 48

The present Convention shall remain open for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 49

1. The present Convention shall enter into force on the thirtieth day following the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.
2. For each State ratifying or acceding to the Convention after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification or accession.

Article 50

1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties, with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly for approval.
2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of States Parties.
3. When an amendment enters into force, it shall be binding on those States Parties which have accepted it, other States Parties still being bound by the provisions of the present Convention and any earlier amendments which they have accepted.

Article 51

1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.
2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.
3. Reservations may be withdrawn at any time by notification to that effect addressed to the Secretary-General of the United Nations, who shall then inform all States. Such notification shall take effect on the date on which it is received by the Secretary-General.

Article 52

A State Party may denounce the present Convention by written notification to the Secretary-General of the United Nations. Denunciation becomes effective one year after the date of receipt of the notification by the Secretary-General.

Article 53

The Secretary-General of the United Nations is designated as the depositary of the present Convention.

Article 54

The original of the present Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-

General of the United Nations. In witness thereof the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Convention.

Appendix 2: Interview and Focus Group Guides

1. FOCUS GROUP/INTERVIEW GUIDE YOUNG PEOPLE

Questions will be asked mainly in general terms for the focus groups and in more personal terms for the 121 interviews. Warm up exercises and games will also form part of the groups' activities.

Name and age

Involvement with DCI

1. How did you first get involved with Girl Power?
2. What do you do when you're here?
3. Why do you come here? What do you hope to achieve?
4. What support do they offer you (practical/personal help)?
5. What is the most important thing you have learned from coming here?
6. What would you be doing if you weren't here?

Experiences of education

7. Are you at school at the moment?
 - If **yes**, tell me what you do there?
 - What do you/did you think of school?
 - If **not** at school (probe why not - **INTERVIEWS ONLY** *i.e. influence of family/teachers/peers; marriage or pregnancy; cost of education; exclusion; curriculum; other issues – homelessness/trouble with law*)? When did you leave school? What happened after you left?
8. What makes it difficult for girls to go to school?
9. Is school different for girls than boys? If yes, tell me how?
10. Who helps you most to learn? How?
11. What needs to change to help girls stay in school?
12. If you could change one thing about school/education system, what would that be?
13. What qualifications do you wish to achieve?
14. Why is education for girls important?

The future

15. What are your hopes and dreams for the future? What is your ideal job?
16. Do you think education/involvement with Girl Power will help you achieve your ambition? How will you get there?
17. Tell me where do you see yourself in 5 years time?

2. INTERVIEW GUIDE DCI SIERRA LEONE STAFF AND OTHER STAKEHOLDERS (45 mins-1 hour)

1. Tell me please about your role and the work of your organisation? How (if at all) it is linked to DCI Sierra Leone/Girl Power?

Work with girls/young women

2. Tell me please about the girls-young people you work with?
(Background – family history, personal relationships, health, education situation)
3. Why do they come to your project/DCI/Girl Power? What needs do they have?
4. What activities do you do with them? What kind of supports do you offer
(practical/personal)?
5. Is there a learning or education element to your work (please explain)?
6. How do you keep them involved and engaged with the project? What happens when they leave?
7. What are their hopes and plans for the future?
8. How would an education make a difference to girls' everyday lives?

Education for girls/young women in Sierra Leone

9. In your opinion, what are the main **barriers** preventing girls in Sierra Leone from accessing education? How influential are the following factors?
 - **Early marriage and pregnancy**
 - **Cultural issues** (*traditional gender roles; involvement in childcare and domestic work; low expectations and low self-esteem; harmful practices affecting girls*)
 - **Cost of education**
 - **Safety - violence and abuse of girls at school**
 - **Curriculum**
 - **Role of teachers**
 - **Sanitation issues**
10. What needs to be done to help girls stay in education and overcome these barriers?
11. Do you have any examples or case studies of girls you have worked with who faced difficulties accessing education? How, if at all, were these challenges overcome?
12. If money were no object, what else would you do to support women and girls (especially with regard to education support)?
13. How does the partnership approach work in terms of delivering programmes (including collaboration with local civil society organisations, community leaders etc.)?
14. (Although GP has only been running for just over a year) Can you identify any changes that it has brought about?

