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INDIGENOUS OUTCAST: THE INTERNALLY DISPLACED PERSONS EXPERIENCE IN SIERRA LEONE

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ABSTRACT

Armed conflict and natural disaster (act of god) are two major causes of displacement. One of the biggest direct consequences of armed conflict is the creation of refugees and Internally Displaced Persons (IDPs) camps with poor living conditions and diverse Gender-Based Violence (GBV). The 1991-2002 civil war in Sierra Leone left many indigenes homeless while several IDPs camps were created, notable among them was "Grafton" otherwise known as Amputees Camp. To protect the rights of the IDPs in Africa, some international instruments were put in place. The objectives of the study were to: examine the rights of IDPs in Africa, investigate the extent of implementation of the international instrument and to evaluate GBV being faced by residents of Grafton Amputees Camp in Sierra Leone.

The study adopted a descriptive survey design, with quantitative and qualitative tools to elicit data. The research instruments were structured interview and key informants interview guides. Snowballing sampling technique was used to identify actual displaced persons.

The findings of the study are that: both males and females faced GBV in Grafton Camp; there is discrimination against camp residents from host community; Government is not giving any support expected in camps for basic welfare of the IDPs.

In conclusion, the absence of punishment for perpetrators of GBV made GBV survivors more vulnerable and the absence of penalty for non-compliance with international agreements on protection of Refugees and IDPs made violation thrive.

Keywords: Amputees, Gender-Based Violence, Internally Displaced Persons, International Agreements/Instruments, Refugees.

INTRODUCTION

Conflicts is a global phenomenon and the African continent is not exempted. Insecurity of lives and properties arising from armed conflicts and natural disaster has become a regular occurrence. According to Solomon and Mathews (2002), conflicts rage in many regions across the African continent. These conflicts result in tragic loss

of lives, devastation of communities, and displacement of millions of people.

For example, in the Middle East and North Africa, Shah (2011) noted that a wave of protests has erupted throughout the sub-regions. This includes the combination of the global financial crisis, rising costs of living, high unemployment especially of educated youths and frustration from decades of

living under authoritarian and corrupt regimes. Also, Global Issues (2000) noted that, the 30 years of conflict between Ethiopia and Eritrea deteriorated into war a couple of years after Eritrea introduced its own currency in 1997. War resulted over what seemed to be a minor border dispute in May 1998. According to IDMC (2006), not less than 1.1 million people were displaced by the 1998-2000 border war between Ethiopia and Eritrea. Though a majority of them have long returned home, but Ethiopia's refusal to accept the decision of an international arbitration commission has left some 40,000 Eritreans internally displaced persons (IDPs) unable to return.

Also, Shah (2006), reported that the cause of the Rwandan genocide has typically been explained as ancient tribal hatreds, omitting many of the deeper and also modern causes, such as international economic policies, power politics and corruption of the elite. Global IDP Project (2003) reported that, since the 1994 genocide, in which up to two million people fled their homes, Rwanda has suffered repeated waves of displacement. Following the government's military victory over the perpetrators of the genocide in 1994, the majority of the population fled to Zaire (now Democratic Republic of Congo), Burundi and Tanzania, by the end of 1996, the government's army launched attacks in then Zaire against refugee Camps and rear bases of the perpetrators of the genocide. The majority of the refugees who had fled to Zaire in 1994 were thus forced back to Rwanda.

In West Africa, following elections in Cote d'Ivoire in October 2010, both President

Laurent Gbagbo and opposition candidate, Alassane Ouattara, claimed victory. International observers agreed that Ouattara had won, but Gbagbo refused to accept this. Negotiations failed, the situation became volatile leading to war. About a million people were reported to have fled their homes with about 100,000 cross over into neighbouring Liberia. IDMC (2014) reported that though many IDPs have been able to return to their home areas since mid-2011, yet, more than 300,000 still live in internal displacement.

Furthermore, Stonehudson (2002) reported that **the main causes of the first civil war in Liberia** were the mismanagement of President Samuel Doe Administration, political tension and poverty; while Kieh and Klay (2009) said that the contingent causes of the second Liberia war (1999-2003) consisted of the failure of the post-first civil war transitional processes such as disarmament, demobilization, rehabilitation and re-integration. According to the IDMC (2014), the Liberia's civil war forced some 500,000 people to flee their homes between 1989 and 2003.

