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Sierra Leone*

The present report is a summary of 19 stakeholders' submissions¹ to the universal periodic review. It follows the structure of the general guidelines adopted by the Human Rights Council. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. Lack of information or focus on specific issues may be due to the absence of submissions by stakeholders regarding these particular issues. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review.

* The present document was not edited before being sent to United Nations translation services.

I. Background and framework

A. Scope of international obligations

1. The Human Rights Commission of Sierra Leone (HRCSL) noted that the Optional Protocols to CEDAW, CAT and CRPD are pending ratification.² Coalition of Justice and Accountability (COJA) noted that Sierra Leone had signed but not ratified the Rome Statute of the International Criminal Court (Rome Statute).³ COJA recommended ratification and implementation of the Rome Statute.⁴ Torture Watch Organisation (TOWSL) recommended the ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.⁵

2. Joint Submission 1 (JS1) recommended that Sierra Leone sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights.⁶

B. Constitutional and legislative framework

3. Amnesty International (AI) stated that the law reform process, which encompassed constitutional review, was making little progress. It noted that the process made little reference to the Truth and Reconciliation Commission (TRC) recommendations, and did not address the discriminatory provisions of the Constitution.⁷ Human Rights Watch (HRW) stated that Sierra Leone should complete the process of constitutional review by acting on the recommendations of the 2008 report of the Constitutional Review Committee.⁸ The International Centre for Transitional Justice (ICTJ) recommended that the Government review the Constitution,⁹ noting that a new Constitution would, among other things, separate the Office of Attorney General from the Minister of Justice. ICTJ also underlined that the Government was yet to enact freedom of information legislation and to establish a public defender's office to better safeguard the rights of people facing criminal proceedings.¹⁰

4. According to COJA, the TRC's recommendation that HRCSL monitor the implementation of its recommendations as a national follow-up body had still not been seriously addressed by the Government.¹¹ Inter Religious Council (IRC) expressed concern about the lack of a structured and holistic programme to implement the recommendations of the TRC. It underlined that in 2010 the former Chairperson of the TRC noted that the implementation of all the recommendations of the TRC was crucial and vital to avoid any reoccurrence of conflict.¹² IRC recommended that the Government should implement all the outstanding recommendations of the TRC.¹³ AI recommended that the Government evaluate its track record and make public its progress in implementing the TRC recommendations and publicly commit to further implementation.¹⁴

5. AI recommended that the enactment of legislation to make war crimes and crimes against humanity, crimes under national law.¹⁵ IRC recommended the harmonization of national laws dealing with war crimes of sexual violence with the provisions of the Rome Statute.¹⁶

6. HRCSL urged the enactment of the "Persons with Disabilities Bill" which will give rise to equality and non-discrimination of persons with disabilities.¹⁷

7. CGG recommended that the Government should domesticate all aspects of CEDAW and other instruments that promote and protect the rights of women.¹⁸

8. The Equality Rights Trust (ERT) pointed out that discriminatory laws were in force and that legislative protection from discrimination was insufficient in different areas of civil, cultural, economic, political and social life. ERT recommended a comprehensive review of domestic legislation to identify discriminatory laws and to amend or repeal such laws; and to adopt comprehensive anti-discrimination legislation and policies.¹⁹

9. Campaign for Good Governance (CGG) stressed that the Chieftaincy Acts and customary laws discriminated against women,²⁰ recommending a review and repeal of all such discriminatory laws.²¹

10. According to JS1, the Gender Justice Act of 2007, namely the “Domestic Violence Act, the Registration and Customary Marriage and Divorce Act and the Devolution of Estate Act”, were adopted with a lot of gaps and contradictions, which threatened to defeat the purpose of such legislation.²² JS3 noted that Sierra Leone passed the “Child Rights Act 2007” (CRA), which held supremacy over customary law and provided that any local traditions practiced as custom must conform to the Act.²³ HRW noted that the limited reach of the judiciary and limited social understanding of the principles and provisions of such laws undermined their application.²⁴ Sabi You Rights Advocacy (SYRA) recommended that the Government should promote and raise awareness of the three Gender Acts in poor and marginalized communities.²⁵ JS3 recommended a transparent, participatory, consultative and comprehensive review of the CRA to strengthen and align it with international standards.²⁶

11. Prison Watch Sierra Leone (PW) stated that most of the provisions of the prison rules and ordinance of 1960 and 1961 which constituted the national legislation and which guided the treatment, processes, and procedure of prisoners were outdated.²⁷ It recommended a comprehensive review of this legislation.²⁸

C. Institutional and human rights infrastructure

12. JS3 recommended the establishment of an independent and resourced national children’s commission, of Child Welfare Departments in each district, and of Child Welfare Committees in every Chiefdom and village.²⁹

D. Policy measures

13. One Family People (OFP) stated that Sierra Leone should: develop policy to address institutional discrimination against persons with disabilities;³⁰ and ensure that Government policy facilitates the training and employment of persons living with disabilities, especially by establishing safeguards against discrimination.³¹

14. AI stated that few government programmes adequately addressed the special needs of war affected children and youth, which included orphans, unaccompanied IDP’s and ex-child soldiers.³²

15. AI stated that the absence of a clear land policy, appropriate demarcation of land, proper registration of land and record keeping, had caused disputes and violent attacks, fuelling tensions between returned refugees and resettled IDPs over land.³³

II. Promotion and protection of human rights on the ground

A. Cooperation with human rights mechanisms

16. With reference to concerns about ethnic-political violence, AI recommended that the Government invite the Special Rapporteur on racism, racial discrimination, xenophobia and related intolerance to visit Sierra Leone.³⁴

B. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

17. ERT noted that, despite constitutional protection under Article 27, women remained vulnerable in society. Patriarchal customary laws were prevalent, and traditional views of women's role in society meant that widespread inequality and gender-based violence were largely tolerated. Inequality between men and women was pervasive.³⁵ JSI stated that women's rights and status under customary law varied significantly depending on the ethnic group to which they belonged. Under customary law, women's status in society was equal to that of a minor. A woman was perceived to be the property of her husband, to be inherited on his death together with his other property.³⁶

18. ERT stated that “non-African residents”, notably of Lebanese or Indian descent, were subjected to discriminatory laws on racial grounds as the Citizenship Act 1973 placed severe restrictions on people of non-patrilineal “negro-African descent”, effectively disenfranchising these groups and institutionalising discrimination in access to citizenship. Article 2 (c) of the Act stipulates that to gain citizenship by birth a person must be *inter alia* of “negro African descent”.³⁷

19. ERT underlined that persons with disabilities were excluded from the protection offered by Article 27 of the Constitution.³⁸ It indicated that about 10 per cent of the population constituted persons with disabilities, noting that the disability challenge was one of the gravest that the post-conflict government had to face following a destructive civil war.³⁹

2. Right to life, liberty and security of the person

20. HRCSL stated that despite recommendations by the Constitutional Review Committee and the TRC to abolish the death penalty, it remained in law for the offences of treason, murder and aggravated robbery. HRCSL urged the implementation of the TRC recommendations to abolish the death penalty.⁴⁰ HRW also recommended the abolition of the death penalty.⁴¹

21. AI stated that police brutality, corruption, excessive use of force, prolonged detention without charge for periods beyond the lawful detention period, and poor conditions of police detention cells, were common.⁴² It recommended that Sierra Leone instruct its security forces to act in compliance with international human rights law and suspend from duty those members suspected of having committed offences or abuses, pending investigation.⁴³

22. AI reported that investigations into ritual murders and sexual and gender based violence were overwhelmingly characterized by poor investigations, few prosecutions, out of court settlements and interference by traditional leaders.⁴⁴

23. HRCSL stated that escalation of cases of armed robbery over the last three years was a serious threat to the enjoyment of the right to life and security of persons. It called on Sierra Leone to increase security to ensure the safety of citizens.⁴⁵

24. JS3 stated that corporal punishment of children was culturally entrenched in Sierra Leone with physical abuse often inflicted in the guise of discipline.⁴⁶ Global Initiative to End All Corporal Punishment of Children (GIEACPC) noted that corporal punishment was lawful in the home and at school.⁴⁷ The Child Rights Act adopted in 2007 did not repeal article 3 of the Prevention of Cruelty to Children Act and reaffirmed the concept of “reasonable” and “justifiable” correction of children (article 33(2)).⁴⁸ In the penal system, corporal punishment was unlawful as a sentence, but there was no explicit prohibition of corporal punishment as a disciplinary measure in penal institutions. Corporal punishment was lawful in alternative care settings.⁴⁹

25. SYRA reported that despite the “Domestic Violence Act”, the “Devolution of Estate Act”, and the “Registration of Customary Marriage and Divorce Act”, enacted in 2007, domestic violence continued to increase.⁵⁰ SYRA highlighted three cases of domestic and gender based violence.⁵¹ SYRA⁵² and AI indicated that impunity for domestic violence was fostered by: women’s lack of access to the police, the exorbitant fees charged by medical officers⁵³ as victims can not afford the cost of a medical report which is essential for reporting and prosecuting domestic violence cases⁵⁴ and pressure to make out-of-court settlements.⁵⁵ SYRA recommended effective implementation of the aforementioned legislation; promotion of awareness of the aforementioned legislation in poor and marginalised communities; investigation and prosecution of all complaints of domestic violence; ensuring victims’ access to appropriate resources, including a free medical report and access to legal assistance; and the creation of a specialised court to try expeditiously cases of domestic and gender-based violence.⁵⁶

26. AI reported that rape of minor girls and teenage pregnancies (by close relatives, schoolteachers, security personnel, etc.) remained a problem as did sexual exploitation.⁵⁷ HRW stated that while Family Support Units within police stations had led to increased reporting of sexual violence against women and girls, they remained understaffed.⁵⁸ It recommended that these Units be adequately staffed and resourced.⁵⁹ JS3 recommended the development of a strategy to eradicate violence against children; and the expansion of the Family Support Unit and Ministry of Social Welfare, Gender and Children’s Affairs’ social workers at chiefdom level.⁶⁰

27. HRCSL reported that the practice of female genital mutilation (FGM) was prevalent in Sierra Leone and that the Government had failed to demonstrate the political will to address this phenomenon. The draft clause prohibiting FGM was removed when the Child Rights Act was adopted in 2007 giving rise to continuity of the practice.⁶¹ According to JS3 approximately 94 per cent of women in Sierra Leone were members of a secret society, which meant by proxy they had gone through the process of FGM.⁶² TOWSL recommended the enactment of legislation prohibiting FGM.⁶³ JS3 urged the Government, inter alia, to facilitate an open dialogue on FGM and to lead the development of a national strategy to eradicate FGM for children under the age of 18.⁶⁴ IRC recommended, inter alia, ratification of the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa.⁶⁵

28. AI stated that prisons were plagued by overcrowding, lack of supplies, inadequate medical treatment and food, prolonged pre-trial detention, and detention of juveniles with adults.⁶⁶ HRW recommended that Sierra Leone improve food supply, sanitation and access to medicine and health services within prisons.⁶⁷ CGG recommended that the Government should desist from putting juveniles and adults in the same cell.⁶⁸

29. PW stated that in 2009 it documented 35 cases of health related death in Pademba road prison, noting that the prison hospital lacked the capacity to deal with these emergencies and most cases were transferred to a government hospital. PW stated that the difficult transfer procedure contributed to most deaths. It recommended that Sierra Leone ensure that prisoners enjoy free and qualitative health care as well as the establishment of a prison hospital.⁶⁹

30. PW stated that it documented cases of child offenders below the age of 18 being held in prisons,⁷⁰ noting that the prison ordinance pegged the maximum age of the child as seventeen, which conflicted with the CRC and the “Child Rights Act”, as these instruments stipulated the age of eighteen.⁷¹

31. AI reported that street children were vulnerable to a wide range of abuses, with few or no protections⁷² and that Sierra Leone had failed to protect children from the worst forms of child labour, in accordance with its obligations under domestic law and international treaties.⁷³ HRW stated that hundreds of children were engaged in the worst forms of child labor, including within diamond and gold mines, while tens of thousands more worked as street vendors, domestics, and porters.⁷⁴ HRW recommended that the Labour and Minerals resource ministries undertake sufficient efforts to enforce the prohibition on child labour.⁷⁵

3. Administration of justice, including impunity and the rule of law

32. HRW stated that the police continued to engage in unprofessional and often criminal behaviour; the complaints’ mechanism was underutilized and there was insufficient effort by the police hierarchy to investigate, discipline, and prosecute officers engaged in this behaviour.⁷⁶ It recommended that Sierra Leone explicitly inform all ranks of the police that those implicated in corruption, theft, extortion, or other abuses will be held accountable; improve the internal disciplinary control mechanisms within the Police Force; and investigate and discipline or prosecute police officers implicated in corrupt practices and other serious abuses.⁷⁷

33. AI called on the Government to investigate and punish incidents of political violence involving sexual violence so that rape does not become a political weapon, as it was during the war.⁷⁸

34. HRW stated that corruption remained widespread and continued to undermine development and rob the population of funds needed for vital services such as education, water and health care. Since 2008, the Anti-Corruption Commission (ACC) had made particular progress, investigating over 325 cases, and prosecuted some 20, including ministers and high level civil servants. However, the May 2010 resignation of the ACC Commissioner and the ACC’s subsequent failure to investigate or indict ruling party politicians raised concern of a reversal of those gains.⁷⁹ HRW recommended that Sierra Leone ensure that every public officer declares his or her assets within three months of taking office, once annually, and when leaving office; and set up a special fast-track court dedicated to the adjudication of corruption-related cases.⁸⁰

35. AI noted that the justice system faced an acute shortage of magistrates, delays, overloaded State counsels, inadequate prosecutorial capacity, delays in the appointment of local court chairmen, and capacity constraints, all of which directly impacted on access to justice.⁸¹

36. COJA documented cases of delays in trials and prolonged detention of accused persons because of the lack of available magistrates⁸² and recommended an increase in the number of magistrates in regional areas.⁸³ HRCSL noted that although magistrates were allocated to serve several rural communities, they were not resident in these communities and consequently citizens were denied access to the timely hearing of their cases. It called for residential magistrates in rural areas.⁸⁴

37. HRCSL observed that the “Local Courts” provided dispute resolution to about 70 per cent of citizens in the rural areas and that some of the customary laws applied by these courts conflicted with human rights principles. HRCSL therefore called for measures aimed at regulating the activities of these courts.⁸⁵ COJA reported that about 98 per cent of the courts’ Chairpersons who preside over all cases were male and lacked human rights knowledge.⁸⁶ COJA stated that in many instances, miscarriage of justice and discrimination against women occur in these courts.⁸⁷ According to COJA, the Government was in the process of reviewing the Customary Law Act of 1965 but no programme was in place to review the procedure of appointment to include more women.⁸⁸ COJA recommended providing human rights training to administrators at the local/native court level.⁸⁹

38. JS1 noted that chiefs sometimes colluded with men to evict women and children from their homes or subjected them to arbitrary detention. In some cases chiefs had expelled them from the community.⁹⁰

39. CGG indicated that there were no guidelines or legislation to protect persons held in pre-trial detention,⁹¹ and recommended the development of effective guidelines for the protection of the rights of detainees.⁹²

40. HRW stated that insufficient access to legal representation and the slow pace of cases before the courts had resulted in an alarming number of prisoners being held in prolonged pre-trial detention.⁹³ It recommended that Sierra Leone pass the revised Criminal Procedures Act, introduced into Parliament in 2010; ensure that all accused were brought to trial within a reasonable timeframe; and support the Ministry of Justice including to address inadequate salaries for judges.⁹⁴

41. COJA stated that the legal aid programme was largely limited to urban areas and did not provide assistance to indigent persons involved in proceedings in native administrative courts.⁹⁵ It recommended ensuring sufficient legal aid for indigent persons.⁹⁶

42. According to AI most perpetrators of crimes committed during the armed conflict remained unpunished. The amnesty provision, under the Lomé Accord, was not a bar to prosecution before the SCSL, but was still enforced under Sierra Leone law. Despite the few trials before the Special Court for Sierra Leone (SCSL), no other investigation or trial before national courts were taking place and impunity remained the rule.⁹⁷ AI recommended, inter alia, the establishment of a comprehensive plan of action to investigate and prosecute all crimes for which impunity continues to exist.⁹⁸

43. According to ICTJ, Sierra Leone started a commendable reparations process in 2008, but the “Year Two implementation plan” had come to a standstill, due to lack of funds.⁹⁹ ICTJ recommended that Sierra Leone increase budgetary support to the reparations programme; incorporate components of the reparations programme into existing structures; and give the National Commission for Social Action and the Trustees of the Trust Fund for victims the capacity to enable them to generate funds through alternative means.¹⁰⁰

4. Right to privacy, marriage and family life

44. ERT observed that Lesbian, Gay, Bi-sexual, Transgender and Intersex (LGBTI) people did not benefit from the protection afforded by Article 27 of the Constitution, which prohibits discrimination, and evidence suggested that the LGBTI community remained highly vulnerable.¹⁰¹ JS2 stated that Sierra Leone maintained criminal sanctions against sexual activity between consenting adults. Section 61 of the Offences against the Person Act 1861 criminalised “buggery” with a penalty of life imprisonment.¹⁰² JS2 recommended that all provisions criminalising sexual activity between consenting adults be repealed.¹⁰³

45. HRCSL, while noting the law which criminalized early marriage for persons below the age of 18 years, stated that the practice was still prevalent, particularly in rural areas,

and called on the Government to take more stringent actions against perpetrators of such acts.¹⁰⁴

5. Freedom of religion or belief, expression, association and peaceful assembly and right to participate in public and political life

46. JS1 indicated that in 2009, the Sierra Leone Association of Journalists was denied their right to hold a peaceful demonstration,¹⁰⁵ on the grounds that the event would pose a security risk.¹⁰⁶ JS1 recommended that the Government ensure that everyone enjoys the right to freedom of association and assembly.¹⁰⁷ HRW recommended that the Government conduct a promised review of laws that provide criminal penalties for libel with a view to repealing them.¹⁰⁸

47. AI reported that inter-party violence, opportunistic criminal activity, and accompanying human rights abuses were elements of the last contested election, and that there was great potential for abuses during the next elections in 2012.¹⁰⁹ AI reported on youth involvement in political and ethnic violence between supporters of the two main political parties. According to AI, perceived ethnic and political biases in the police and army had produced inflammatory and corrosive results. Doubts had been raised about army independence, and tensions were emerging in the ranks. AI recommended that Sierra Leone uphold freedom of expression and assembly, including in the context of future electoral campaigns; end impunity and investigate and prosecute those allegedly responsible for political-ethnic violence during and after the 2007 elections.¹¹⁰

48. According to JS1, women were denied their right to take active part in political leadership roles. It indicated that even though the Constitution provided for all to contest political positions, this right existed only in theory.¹¹¹ CGG noted that most political parties had not established policies to protect women from political intimidation.¹¹² JS1 reported on the case of a woman who was denied the right to contest for the paramount chieftaincy title. The case was filed to the Supreme Court, but judgement was passed in favour of the traditional leaders on the basis of existing customary law.¹¹³ HRCSL noted a lack of progress in the allocation of decision making positions to women despite tremendous efforts made by women's groups and the recommendations of the TRC.¹¹⁴ CGG recommended that Sierra Leone ensure that women were well represented in government and that a minimum of 30 per cent of the candidates for political parties were women.¹¹⁵ Initiative in Capacity Building (ICBA) recommended the passing of a bill that would ensure 30 per cent of representation by women in political positions, noting that it had been delayed.¹¹⁶

6. Right to work and to just and favourable conditions of work

49. In March 2010, Sierra Leone Teachers Union (SLTU) complained about the delay in the approval process for replacement teachers, noting that many teachers were turned into volunteers and excluded from the pay roll. SLTU referred to low salaries, coupled with a backlog or non-payment of salaries. It stated that the "Education Act" limited SLTU's authority in union bargaining.¹¹⁷ It recommended, inter alia, adequate salaries, allowances, benefits and pensions for teachers; and reforming the Education Act to ensure that SLTU was empowered to bargain with the government on issues affecting teachers.¹¹⁸

50. JS1 noted that sexual harassment in the workplace was an issue of concern, particularly as complainants were unable to pursue their claims in court in the absence of the legal prohibition of sexual harassment.¹¹⁹

7. Right to social security and to an adequate standard of living

51. JS3 reported that 70 per cent of the population lived below the poverty line.¹²⁰ According to World Vision (WV), the lifetime risk of a women dying from complications of pregnancy and childbirth was one in eight, and one in twelve children died before their first birthday. It noted that life expectancy was 47.3 years.¹²¹

52. WV stated that the health system was not equipped to deal with the population's needs.¹²² A massive movement of health professionals to work abroad had caused a drain on human resources.¹²³ VW recommended implementation of a national human resource strategy to increase the number of health workers, retain those already working in the system, and facilitate the return of migrants, including through stronger protection and fairer treatment of health workers.¹²⁴ A similar recommendation was made by AI.¹²⁵

53. According to AI, many factors that drive maternal mortality and morbidity remained unaddressed.¹²⁶ It recommended that the Government end harmful practices such as FGM and early marriage; improve access to confidential family planning services and sexual and reproductive health services; retain skilled health professionals with incentives to work in under-served areas; make available complaints mechanism and inform patients about their right to redress; commit to timely district-level investigations into maternal deaths and the accurate collection and reporting of data on maternal mortality and morbidity; and address the effect of unsafe abortions on maternal mortality, including by providing safe abortion services to the fullest extent of the law.¹²⁷

54. WV noted the following as causes of child mortality in Sierra Leone: neonatal deaths, diarrhoea, pneumonia, malaria, measles, injuries and HIV. WV reported that 21 per cent of children under the age of five were under weight, with 36 per cent having stunted growth and 10 per cent suffering with acute malnutrition. WV stated that only 11 per cent of children were exclusively breastfed and Vitamin A coverage had dropped to 12 per cent.¹²⁸ It recommended that Sierra Leone, inter alia, strengthen efforts to promote exclusive breastfeeding of infants during the first six months of life, including domestic enforcement of the International Code of Marketing of Breast-milk Substitutes.¹²⁹

55. AI noted that the well publicized Free Health Care policy became a lever for more far reaching systemic reform of the entire health sector.¹³⁰ HRCSL stated that this policy, adopted in 2010, had promoted an increase in accessing health services by mothers. However, HRCSL remained concerned about the unavailability of basic equipment and medical personnel to facilitate the provision of this service in both the capital city and rural areas. Peripheral health units were, in most cases, found to be abandoned by nurses thus making it difficult for women to enjoy this right.¹³¹ AI noted that the launch of the policy triggered a massive influx of women and children, who could then not be appropriately cared for, and that target beneficiaries continued to be charged in many places for services and drugs.¹³² JS1 indicated that many NGOs had documented that poor road networks were responsible for some of the "delays" that exacerbated maternal mortality.¹³³

56. WV recommended, inter alia, the expansion of the free health care package to ensure that primary health care was free for pregnant women and young children, especially for those living in rural, remote and peripheral areas.¹³⁴ JS3 recommended, inter alia, the implementation of a long term and sustainable health financing mechanism by April 2011 to minimize aid dependence and to ensure the maximum extent of available resources to realize the child's right to survival and to health; as well as an improvement of the birth registration mechanism by April 2012.¹³⁵ WV observed that Sierra Leone's expenditure on health remained at 8 per cent, about half of the 15 per cent to which it committed at the African Union's Special Summit on HIV/AIDS in Abuja in 2001,¹³⁶ and recommended that it increase the allocation to 15 per cent of its annual budget.¹³⁷

57. HRCSL stated that Sierra Leone created the National Aids Council and Secretariat in 2002 but noted the “wavy” manner in which HIV/AIDS sensitization was carried out, urging the Government to engage other stakeholders in continuous and extensive sensitization programmes.¹³⁸

58. Referring to outstanding TRC recommendations to be implemented by the Government, IRC recommended that amputees receive free physical health care for the rest of their lives;¹³⁹ and that victims of sexual violence be eligible for free physical health care, including traumatic fistula surgery.¹⁴⁰

59. In January 2009, OPF documented the forced eviction of over 150 people with disabilities from a private building in Freetown and, in October 2009, of a further 65 people with disabilities from a “government building”.¹⁴¹ It stated that no alternative accommodation was provided¹⁴² and that adequate housing should be provided to persons with disabilities.¹⁴³

8. Right to education and to participate in the cultural life of the community

60. HRCSL expressed concern about the poor state of education in Sierra Leone, as manifested by the poor performance of pupils in public examinations. It called on the Government to take drastic steps in implementing the recommendations of the Commission of Inquiry set up in 2009 to look into education and performance of pupils in public examinations.¹⁴⁴

61. According to JS3, although the payment of school fees was abolished, primary education was not free because of the wide range of charges still imposed on pupils.¹⁴⁵ It added that the school environment was not conducive to learning due to inadequate physical infrastructure, overcrowded classrooms, lack of furniture, insufficient and inappropriate learning materials, harmful discipline techniques, low teacher moral and inappropriate teaching methods.¹⁴⁶ JS3 recommended an increase in the annual budget to 20 per cent and an improvement in education management; a review of the teachers’ remuneration packages; an increase in the number of school supervisors;¹⁴⁷ and the implementation of food programmes in primary schools in the most vulnerable areas, in partnership with the World Food Programme.¹⁴⁸

62. OFP recommended that Sierra Leone should ensure that education is free and accessible to persons living with disabilities and adapted to their needs, and that specialised schools should be established.¹⁴⁹

63. AI referred to the problem of gender discrimination in education.¹⁵⁰ JS1 noted that more than 50 per cent of Sierra Leone’s women were illiterate, which was a major factor impeding their active participation in the development process.¹⁵¹ It also observed that pregnant young girls were often expelled from schools.¹⁵² JS 3 noted that the mean age for pregnancy was 15 years old. Traditional beliefs and practices surrounding girls and boys, as well as community attitudes and perceptions about sexual reproductive health and condoms contributed to the high levels of teenage pregnancy. JS3 recommended an introduction of Family Life Education (FLE) in the primary school curriculum; and a national strategy to promote a change in attitudes towards sexual relations and practices.¹⁵³ IRC recommended the establishment of compulsory human rights education programmes including in schools.¹⁵⁴

III. Achievements, best practices, challenges and constraints

64. HRCSL noted as achievements the domestication of some international treaties and the reintroduction of the local system of Government in 2004.¹⁵⁵

65. VW commended the Government for the introduction of the free health care initiative, which was intended to improve maternal and child health and drastically reduce maternal and infant mortality.¹⁵⁶

66. JS1 stated that realising economic and social rights was a challenge with only 51 per cent of the population having access to basic social amenities. A major challenge will be to meet the Millennium Development Goal target of 66 per cent coverage.¹⁵⁷

67. ICTJ explained that the civil war between several armed groups from 1991 to 2002 was characterized by grave violations of human rights and humanitarian law. Crimes included severing limbs, forcibly recruiting children into armed groups, widespread rape and coercion of women and girls as “bush wives” of combatants, burning houses, and killing and maiming of civilians. More than 200,000 people were estimated to have been killed, and hundreds of thousands more were displaced across the country. Since then, Sierra Leone had initiated reforms establishing systems of accountability for human rights and humanitarian law violations committed during the conflict and promoting rule of law and democratic governance.¹⁵⁸ However, HRW noted that concern about the inadequate progress in strengthening the rule of law was exacerbated notably by the global economic crisis, high levels of youth unemployment and episodes of political violence.¹⁵⁹

IV. Key national priorities, initiatives and commitments

68. HRCSL referred to key national priorities of the Government including promoting food security through agricultural expansion¹⁶⁰ while JS1 mentioned the construction and rehabilitation of roads in almost all regions.¹⁶¹

V. Capacity-building and technical assistance

N/A

Notes

¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org. (One asterisk denotes a non-governmental organization in consultative status with the Economic and Social Council.)

Civil society

AI	Amnesty International, London, United Kingdom.*
CGG	Campaign for Good Governance, Freetown, Sierra Leone.
COJA	Coalition of Justice and Accountability, Freetown, Sierra Leone.
ERT	Equal Rights Trust, London, United Kingdom.
GIEACPC	Global Initiative to End All Corporal Punishment of Children.
HRW	Human Rights Watch, Geneva, Switzerland.*
ICBA	Initiative in Capacity Building Association, Freetown, Sierra Leone.
IRC	Inter Religious Council, Freetown, Sierra Leone.
ICTJ	International Centre for Transitional Justice, New York, USA.
JS1	Joint Submission 1: 260 NGOs consulted and a technical committee composed of: Amnesty International, Society for Democratic Initiative, Western Area Human Rights Committee, SLUDI, CGG, Women’s Solidarity.
JS2	Joint Submission 2: ARC International, Geneva, Switzerland; ILGA, ILGA-Europe,* Pan Africa ILGA.
JS3	Joint Submission 3: Save the Children UK, War Child Holland; Child Fund; YMCA; Christian Brothers; Goal; AMNet; Caritas; Community Concern Network; Pikin to Pikin; Children’s Advocacy Production; Children’s Forum Network; Youth

- Partnership for Development and Peace.
- OFP One Family People, Freetown, Sierra Leone.
- PW Prison Watch Sierra Leone, Freetown, Sierra Leone.
- SYRA Sabi You Rights Advocacy, Western Rural, Sierra Leone.
- SLTU Sierra Leone Teachers Union, Freetown, Sierra Leone.
- TWOSL Torture Watch Organization, Freetown, Sierra Leone.
- WV World Vision, Sierra Leone.
- National human rights institution*
- HRCSL Human Rights Commission of Sierra Leone, Freetown, Sierra Leone.
- ² HRCSL, p. 1.
- ³ COJA, p. 1.
- ⁴ COJA, p. 4.
- ⁵ TOWSL, p. 1.
- ⁶ JS1, p. 6.
- ⁷ AI, p. 1.
- ⁸ HRW, p. 4, part on regarding legal protection, Recommendation 2.
- ⁹ ICTJ, p. 5. See also ICR, p. 3, Recc 1 (o).
- ¹⁰ ICTJ, pp. 2–3.
- ¹¹ COJA, p. 2.
- ¹² IRC, p. 1, part C, para. 1.
- ¹³ ICR, p. 2, Recc 1 (d).
- ¹⁴ AI, p. 5, Section on Justice for serious past crimes, Recommendation 4.
- ¹⁵ AI, p. 5, Section on Justice for serious past crimes, Recommendation 5.
- ¹⁶ IRC, p. 2, Recommendation 1 (l).
- ¹⁷ HRCSL, p. 2, para. 4.
- ¹⁸ CGG, p. 3, Recommendation 8.
- ¹⁹ ERT, p. 4, para. 16.
- ²⁰ CGG, p. 1.
- ²¹ CGG, p. 2.
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