

**HUMAN RIGHTS COMMISSION OF SIERRA LEONE (HRCSL)
REGIONAL OFFICE, KENEMA**



**REPORT
ON**



**FACT FINDING ON ALLEGATION OF FORCEFUL INITIATION OF SCHOOL CHILDREN
INTO THE BONDO SOCIETY IN GIEHUN KONJO, MALEGOHUN CHIEFDOM IN THE
KENEMA DISTRICT**

April, 2018

1.0 SUMMARY

On Thursday June 6, 2019 four men including a community chief from Baka section in Giehun Konjo, Malegohun chiefdom in the Kenema district reported a case of alleged forceful initiation of 10 school girls (aged between 5 and 13) to the head of the District Sowies Council in Kenema Haja Massah a Kaisamba. These men also informed a community radio in Kenema, Starline FM98.4 for the attention of a popular programme produced by the radio every Monday night known as “Radio and the People”. On Saturday June 8, 2019 two radio journalists from Starline FM 98.4 visited the Baka and conducted interviews with some community members and parents of the schools girls. On Monday June 10, 2019 the “Radio and the People” programme centered its discussions on the alleged forceful initiation of 10 school girls. Feedbacks from the discussion programme went viral on social media and prompted many human rights activists and institutions including the Human Rights Commission of Sierra Leone (HRCSL) to investigate the allegations. The Ministry of Social Welfare, Gender and Children Affairs (MSWGCA) office in Kenema and representative from the Kenema District Sowies Council (KDSC) visited the community and the Bondo bush where the children are alleged to have been forcefully initiated. HRCSL Kenema office initiated a fact finding exercise and visited Giehun Konjo on Thursday June 14, 2019 after engagement with the Starline radio journalist, **Kamal Barrie**, MSWGCA Assistant Director **Madam Jeneba Koroma**, and head of KDSC **Haja Massah Kaisamba**. On Friday June 15, 2019 three Commissioners from HRCSL including the chairperson of the Commission, Commissioner Patricia Narsu Ndanema visited the Giehun Konjo community. During the visit, the Commission held a town hall meeting and conducted public education on the Commission’s work, shared information on the forceful initiation, held focus group discussions with the affected parents and the chairperson also visited the girls at the Bondo bush. The Commission also paid a courtesy call on the paramount chief of Malegohun **Madam Satta Sallay Gendemeh** and updated her on the Commission’s visit to the chiefdom. The Commission also expressed its view on the forceful initiation of the 10 school girls as unlawful and a deprivation of rights to protection and access to education. The Commission further urged the immediate release of the girls without fanfare and recommended punitive measures against the perpetrators.

2.0 INTRODUCTION

In 2011, paramount chiefs and local practitioners (Sowies) in 15 out of 16 chiefdoms in Kenema district, signed ‘Memoranda of Understanding’ (MOUs) facilitated by the UN Family and witnessed by the Human Rights Commission of Sierra Leone (HRCSL). These agreements ban FGC for girls under the age of 18 and require the consent of women over the age of 18. These MOUs were entirely voluntary.

In the absence of national legislation prohibiting FGC in Sierra Leone, there is other national legislation in place which could be considered relevant to the practice, including: The Child Rights Act 2007 which sets out the legislative framework to protect persons below the age of 18 years in Sierra Leone. Section 33(1) states: *No person shall subject a child to torture or other cruel, inhuman or degrading treatment or punishment including any cultural practice which dehumanizes or is injurious to the physical and mental welfare of a child”.*

The Domestic Violence Act 2007 protects women and children from domestic violence, which is defined under Section 2(2)(e) as including conduct *‘that in any way harms or may harm another person’ and either ‘(i) endangers the safety, health or wellbeing of another person’ or ‘(ii) undermines another person’s privacy, integrity or security’.* FGC is not directly mentioned in the Act, however. The Offences Against the Person Act 1816 prohibits the wounding or bodily harm. However, there is no evidence to date that any of the laws mentioned above have been, or are, used in relation to prosecuting acts of FGM in Sierra Leone. The acts of forceful and under age initiation continue unabated thus affecting the fundamental rights of children in Sierra Leone to protection. The case of forceful initiation of 10 school girls into the bondo society in Giehun, Malegohun chiefdom in the Kenema district is no exception.

Section 7(2) of the Human Rights Commission Act (No. 9 of 2004) mandates the Commission “to investigate on its own initiative human rights violations that comes to its knowledge either through complaints or other sources of information. Information on the event of the forceful initiation of 10 school girls age between 6 and 13 years into the bondo society in Giehun Konjo, Malegohun chiefdom was received through a popular radio programme “Radio and the People” on Starline 98.4 in Kenema including social media outlets. This prompted the Commission to initiate fact finding into the allegations.

3.0 FACT FINDING ACTIVITIES

3.1 Visit of regional team

HRCSL regional team **Sylvestre Sidie Kallon** (acting deputy director), and **George Chima Reffell** (a volunteer) on Thursday June 14, 2019 visited Giehun Konjo and engaged some affected family members including the chief of Baka community, **Chief Moigboi Bockarie** to ascertain the veracity of the

allegation of forceful initiation of 10 school girls into the bondo society depriving them access to education.

3.2 Engagement with affected parents

HRCSL team engaged the parents of the 10 school girls and some community members. During the discussions, the following were noted:

The team learnt that the incident emanated from two young ladies who were using invectives against each other in the presence of some school pupils

Chief Moigboi Bockarie the lead complainant alleged that two young ladies were quarreling using invectives against each other. The chief also stated that he levied a fine against the two ladies community as required by the community byelaw and handed over the matter to the chairlady, Madam Iye Vandi for arbitration.



HRCSL regional team engages affected parents

HRCSL team was informed that the leadership of the bondo society in Giehun Konjo demanded that the matter should be arbitrated in the Bondo bush and that the school girls who witnessed the invective utterances should also be taken to the bondo bush for initiation

The Chief expressed that he immediately convened a meeting to denounce the intended action of the Sowies. According to chief, one of the leaders of the Bondo society in Giehun **Mamie John Ansumana**

allegedly responded that the chief should take the matter where ever he wants to but they will go ahead with the initiation.

The team was informed that ten (10) school girls were on Tuesday, 4th June, 2019 forcefully taken to the female secret society bush by women believed to be members of the Bondo society in Giehun Konjo under the leadership of madam **Mamie Nyakoi** (Head of the Sowies), **Mamie John Ansumana** (Section women leader) and **Isatu Peter**.

It was based on this allegation that 4 of the affected male parents travelled to Kenema and complained the matter to the head of the District Sowies Council, **Haja Massah Kaisamba** and also share the information with the Star line radio in Kenema for public consumption.

3.3 Details of children forcefully initiated

No.	Name of pupil	Age	Class	School	Parent/Guardian	Comment
1	Iye Brima	6	III	R.C. Primary	David Kabo	Missed test 1
2	Jenneh Bockarie	8	III	R.C. Primary	Karimu Vandi Kanneh	Missed test 1
3	Jebbeh Williams	10	III	R.C. Primary	Williams James	Missed test 1
4	Jattu Morray	10	IV	R.C. Primary	Karimu Vandi Kanneh	Missed test 1
5	Mamie Bockarie	8	V	Nat. Islamic	Bockarie Musa	Sat to test I
6	Baindu Alie	13	V	Nat. Islamic	Alieu Musa	Sat to test I
7	Wadia Momoh	11	V	Nat. Islamic	Brima Momoh	Sat to test I
8	Messie Morie	13	V	R.C. Primary	Chief Moigboi Bockarie	Missed test 1
9	Mamie Sheku	13	V	R.C. Primary	Bockarie Musa	Missed test 1
10	Mamie Brima	12	VI	R.C. Primary	David Kabo	Missed test 1

3.4 Visit of HRCSL Commissioners

A team from HRCSL headquarters led by the Chairperson, Commissioner **Patricia Narsu Ndanema** and two other Commissioners **Hassan Samba Yarjah** and **Simitie Larvalie** arrived in Kenema on Friday June 15, 2019 to follow up on the fact finding report. The commissioners had a briefing from the Acting Deputy Director on his findings.

3.5 Engagement with MSWGCA and District Sowies Council



Commissioners and the Eastern Region team visited the Assistant Director MSWGCA in Kenema, Madam Jeneba Koroma. The Commissioners and team were introduced to the Assistant Director and state their purpose of visit. The team was updated on the forceful

initiation of the 10 school pupils in Giehun Konjo and measures taken by MSWGCA which include the Assistant Director's visit to Giehun Konjo.

Assistant Director further informed the Commissioners and team that she saw the children in the Bondo bush during her visit and noted that the children have missed out on schooling for over a week whilst other pupils were in school and preparing for the promotional examinations. The Assistant Director affirmed that some punitive measures must be taken against the perpetrators as deterrent for future attempt. The Chairperson of the Commission expressed appreciation to the Assistant Director for the update which she says will guide the Commission's intervention into the matter.

In another engagement, the team also visited the head of the Kenema District Sowie Council (KDSC) Haja Massah Kaisamba. During the visit, the Chairperson observed the traditional courtesy explicating that HRCSL respects tradition. The Chairperson expressed appreciation and recognized the Sowies Council's partnership and support to HRCSL in the protection and promotion of human rights especially for women and girls. Chairperson stated that the purpose of the Commission's visit was to have an update from the Sowies Council on the allegation of forceful initiation of 10 school girls in Malegohun chiefdom.

In her response, Haja Massah Kaisamba informed the Commissioners and team that, she in fact got the information from men imploring her to intervene into the matter. She further informed the Commission that she contacted the Assistant Director MSWGCA on the matter in order to team up for a response. Haja confirmed that the Assistant Director and a representative of the Sowies Council visited the Bondo bush in Giehun Konjo and their report was that all the children initiated were below 18 years. The head of the Sowies Council also informed the Commissioners that in 2011, a Memorandum of Understanding (MoU)



denouncing initiation of girls below 18 years and women without consent was signed by all paramount chiefs and chiefdom Sowies head in Kenema district save for Small Bo chiefdom that did not signed. She went on to state that the Human Rights Commission of Sierra Leone was a moral guarantor represented by the eastern region office.

The Chairperson thanked Haja Massah Kaisamba for giving the Commission detailed information that could be useful during the course of its investigation.

3.6 HRCSL Commissioners at Giehun Konjo

The Commissioners after their engagements in Kenema later visited Giehun Konjo and held a town hall meeting with the community people where the Chairperson of the Commission Patricia Narsu Ndanema sensitized the community on the work of HRCSL. The chairperson further explained the purpose of the Commission's visit which she says was to investigate an allegation of 10 school girls below 18 years that were forced fully initiated into the Bondo Society in Giehun Konjo. The chairperson sent a strong message to the perpetrators during the meeting that the Commission will work with other relevant institutions to ensure that punitive measures are taken so that others who intend carrying out similar initiation will put a stop to it.



Chairperson Commissioner Patricia Narsu Ndanema explaining purpose of HRCSL visit to Giehun Konjo

Commissioner Hassan Samba Yarjah in his contributions informed the meeting that HRCSL is not against tradition but to ensure that the right thing is done. He stated the consequences of underage initiation highlighting early marriages, teenage pregnancy, school dropouts, gender based violence, health implications and poverty among others. He therefore appealed to the people of Giehun Konjo to provide a safe environment for the children to go to school by protecting them against traditional harmful practices

Commissioner Yarjah also informed the affected parents that HRCSL will endeavor to ensure that those girls who missed out on the school tests are provided with remedial classes to enable them to write both the test and the upcoming promotional examinations.