Moreover, the activities of Boko Haram (a religious sect against formal education) in the North East Nigeria has resulted in high threats to lives and properties, death of many and displacement of several people. National Emergency Management Agency (NEMA 2015) put the figure of people that are internally displaced to be about 1,400,000 in the north east Nigeria only; while in Sierra Leone, the report of Stonehudson (2002) revealed that, corruption, mismanagement of natural

resources, insecurity and the brutal civil war going on in neighbouring Liberia played an important role for the actual outbreak of fighting in 1991.

Assessing conflicts in Africa, Nkundubagenzi (1999) noted that the two most frequent types of conflict in Africa are disputes about borders between states and intra-state wars involving groups competing for power or demanding secession from the state. Thus, it can be said that, the roots of social conflicts in Africa are associated with struggle for maintaining or challenging a dominant power status (Dahrendorf, 1975); religious/cultural differences, poverty based on the state of insecurity and bad governance (Draman, 2003).

According to Bashi (2003), a very quick count shows that about 27 out of the 54 African countries, representing 50% are either in one kind of armed conflict or another or have emerged from one recently. These countries are spread throughout the whole continent- West, Central North, East and Southern Africa. The millions of people, including workers in these countries and their neighbours, are affected by these conflict situations in such areas leading to the displacement of huge populations, movement of refugees and interruptions in trade and communications.

IDMC (2014) reported that in 2014, the total number of people internally displaced by armed conflict and violence worldwide was estimated to be 38 million people, the highest figure IDMC has ever recorded. Also that

there were 12.5 million IDPs in the 21 sub-Saharan countries as at the end of 2013, which is about a third of the global total, and that Nigeria, the Democratic Republic of the Congo (DRC) and Sudan had the largest populations of IDPs in Africa.

According to Global Protection Cluster Working Group (2006), in more than 50 countries around the world, some 26 million individuals are uprooted from their homes and displaced in their own countries as a result of conflict or human rights violations. In addition, natural disasters caused the displacement of 36 million persons worldwide in 2008. They explained that IDPs are part of the broader civilian population that needs protection and assistance because of conflict and human rights abuses or due to natural disasters. Forced from their homes, IDPs also experience specific forms of deprivation, such as loss of shelter, and often face heightened or particular protection risks which include: armed attack and abuse while fleeing in search of safety; family separation, including an increase in the number of separated and unaccompanied children; heightened risk of sexual and gender-based violence, particularly affecting women and children; arbitrary deprivation of land, homes and other property; and displacement into inhospitable environments, where they suffer stigmas, marginalization, discrimination or harassment.

LITERATURE REVIEW

Refugees and Internally Displaced Persons

Internally Displaced Persons (IDPs) are defined in the 1998 Guiding Principles on Internal Displacement as;

persons or group of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effect of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.

Under Article 1(A) 2 of the 1951 Refugee Convention the term "refugee" shall apply to any person who:

...owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

Giacca, (2011) in the Rule of Law in Armed Conflict Project (RULAC) in Geneva

reported that Internally Displaced Persons, now constitute some 22 million persons and listed several differences between IDPs and Refugees. First, IDPs are not the subject of a treaty adopted at the universal level, although the guiding principles are based on binding international human rights and humanitarian law. Second, as opposed to refugees, IDPs have not crossed an international border from their country of origin. Third, the definition of IDPs in the guiding principles is significantly broader than the refugee definition, including those displaced by armed conflict, human rights violations and natural disasters, while the refugee definition is restricted to those with a well-founded fear of being persecuted on at least one of the five grounds.

It is important to note that, one of the biggest direct impacts of armed conflict (the third impact after casualties and injury) is the creation of refugees and internally displaced persons resulting in the loss of access to land, property, jobs and traditional support structure (Kirsten, 2007). Other negative effects include the lack of access to health and social services, increased mortality and morbidity and increased food insecurity. In addition, displaced people become more vulnerable to infectious and communicable diseases such as Human Immunodeficiency Virus infection/Acquired Immuno Deficiency Syndrome (HIV/AIDS) and Tuberculosis (TB). What is most startling is that IDPs are vulnerable to further violence, with women and girls particularly vulnerable to sexual assault or forced to trade sexual favors for food, shelter or protection.