3. INTERVIEW GUIDE DCI SIERRA LEONE EXECUTIVE DIRECTOR (45 mins-1hr)

A. Background to DCI Sierra Leone

1. Can you please provide me with a general overview of your role and DCI's work in Sierra Leone?
 - Advocacy/influencing;
 - Direct work with young people;
 - Education and training provision –learning activities? How, if at all, does DCI help children overcome barriers to right to education (*i.e. relationship building, access to financial help, other practical support*)?
 - Other areas of work?
2. What areas of work are you prioritising at the moment?
3. What is your funding set-up and sources?

B. Overview of education system in Sierra Leone

4. In your opinion, what are the main **barriers** preventing girls in Sierra Leone from accessing a quality education? How influential are the following factors?
 - **Early marriage and pregnancy:** *What is the impact of girls marrying before 18 and getting pregnant at a young age? Is legislation on minimum age enforced?*
 - **Cultural issues:** *How influential are traditional gender roles where women are firstly wives and mothers involved in childcare and domestic work? Lack of female role models? Impact of low expectations and low self-esteem; harmful practices affecting girls; secret societies?*
 - **Cost of education:** *Is primary/secondary level education provided free of cost? What about the impact of other charges associated with education? Is boys' education normally prioritised where resources are scarce?*
 - **Safety, Violence and abuse of girls at school:** *Are schools a safe environment for girls? Location of schools, distance to travel a factor?*
 - **Curriculum:** *Is the education curriculum relevant and appropriate for girls and young women? Do textbooks and curriculum material reinforce stereotypes of girls? Are children in state schools provided with a good quality education?*
 - **Role of teachers:** *Are teachers properly qualified and supported? Do female teachers make a difference for girls? How do teachers' perceptions and treatment of girls' impact on girls' RTE?*
 - **Sanitation:** *Are adequate toilet facilities provided for girls at schools?*
5. What is the role of NGOs and private schools in the education system?
6. How important do you feel the right to education is for girls? Does achieving a basic education make a difference in girls and young women's lives?

7. Any examples or case studies of young women you have worked with who have faced educational disadvantage due to gender discrimination?

C. DCI work with girls/implementation of Girl Power programme

8. Can you please explain the origins and background of Girl Power in Sierra Leone?
9. How has GP been adapted to the local context in Sierra Leone? How does it fit in with existing programmes run by DCI Sierra Leone?
10. How significant an issue is sexual and gender violence in Sierra Leone? What does the term mean in a Sierra Leone context? How and why was it chosen as a key area for action for GP?
11. Is there a single integrated policy addressing violence against girls (in general and in education)? How, if at all, are policies translated into practice?
12. How do young people get involved with GP?
13. What are the backgrounds of g/yw involved?
 - Family background
 - Personal histories (*i.e. relationships, health, involvement in juvenile justice system, histories of neglect, abuse*).
 - Education background (*i.e. currently in education or not, do girls present with particular educational needs?*)
14. GP has 5 specific objectives (copy provided) – can you tell me what progress is being made on any of these? Please give examples.
15. Who is involved in GP project delivery? What other actors and organisations do you work with to support girls and young women? How easy/difficult is this partnership process?
16. What is your relationship with civil society organisations, community leaders and members?
17. What are the main challenges and difficulties facing GP?
18. How, if at all, will programme affect girls' right to education? Will the project tackle gender violence in schools as well as family/community/state contexts?
19. What do girls gain from interaction with GP?

D. Recommendations

20. What needs to be done to help girls and young women remain in education and achieve qualifications? What policies and practices would make a difference?
21. If money were no object, what else would you do to help girls and young women overcome challenges to achieving a quality education?

Appendix 3: Information and Consent Forms

Research on Girls' Right to Education

Information for Young People

NB – if the participants have limited literacy abilities, DCI key workers will read through this briefing and discuss it with the young people.

Who are we?

My name is Barbara and I am a researcher from the University of Essex in the United Kingdom. Alongside your friends from DCI Sierra Leone, I will be visiting you soon to work with you on a project about education and training.

What is it about?

DCI and the University of Essex are writing a report to tell people about girls' situations and what needs to change to help them get a good education. If you agree, we would like to talk to you about your experiences of education and training.

