

3rd Cycle Stakeholder's Report on the implementation of Sierra Leone Second Cycle UPR Recommendations received in January 2016 – *Joint Submission*

Submitted by: CSO-UPR Monitoring Group-Sierra Leone (CUMG-SL)

Contact Person: Sulaiman Jabati,

Position: National Coordinator

Contact Phone/Email :(+232 78 58 2750/cumgsl@gmail.com)

Affiliate: upr.info

- **Overview and methodology of the report**

In June 2015, CSO UPR Monitoring Group-Sierra Leone (CUMG-SL) submitted its second cycle stakeholders report to UN Human Right Council (HRC) pursuant to Council's Resolution 5/1. The report was an outcome of a nationwide consultation that involved CSOs, NGOs, Members of Parliament and MDAs. Eight key issues raised during the consultations and submitted to the Council included:**1.Labor and Employment rights 2.Discrimination 3.Access to Justice 4.Education 5.Health 6.Teenage Pregnancy 7.Poverty and 8.Corruption.** Fortunately, all the issues raised were addressed by the Council.

The Council reviewed Sierra Leone on the on 27 January 2016 held at the 15th meeting, when the country was preparing for its multi-tier (Presidential, Legislative and Local Council) elections due in September 2017. During the Second Cycle review Sierra Leone received a total of 208 recommendations and accepted 177 representing 85 % compared to first cycle where Sierra Leone received 129 recommendations and accepted 126 representing 98%. Among the 31 recommendations noted in the second cycle, 18 addressed FGM, 5 LGBT, 5 teenage pregnancy and 3 gender equality respectively.

Towards the eight issues raised, 60 countries proffered 113 recommendations to the government of Sierra Leone. However, CUMG-SL realized that the position of government on recommendations dealing with teenage pregnancy was not consistent, while supporting to reverse the ban on one hand, it noted same recommendation on the other, it was same for FGM and gender equality. These issues were monitored and much progress was made especially reversing the teenage pregnancy ban on school going children.

Due to challenges posed by Ebola Virus Disease (EVD) and other related circumstances, the country finally conducted the September 2017 elections in March 2018 and April 2018 (the April election was due to constitutional requirement for a run-off if no Presidential candidate pulled 55% first ballot).Equally Covid-19 was also another factor. These circumstances inevitably resulted to the slow pace of implementation of the accepted recommendations.

This present report is an update to the midterm report submitted to the Council in June 2019 on progress the government of Sierra Leone has made since 2016 to further improve the human right situation, while acknowledging previous efforts since first cycle. The report was compiled based on information received from MDAs responsible for implementation of the accepted recommendations, and those gathered from media and secondary data including media houses while monitoring those noted. The information received was collated and analyzed in consultation with CSOs, victims and other stakeholders working on the issues raised in our second cycle report to the Council.

Due the Covid-regulation prohibiting social gathering most of the consultations were virtual. After updating on the eight issues, members agreed to reduce to five issues that of serious concern the situation of human rights on the ground. Therefore the issues regarding **1.Labor and Employment rights 2.Discrimination 3.Access to Justice 4.Education and 8.Corruption** were given serious consideration where **5.Health 6.Teenage Pregnancy 7.Poverty** though also very important but are significantly monitored by other stake holders including inter partners. Therefore only **Labor and Employment rights 2.Discrimination 3.Access to Justice 4.Education and 8.Corruption are reported in this third cycle** representing **88 recommendations** proffered by 43 states and accepted by the government of Sierra Leone.

The report is presented in a format describing the Recommending States indicating Recommendation numbers, summary of the Recommendations, efforts made by the government, actual situation on the ground followed by recommendations

1. Labour and Employment rights

1. 111.27(Philippines);111.28(Honduras;111.29(Niger);111.30(Indonesia);111.35(Benin);111.36 (Philippines)

- GoSL accepted to accelerate/expedite and consider ratification of: **International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, International Labor Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169) and Domestic Workers Convention, 2011 (No. 189) and that of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights**

The Government of Sierra Leone (GoSL) has a separate ministry responsible to oversee employment, labour and social security for both national and migrant workers. Since second cycle, Government has signed and ratified **International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families; Domestic Workers Convention, 2011 (No. 189)** and that of **Indigenous and Tribal Peoples Convention, 1989 (No. 169)**. However, the government has not ratified the **Optional Protocol to the International Covenant on Economic, Social and Cultural Rights** accepted since the first cycle (2011).

In Sierra Leone, Section 14 of the 1991 Constitution provides no legal right to labour and employment rights but can only be considered by Parliament during policy formulation.

In 2015, Parliament passed the Minimum Wage and Local Content Acts 2015 respectively and still putting measures to review a 5-year Labour and employment policy which ended in 2018.

In the second cycle review, the issue of end of service benefit for more than 500 employees formerly working for Commium Ltd and London Mining Limited are to be fully addressed. Our monitoring report also revealed that government's agreement with these companies did not adequately protect the labour rights of these workers despite signing/ratifying the above ILO Conventions on domestic workers.

Also since the second cycle, the Monitoring Group received complaints from more than 200 security agencies¹ alleging that they are working more than the required eight hours but without pay, for the extra hours worked. Most entertainment centres (bars and restaurants) complain of not paid the minimum wage of Le 600,000 per month despite the passing of the Minimum Wage Appropriation policy of 2019, showing weak monitoring mechanism to ensure enforcement of these labour right laws.

Most worrying, is the astronomical increase in the rate of unemployment. Our monitoring report revealed that the Ministry has no accurate data to track the rate of national unemployment, a serious threat to peace: numerous cases of youth violence sometimes resulting to death and armed robbery as a result of no proper data on number of unskilled and unemployed ex-combatants. Most of them live in ghettos and slums. It was no surprise that youth violence has characterized police confrontation all over the country.

CUMG recommends that the Government of Sierra Leone:

- 1) signs and ratify the Optional Protocol to International Covenant to Economic and Social Rights
 - 2) repeals section 14 of the 1991 constitution
 - 3) set up a robust monitoring mechanism for local content policy and minimum wage
 - 4) set data on skill development and employment.
2. 111.132 (Albania), 111.134 Libya,111.133(Angola☺),111.135(Oman);
- GoSL accepted to take necessary measures to review and adopt child labour laws, implement the Child Labor Action Plan aimed at prohibiting and eradicating child labour and provide information on the results achieved.

Since second cycle, Government has continued its support to maintain child labor desk at national and but not in the provinces. Government is also working on policies to reduce child labour and putting effective measures in place to update all child labour laws in compliance with all ILO Conventions signed and ratified.

However, these measures are not popularized and enforcements are seriously weak. In the capital city of Freetown and in the provinces, there are more than 2,000 children especially girls including those with disabilities, engaged in various forms of child labour: stone mining, wood selling, street begging (including carrying their parents with visual impairments). The commonest is street selling in car parks, mosques, churches etc. As such government

¹ Mount Everest Security Agency, Pendrax Security Agency, SSGI Security Agency etc

has not put adequate measures to address the acute problem of child labour. Till date there is no reliable data in the Ministry to fully account for child labour.

➤ CUMG recommends that the Government of Sierra Leone:

- 1) set up a data base on child labour across the country
- 2) Decentralize child labor desks at regional or district levels
- 3) develop and popularize child labour policy

2. Discrimination

3. 111.23(Madagascar),111.32(Ghana); 111.15(Djibouti);111.20(Belgium) 111.21(Chile); 111.22(Burundi); 111.90 (Pakistan); 111.47(France);

➤ GoSL accepted to ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and Optional Protocol to the Convention on the Right of Persons with Disability, adopt national legislation prohibiting female genital mutilation and the right of persons with disability; and implement standards on women's rights in order to ensure that they can enjoy autonomy including an effective programme for their implementation

The Ministry of Social Welfare, Gender and Children's Affairs is responsible to promote the social welfare of all men, women, children and Persons with Disabilities) (PwDs. Through this ministry, the government of Sierra Leone has signed and ratified the UN Conventions on the Elimination of All Forms of Discrimination Against Women and the PwDs respectively. Since the first cycle, the government accepted to ratify the Optional Protocols to both Conventions. However, the government has not fulfilled this commitment. In 2019 the government of HE Rtd Brig. Maada Bio separated the Ministry into two: one responsible for men, women, and children while the other caters for the aged and PwDs..

Through the former ministry, government enacted the PwD Act 2011, establishing the National Commission for Persons with Disability responsible to combat all discrimination against persons with PwDs. However, a serious challenge to full implementation due to ineffective policy direction, inadequate financial and human resources for the Commission.

Equally the former ministry developed a gender policy, but the Women Commission advocated for, by gender activists, has not been established thus delaying the enactment of Gender Equality Bill which provides a (30% quota) for women in decision making. This has resulted to the low level of women and persons with disability participation in decision making.

CUMG recommends that the Government of Sierra Leone:

- 1) Signs and ratify Op-CEDAW and OP-UNCPRD
- 2) Ensure the full implementation of the PWD act of 2011
- 3) Set up without delay Women Commission
- 4) Scale up the 30% quota implementation of women inclusion in decision making

4. 111.72(Djibouti);111.88 (Madagascar)

➤ GoSL accepted to continue efforts to end discrimination and violence against women by taking all necessary measures to guarantee equal and effective access to justice for women and to ensure access to all levels of education and take measures to raise awareness in the population with a view to eliminating stigmatization and discrimination suffered by persons with disabilities

In 2007, the government of Sierra Leone enacted four Gender Acts². To ensure effective implementation, the government established a specialized institution within the Sierra Leone Police called Family Support Unit (FSU). This unit is responsible to investigate and prosecute violations of these laws. In 2012, the government further strengthened its gender protection laws by enacting Sexual Violence Act 2012. In 2019 the government has

² These laws include **Domestic Violence Act 2009** protecting women and girls against all form of violence, **Devolution of Estate Act 2007** where women have equal right to acquire property and **Registration of Customary Marriage Act 2007** protecting women against discriminatory tradition marriage laws

strengthened the sexual Offences Act that has given harsher punishment for perpetrators including life imprisonment. In 2020 government has established a one stop centre which provides temporal accommodation for survivors to avoid interface with perpetrators and their families including psychosocial counseling, medical assistance etc. All these have reduced discrimination and increased access to justice for women against SGBV.