In Uganda, Kilgour (2004), noted that:

"More than 1.7 million northerners have been displaced by the war and live in harsh and often desperate conditions in Camps for the internally displaced (IDP). . . Camp conditions have led to acute malnutrition in children and the near-total destruction of social networks, culture and norms. . . more than 300,000 children under the age of five suffer from malaria, pneumonia, diarrhea and preventable diseases. . . Many women and girls are forced to trade sex for basic necessities, obviously contributing to the spread of sexually transmitted diseases. In addition, the Camps are far from secure, in spite of the presence of local militias organized for protection".

Similarly, in Nigeria, the Vanguard Newspaper, (2015) reported that the Boko Haram, struck in their determined bid to overrun the North Eastern States of Borno, Yobe and Adamawa, ostensibly to impose extremist Islamic-style hegemony in these parts has led to displacement of people from their various communities, these victims of terrorists attacks were resettled in selected Camps in the capitals of the affected States, including the Federal Capital, Abuja. Marama, Yusuf & Ojeme (2015) reported that the IDPs in these Camps were experiencing "incidents of unwanted pregnancies, rape, child labour/trafficking and sexually transmitted diseases"

Pittaway (2004) noted that in Kakuma Refugee Camp, Kenya, the lack of safety in the Camp, particularly for women and girls,

is a factor for major concern. The incidence of rape and sexual violence is extremely high and domestic violence is commonplace

The United Nations High Commissioner for Refugees (UNHCR 2000) claims that, the problem of human displacement in Africa is expanding and becoming increasingly complex. According to them, approximately 4.6 million refugees reside in African border Camps (UNHCR 2003). In addition, approximately 9.5 million of the world's 20 million internally displaced persons are found in Africa (UNHCR 2000). The United States Committee for Refugees (2003) in comparing refugee populations to local residents claimed that, eight of the 20 countries with the highest ratio of refugees per local resident are in Africa.

In West Africa, the UNHCR (2012) reported that 280,540 refugees are found in the sub-region and approximately 168,000 refugees, mainly Ghanaians, Ivorians, Liberians, Mauritians and Senegalese, are dispersed in both urban and rural areas in several West African countries.

Also, Internally Displaced Monitoring Centre (IDMC, 2012) reported that, over 400,000 people have been displaced by floods sweeping across West Africa caused by torrential rains in August, 2012.

Gender-Based Violence (GBV)

Vann (2002), defines the term gender, as referring to the different characteristics of men and women that are socially determined. Gender refers to the different social roles men and women have in a particular society. It defines culturally

acceptable attitudes and behaviour of men and women, including their responsibilities, advantages, disadvantages, opportunities and constraints. Vann (2002) explained that, Gender-Based Violence (GBV) encompasses a range of acts of violence committed against females because they are females and against males because they are males, based on how a particular society assigns and views roles and expectations for these people.

The United Nations referred to "gender-based" violence to acknowledge that such violence is rooted in gender inequality and is often tolerated and condoned by laws, institutions and community norms; it is not only a manifestation of gender-inequality, but often serves to enforce it, Heise, Ellsberg and Gottemoeller (1999). GBV is everywhere, in every society, cutting across all races, religions and socio-economic positions that people may have. But some people in certain situations are more vulnerable to become victims of GBV than others. People living in Camps have lost protective mechanisms such as social and economic support systems and family and community structures, and are therefore more vulnerable.

International Instruments on Protection of Refugees and IDPs

In pursuit of protection of the rights of IDPs and Refugees, the United Nations and African Union have put in place some international Conventions and Agreements. Some of the international instruments include the UN 1998 Guiding principles on

Internal Displacement, 1951 Refugees Convention, UN Security Council Resolution 1325, Maputo Convention, 2003, African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), among others.

Though the 1998 Guiding Principles on IDPs are not binding, but they are based on, and consistent with existing international legal instruments. The provisions include that the national government must ensure that displaced persons (IDPs) enjoy the same rights as other citizens of the same country and protection from arbitrary displacement and from violent treatment.

Article 1 (1) provides that: "Internally displaced persons shall enjoy, in full equality, the same rights and freedoms under international and domestic law as do other persons in their country. They shall not be discriminated against in the enjoyment of any rights and freedoms on the ground that they are internally displaced".

Article 3 (1 & 2) states that: "National authorities have the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons within their jurisdiction. . . and that " Internally displaced persons have the right to request and to receive protection and humanitarian assistance from these authorities. They shall not be persecuted or punished for making such a request".

Not only that, UN Security Council Resolution 1325, an international instrument relating to women, peace and security adopted on 31st October, 2000, expressed concern that civilians, particularly women and children, account for the vast majority of those adversely affected by armed conflict, including as refugees and internally displaced persons. To this end, the Council reaffirmed the need to implement fully, international humanitarian and human rights law that protects the rights of women and girls during and after conflicts and called for a number of actions which include, increasing female participation in decision-making with regard to conflict prevention and resolution; equal participation and full involvement in all efforts for the maintenance and promotion of peace and security; and embracing a gender perspective during repatriation, settlement, rehabilitation, reintegration and post-conflict reconstruction.

Above all, the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), was adopted in October, 2009 and came into force on 6th December 2012, currently, it legally binds 15 African countries and it is a continental instrument that binds governments to provide legal protection for the rights and well-being of those forced to flee inside their home countries due to conflict, violence, natural disasters, or development projects. It reaffirms that national authorities have the primary responsibility to provide assistance to IDPs and recognizes the critical role that

civil society organisations, and the communities which take them in, play in assisting IDPs and obliges governments to assess the needs and vulnerabilities of the forcibly displaced, and the host communities, in order to address the plight of people uprooted within their borders.

Moreover, Protocol to the African Charter on Human and Peoples Rights of Women in Africa (Maputo Protocol) is a groundbreaking women's rights legal instrument that expands and reinforces the rights provided in other human rights instruments. The Protocol provides a broad range of economic and social welfare rights for women. Importantly, it was produced by Africans and pays attention to the concerns of African women. The Protocol which was adopted by the African Union (AU) on July 11, 2003 entered into force on November 25, 2005 and 49 out of the 53 AU member countries have signed the Protocol, while 31 of those countries have ratified it.

Unfortunately, despite the fact that, African countries including Sierra Leone were parties to and signatories to these international Instruments, there are no adequate protection for IDPs undergoing displacement. Also, discrimination against women participation in decision making in Camps and civil societies still exists as a result of gender inequality, against the provisions on these instruments.

The reason for the high disregard for these legal instruments, can be accounted for as a result of lack of sanctions or penalties against the violators and also because there is

no monitoring authority to ensure compliance with the provisions of the instruments.

Support from UN and NGOs

To reduce the effects of suffering in Camp, it has been reported that UN and some international NGOs give welfare support to refugees, especially women, to improve their standard of living. For example Turner & Simon (2000) reported that in Tanzania, UNHCR invited women to form their own committees or participate in mixed committees in order to facilitate communication between Camp authorities and grassroots women. The women then organised to ensure vulnerable neighbours (e.g. the elderly, pregnant women and separated children) were linked to programmes run by international agencies.

Also, El-Bushra and Fish (2004) reported that, UNICEF, provides important support to children in war-affected contexts, including protection, support to schools and out-of-school activities; while The World Food Programme (WFP) specifically targets women to ensure equal access to food, in the belief that women are the first and fastest solution to alleviating hunger and poverty. WFP's experience is that food placed under women's management reaches children more efficiently and frequently.

Civil War in Sierra Leone (1991-2002)

The civil war in Sierra Leone was a devastating one and it has left a mark of huge displacement of people that West Africa sub-

region still nurture till date, as some of the victims of war are still found in Oru Camp (Nigeria), Budumburam Camp (Ghana) and other IDPs camps especially Grafton in Sierra Leone. Discussing the political cause of the civil war, Richards (2003), reported that the Revolutionary United Front (RUF) launched a two-pronged attack into Sierra Leone Liberian territory controlled by Taylor (from Bomaru in the north and the Mano River bridge in the south) on 23rd March 1991. At the outset the movement stated its aim as the overthrow of the one-party All People's Congress (APC) regime.

The report of Stonehudson (2002) revealed that, before the outbreak of war, corruption and mismanagement in the diamond sector was one of the main reasons why Sierra Leone became, the poorest country in the world according to the United Nations. With the breakdown of state structures and the effective suppression of civilian opposition, wide corridors were opened for trafficking of arms and ammunition and drugs, all of which eroded national/regional security and facilitated crime within the country and between Sierra Leone and Liberia and even Guinea. Besides the internal ripeness, the brutal civil war going on in neighbouring Liberia played an important role for the actual outbreak of fighting. Charles Taylor reportedly sponsored the RUF as a means to destabilise Sierra Leone. Sierra Leone then was a rear base for the West African peacekeeping force, ECOMOG that was preventing Taylor from seizing the Liberian capital, Monrovia. Taylor reportedly helped broker a deal with the government in Burkina Faso on behalf of the RUF for the