What will happen?

If you choose to take part, we would like to talk to you in a small group where you normally meet with DCI. The group will be fun and interactive and will last around 45 minutes. Or, if you prefer, we could speak to you alongside your DCI worker separately.

With your permission, we will record what you say, but if you are not comfortable with this then we will take notes instead. You can stop taking part whenever you want and you will not have to explain why.

What you say may be written in a report but your name will not be used so people will not know that you said it. Whatever you say to us is confidential unless you tell us that you or someone else is in immediate danger of serious harm. If that happens, we would need to report it to someone who might be able to help, but we will talk to you about that first.

What next?

If you would like to take part in the research, please sign the consent form below. The researcher will be visiting this October, when you will have a chance to ask more questions about the research and decide whether you want to take part or not.

Contacts

If there is anything you would like to know about this research, you can ask your DCI worker to contact me at the email address below. I will be happy to answer any questions you have.

Barbara Robinson

Email: bcrobi@essex.ac.uk

CONSENT FORM

I have read and understood the information above and I would like to talk to researchers from University of Essex and DCI about what I think about the education or training I have received.

I know that what I say will be written down by the researchers and may be written in a report but my name will not be used – so people will not know it was me who said it.

I know that I can stop taking part whenever I want to and don't have to explain why that is.

Date:

Name:

Signature:

RESEARCH ON GIRLS' RIGHT TO EDUCATION IN SIERRA LEONE

September 2012

1. Background to the research

Although it is enshrined as universal and inviolable in international law, the right to education is still denied to millions of people around the world today. This is a problem that affects girls in particular: due to gender inequality and discrimination, they are less likely to attend school and achieve in education⁴⁷. Education is key because of the powerful role it can play as a route out of the poverty trap, enabling girls to claim other rights and to realise their full potential. Unfortunately, many obstacles such as social and cultural norms, gender stereotyping, child marriage and violence in schools combine to exclude girls from accessing their right to a quality education.

The research will explore the situation of girls and young women in Sierra Leone, focusing on what is unique to the female experience of education. It will be undertaken with the assistance of Defence for Children International (DCI) Sierra Leone, a non-governmental organisation that works to promote and protect children's rights.

2. Aims of the research

The research is being undertaken for a number of purposes as follows:

- To examine the views and experiences of vulnerable young females, to deepen understanding and raise awareness of their situation and the importance of the provision of quality, flexible and accessible education, and to provide data for organisations working with vulnerable groups.
- Through examining international and national legislation and policy, the research will demonstrate the extent to which countries are upholding their obligations to guarantee vulnerable children's right to a quality education.
- Finally, the research will provide an opportunity for girls to have their voices heard, through sharing their views and experiences of the education system.

3. Working with young people

As part of the project, a researcher from the University of Essex (UK) will undertake group discussions and interviews with girls and young women. We also hope to speak to other important contacts including DCI Sierra Leone staff, teachers, local service providers, and other NGO staff.

The young people will receive an appropriate incentive (agreed with DCI staff prior to the consultations) to show our appreciation for their participation.

The researchers will work within approved ethical guidelines for conducting research with children and young people.

⁴⁷ Right to Education Project: Gender and the Right to Education <http://www.right-to-education.org/node/238>

4. How can you get involved?

The fieldwork, including interviews with young people and other key actors, will take place from **October 15th – 19th 2012**.

If you agree to participate in interviews, we would like to record what you say in order to be as accurate as possible. It is fine if you would rather not be recorded, as we can just take notes. We may want to use the information you give us in the research report, but your name will not be used.

5. Contact

Your assistance with this project would be greatly appreciated. If you would like to participate or desire further information, you can make contact with the project lead as follows:

Barbara Robinson (Human Rights Centre, University of Essex)

Email: bcrobi@essex.ac.uk

Telephone:

Consent form

I have read and understood the information provided to me on the research and I would like to speak to DCI/University of Essex researchers about my views on education provision for girls and young women in Sierra Leone.

I know that what I say will be recorded and written down by researchers and may be written in a report, but my name will not be used. I understand that it is my choice to participate or not, and that I can withdraw at any time without any adverse consequences.

Name:

Date:

Signature: