Safe and suitable return for women fleeing conflict in Liberia

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When women migrants return, they can face daunting challenges to re-integration but they can also contribute to development and transforming societies.

Fourteen years of civil war in Liberia displaced an estimated one-third of the population both internally and as refugees to neighbouring West African countries, Europe and America. Since the war ended in 2003, a large proportion of Liberians have returned home either voluntarily or through assisted repatriations. Women face a myriad of particular challenges in the return process, and their needs are as varied and complex as the reasons for which they migrated in the first place. However, return and reintegration programmes generally approach women’s needs from the perspective that they are victims of systems, thereby inadvertently denying their agency as rights holders. We need to ask how receiving societies can best adapt in order to accommodate the needs and rights of returning women and to guarantee them an enabling environment for participation in development.

Post-war situations find women increasingly becoming heads of households yet receiving little recognition or consideration as such; they do not have the same rights to property, land or capital as men and have to struggle to provide for their families with neither the requisite means nor the right to acquire them. Women may have been combatants or been used to serve combatants; they may also have suffered sexual and gender-based violence (SGBV), especially rape, during conflict. The incidence of SGBV remains high in Liberia due to a culture of impunity. Women affected by SGBV may have concerns about whether the perpetrators of violence against them have been brought to justice or whether they remain a threat to their safety and survival in the same communities.

Returning women also have particular health needs which may be as basic or complex as sexual and reproductive health and the need for healing trauma arising from negative experiences of war. Women who were raped or suffered some form of sexual violence or sexual exploitation (and possibly infected with HIV/AIDS) are often stigmatised and left with little or no access to services upon their return to their home communities. In addition, they may suffer from the abrupt change in roles and status between their life in displacement and their return to pre-existing gender relations. There can also be a conflict of cultures between a perhaps more liberal culture experienced while they were part of the diaspora, which remains an integral element of the returnee woman migrant’s reality, and the usually patriarchal culture in their home society.

Transitional justice

In Liberia the UN Development Fund for Women (UNIFEM) has initiated groundbreaking work in the field of transitional justice and gender in partnership with the Truth and Reconciliation Commission (TRC), the Women’s NGO Secretariat of Liberia (WONGOSOL), the International Centre for Transitional Justice (ICTJ), the Open Society Initiative for West Africa (OSIWA) and the Urgent Action Fund. They have held a series of regional community dialogues to extend both the concept and the reach of the TRC and transitional justice to women in communities, many of whom had been refugees or internally displaced due to the war.

This project shows how deepening and extending engagement with women around the transitional justice process enables them to understand and participate in the peace process more substantively. In drawing attention to the immediate needs of women, it has brought transitional justice mechanisms to women at the community level. It has created a sense of value and care for the women who had not been able to perceive that their own healing was essential to the healing of the nation.

A Government of Liberia-led project, supported by UNFPA and funded by the Government of Denmark, is set to change the situation of impunity for perpetrators of SGBV by setting up and fully equipping a special court to quickly and adequately hear SGBV-related criminal proceedings. The project will also help build the capacity of legal professionals and court officials working in the special court. The court is equipped to conduct in-camera trials involving rape cases, allowing for protection of the identity of the victim and witnesses in accordance with international standards.

Economic rebuilding

The decision to return may hinge on the probability of recovering lost properties, incomes or being able to forge new means of survival. The presence of economic recovery programmes and access to them by returning populations, especially women, is vital to ensuring sustainable re-integration. Programmes addressing economic needs should not only focus on providing new skills but should also consider providing more individualised services to help migrants recover or revive already learned skills, former businesses, jobs or professions, and add value to enterprise.

Under the World Bank’s Results Based Initiative UNIFEM is implementing a project for farmers to bring basic technology and skills to several villages in Nimba, the second most populous county in Liberia. The Ministries of Gender and Development, Agriculture and Internal Affairs, UNIFEM, the World Bank, the International Centre for Research on Women (ICRW), the UN’s Food and Agriculture Organization and UNESCO are
working together with the Ganta Concern Women Group (GCWG) to help transform small-scale cassava production into a sustainable agro-business enterprise. Under this project, cassava is grown in communal plots provided by the community for exclusive use of GCWG members. Previously, farmers grew cassava in individual plots and sold the tubers in raw form as soon as it was harvested, earning only marginal profits. This particular project involves the farmers’ organisation in the adoption of improved methods of planting and harvesting of cassava, including processing the tubers prior to sale, plus training in basic literacy. It is helping hundreds of women to gain greatly by adopting slight changes to how they grow and sell cassava, the biggest cash crop in the region. This project is benefiting 523 female and 26 male farmers (all members of GCWG) in 11 villages and communities.

The project aims to demonstrate that investment in women can contribute significantly to the growth of the cassava industry in Liberia and to poverty reduction at the household level – and that women’s economic empowerment projects can contribute to positive changes in gender relations at household and community levels. It is hoped that the government will learn from the outcome of the intervention and incorporate such lessons into their policy strategies for poverty reduction.

Political needs
Under-representation of the voices and perspectives of returnee women migrants in decision making is an issue that needs to be addressed urgently and pragmatically. This issue has implications not only for returning migrants but also for the wider society in terms of ensuring cohesion, tolerance and peaceful co-existence.

A good recipe for promoting political participation for women returnees is through self-organising. A self-organised group (of women) is any group that comprises women with direct experience of the issue they are working on. The main benefit of self-organising in promoting political participation for women lies in creating social networks through which lived experiences of social exclusion can be harnessed as a valuable resource to help others in the same situation. It provides the opportunity for members to take on new social roles and contribute to individual and collective learning. Hence women are able to gain self-confidence in taking action and, with the benefit of strong, supportive communities, can assert their right to participate and influence their situation.

The contribution of the Women in Peacebuilding Network (WIPNET) to ending Liberia’s civil war and building democracy is a good example of how self-organised women’s groups can drive and sustain change in attitudes and norms, thereby creating space for women’s engagement in decision-making during conflict and also in times of peace. Through their Mass Action for Peace campaign – using strategies of non-violent resistance — WIPNET and sister organisations (MARWOPNET and Liberian Women’s Initiative) in Liberia and in the Liberian diaspora mobilised women across religious, ethnic and political affiliations to mount pressure on the government and rebels to negotiate an end to hostilities in 2003 and on the international community to intervene more concretely to end the conflict and begin rebuilding. Using UN Security Council Resolution 1325 as their guiding framework they demanded and gained the inclusion of women in peace negotiations and post-conflict Disarmament, Demobilisation, Rehabilitation and Reintegration and in rebuilding not only by government but also by the UN and other international entities.

Experience gained in self-representation and leadership in dire situations can be transformed into valuable tools for engagement in broader political processes. In the lead-up to the 2005 elections in Liberia, WIPNET and its partners intervened in the voter registration exercise to respond to the challenge of low voter registration of women in order to ensure the participation of women as voters and as candidates. Their efforts, supported by UNIFEM
The Kampala Convention and protection from arbitrary displacement

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The Kampala Convention breaks new ground in elevating the right to be protected from arbitrary displacement to a binding legal norm.

A striking feature of the African Union (AU) Convention for the Protection and Assistance of Internally Displaced Persons (Kampala Convention) is that it goes beyond the scope that its title implies in that it also contains the right to protection from arbitrary displacement. This includes both internal displacement and displacement across international borders. The Convention, whether inadvertently or not, thus complements the 1951 Convention on the Status of Refugees.

Article 1 of the Kampala Convention defines both ‘internal displacement’ and ‘arbitrary displacement’ but these two terms overlap only partially and may differ in nature. Internal displacement, according to the Convention, may be the result either of voluntary movement (for instance, a natural disaster), where the persons remain within internationally recognised state borders. It is then the situation in which such persons find themselves which triggers the application of all other provisions of the Convention, rather than a ‘human right’. Arbitrary displacement, on the other hand, is defined in Article 3 of the Convention in traditional human rights terms, putting the onus on States Parties to refrain from, prohibit and prevent arbitrary displacement of populations, and adding details in respect of causes of such displacement by the state itself or non-state actors.

Article 4 proclaims that “all persons have a right to be protected against arbitrary displacement”. It requests states to respect their obligations under international law, including human rights and humanitarian law, so as to prevent and avoid conditions that might lead to arbitrary displacement and provides for a continent-wide early warning system.

The prohibited categories of arbitrary displacement include the following:

- displacement based on policies of racial discrimination or other similar practices aimed at/or resulting in altering the ethnic, religious or racial composition of the population
- individual or mass displacement of civilians in situations of armed conflict, unless the security of the civilians involved or imperative military reasons so demand, in accordance with international humanitarian law