Community members of Giehun Konjo in a town hall meeting organized by HRCSL

Commissioner Simitie also spoke on the relevant laws that criminalize child abuse in all forms citing the Education Act 2004, Domestic Violence Act 2007, Child Rights Act 2007 and the Sexual Offences Act 2012.

Commissioner Simitie also held a focus group discussion with the affected parents while the Chairperson of the Commission visited the children in the Bondo bush.

Responding to the statements from the Commission, the following were noted:

- Parents of the affected children confirmed to the Commissioners and team that their children were forced fully initiated.
- Parents of the affected children expressed that the Paramount chief compelled them to take full responsibility of their children's upkeep while in the Bondo Bush through a note sent to the chief.

HRCSL promised to engage the Paramount chief on the allegation

- Parents of the affected children alleged that the Sowies were bragging of immunity for their actions and what punitive measures the Commission will ensure taken against them

HRCSL assured the parents that there are penalties provided in the laws for such actions and will ensure that

- Some community members also asked whether the laws are only applicable to the girl child
HRCSL stated clearly that the laws are not discriminatory and are therefore applicable to both boys and girls.
- Whether the Paramount Chief is aware of the Commission's visit in her chiefdom
HRCSL informed the audience that the Commissioners will engage the Paramount chief and update her on the outcome of the town hall meeting in Giehun.
- Parents of the affected children asked whether they will be compensated by the perpetrators for depriving their children from accessing schooling for almost 10 days
HRCSL committed to providing opportunities for remedial class for those children that missed out on the school test

3.7 Engagement with community women



Prior to departure from Giehun, several side engagements (Focus Group Discussions) were conducted by Commissioner Simitie and the Chairperson with various sectors involved in the initiation. The chairperson also visited the bondo bush to see the children and dialogue with the Sowies. Prior to the

Commission's departure, the Chairperson of the Commission gave a strong warning that in order to uphold the dignity of the children who went through the forceful initiation, their release from the bondo bush should NOT be accompanied by a fanfare. She therefor reminded the women that HRCSL regional office will monitor the release of the children to ensure that no fanfare is accommodated. Some of the Sowies who accompanied the chairperson to her vehicle requested for training in basic human rights as some of them were believed to have gone through some formal schooling. The chairperson in her response informed the women that the Commission will support the regional office to provide basic human rights awareness for the Sowies and other members of the bondo society in the near future. The Commission departed Giehun Konjo and made a brief stopover at Bendu Mamaima to pay courtesy call on the Paramount chief of Malegohun chiefdom, Hon Madam Satta Sallay Gendemeh.

3.8 Engagement with the Paramount Chief



The Commission's stopover at Bendu Mamaima community saw a warm reception from the Paramount Chief PC Hon. Satta Sallay Gendemeh. The Commission observed the traditional courtesy, followed by individual introductions. The chairperson of the Commission briefed the Paramount chief on the outcome of the meeting in Giehun Konjo with respect to the initiation of 10 underage

school girls in the Bondo society. The chairperson expressed dissatisfaction over the forceful initiation and deprivation of the girls to the enjoyment of their right to education noting the fact that Malegohun chiefdom was among the 15 chiefdoms in Kenema district that the paramount chief and chiefdom Sowies head signed the Memorandum of Understanding (MoU) with UN and the Sowies Councils witnessed by the Human Rights Commission of Sierra Leone in 2011 denouncing underage initiation as well as initiations without consent.

Commissioner Yarjah in his contribution asked for confirmation of a note purportedly written by the Paramount Chief urging parents of affected children to take responsibility of upkeep of the children while in the bondo bush.

In her response, the Paramount chief affirmed that she was a signatory to the UN MoU on the abolishment of underage initiation. She also confirmed that she wrote the letter to urge the affected parents to undertake the upkeep of their children while in the bondo bush. The PC also condemned the deprivation of the children from accessing education. The PC expresses delight for HRCSL intervention in the sensitization and awareness raising on prevention of forceful and underage initiation and other traditional harmful practices and promised to accompany the Sowies to Kenema the following day to resolve the matter. The PC also assured the Commission that the chiefdom, **chief Charles Kaikumba** will look into the matter that led to the forceful initiation of the 10 school girls and punitive measures will be taken against the disputants. The Commission bade farewell and departed for their respective destinations.

4.0 MONITORING ACTIVITIES

4.1 Visit to Giehun to monitor the traditional release of underage initiates

One of the action points at the town hall meeting attended by community stakeholders and affected parents was NOT to allow a fanfare during the release of the children from the Bondo bush. The

Commission gave a stern warning against a fanfare and tasked HRCSL regional office to monitor the release of the children scheduled for Sunday June 16, 2019.

Against the backdrop, HRCSL regional team comprising the acting Head of Office (Sylvestre Sidie Kallon) and a volunteer (George Chima Reffell) on Sunday June 16, 2019 went to Giehun community to monitor the event as scheduled

While in the community, the team realized that the children were released to their parents on Saturday June 15, 2019 ahead of the stipulated date to allow them have better preparation for schooling on Monday.

HRCSL team also met with the initiates and their parents who provided the following information:

- All ten (10) girls confirmed that they were released to their parents on Saturday, June 15, 2019 without a dance or fanfare
- Three (3) of the girls who attend the National Islamic Primary School (NIP) said they wrote to the school tests before the initiation save for the promotional examination that is supposed to start on Wednesday, June 19 2019 which they said they are ready to write;
- Seven (7) of the girls attending the RC primary school missed out on the school tests but says they were prepared for the promotional examinations scheduled for June 19 2019
- The girls expressed willingness to take remedial classes if the opportunity arise
- There were still pockets of provocation from the Bondo women in the crime committed by the Sowies (perpetrators);



Some of the school girls who were forcefully initiated in Giehun Konjo missing out on education

5.0 ACTION POINTS

- Oversight Commissioner, Regional Services and Regional Office to follow up with MSWGCA whether invitation of the Sowies from Giehun Konjo was honoured.
- HRCSL regional office to engage Ministry of Basic and Senior Secondary Education in Kenema on the possibility of a remedial class for the affected girls
- Coordinate with the teachers in Giehun Konjo on cost associated with the remedial lessons including duration
- Maintain communication with affected parents on issues that require clarification from HRCSL
- Monitor the remedial classes when started
- HRCSL to facilitate the creation of a chiefdom human rights club/committee to fight against impunity
- HRCSL to increase visibility in the chiefdom through regular monitoring and community engagement
- Submit a report and request for reimbursement of all approved pre-finances during the fact-finding exercise

5.0 CONCLUSION

Sierra Leone is also a signatory to many international and regional human rights instruments related to child protection. Fundamental Rights and Freedoms are also enshrined in Chapter III of the 1991 Constitution of Sierra Leone for guaranteeing protection of rights of people in Sierra Leone including children. Other national laws enacted to protect children include the Child Rights Act (CRA) 2007.

The Child Rights Act 2007 made the following provisions:

Section 33(1) focuses on the protection from torture and degrading treatment. It states that *“no person shall subject a child to torture or other cruel inhuman or degrading treatment or punishment including any cultural practice which dehumanizes or is injurious to physical and mental welfare of a child”*.

Section 35 which focuses on the penalty. It states that *“Any person who contravenes a provision of this part commits an offence and shall be liable on summary conviction to a fine not exceeding **30 million Leones** or to a term of imprisonment not exceeding **two years** or to both such fine and imprisonment”*.

In a bid to do away with impunity and increase access to justice, HRCSL should take necessary measures to ensure that those who infringe on people's rights account for their actions. The Commission is therefore obliged under Section 7 of HRCSL Act No. 9 of 2004 to investigate and recommend to the appropriate and relevant institutions and authorities deterrent mechanisms and as well monitor their implementations.

Sylvestre Sidie Kallon
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