However, with all these efforts, discrimination, sexual and domestic violence against women still remain a huge challenge as most of these opportunities are located in urban areas and not hard to reach communities.

Report received from an NGO called Rainbow Centre indicate that domestic violence against women including those with disability recorded in 2019 3071SGBV cases. This figure is alarming considering all the sustained advocacy gender activists have embarked on to protect our women and girls against SGBV. This is so because, the state institution (FSU) responsible to implement these laws is not given the required support it needs. The institution lacks both human and material resources (personnel, mobility, ICT equipment) etc to effectively carry out its mandate. Our field monitoring report, revealed that there is no specific budgetary allocation to the FSU as a unit but receive their budgetary support from the Sierra Leone Police allocation. This is largely affecting their work as in the event of urgent action they rely on NGOs and donors to provide the required logistical and financial support needed, hence delay their investigations, leading to destruction of material evidence and as such, most matters are dismissed in court due to lack of evidence.

The FSU also lacks Forensic equipment to conduct forensic investigation rather rely on the only laboratory established by Rainbow Centre. This makes them lack direct supervision to the results submitted to them as evidence.

Equally due to lack of resources (financial and human) the National Commission for Persons with Disability is not capable to raise adequate awareness among the population with the aim to eliminate stigma and discrimination against persons with disability. For instance, in January 2019, more than 100 PwDs were evicted from an unused private land in the eastern part of Freetown. Most of them women and children were found sleeping in markets and streets susceptible to all sorts of dangers and medical situation. Till date their problem is yet to be resolved. Until recently the Commission has requested to address their situation if only they can acquire a land. The Commission has made effort to engage the population and partners on disability as human rights.

CUMG recommends that the Government of Sierra Leone:

- 1) Provides adequate budgetary support to carry FSU mandate
 - 2) Support National Commission for PwDs against discrimination and stigmatization with the required resources
 - 3) Established a forensic lab to aid investigators of sexual penetration and rape
5. 111.44(Colombia);
- GoSL accepted to ensure equality of rights between men and women to acquire, transfer, change or conserve nationality and transmit it to children born abroad, as recommended in the Convention on the Elimination of All Forms of Discrimination against Women

On 17 November 1966, the government of Sierra Leone signed CEDAW but not fully domesticated all its provisions. There are still challenges for women to fully enjoy their rights as provided in CEDAW. Sierra Leone is dualist state; as such all international laws are only enforceable if domesticated.

Therefore to guarantee the right to transfer citizenship to women and children just as to men, the government of Sierra Leone repealed the Citizens Act of 1973 in July of 2017. This right is conferred on children born abroad as long as either parent is a Sierra Leonean.

CUMG recommends that the Government of Sierra Leone:

- 1) Popularize the Citizens Act of 1973 as amended

3. Access to Justice

6. 111.38 (Congo);111.33 (Armenia);111.49(Zambia);111.34(Benin);111.19 (Slovakia);
- GoSL accepted to sep up the ratification procedure of all the international instruments submitted to Parliament in particular accede/ ratify the Convention on the Prevention and Punishment of the Crime of Genocide, finalize the process of the ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, the Optional Protocol to the Convention on

the Rights of the Child on a communications procedure.

Since 2016, government is yet to put effective mechanism in place, accessible to the general public, explaining the procedure for ratification of all international instruments signed. Section 40(4)(d) of the 1991 Constitution provides that “The President is responsible for the execution of treaties, agreements or conventions in the name of Sierra Leone”. Under the laws of Sierra Leone, the Attorney General & Ministry of Justice(AG&MJ) is principally responsible to present all treaties to Parliament for ratification.

As a progress, Parliament has established a specialized Committee on Human Rights, responsible to ensure that all MDAs protect, promote and fulfill all national and international human right obligations. However, the work of the committee and MDAs needs to be formalized and popularized, to ensure that all international agreements are ratified by Parliament without delay. Currently, there are more than ten international human rights instruments either not signed or signed but not ratified including the Convention on the Prevention and punishment of the Crime of Genocide, Optional Protocol to the CEDAW, Optional Protocol to the Convention on the CRC, etc.

This clearly put Sierra Leone in a situation where victims of human right violations of these conventions do not have access to remedy through the treaty monitoring bodies.

CUMG recommends that the Government of Sierra Leone:

- 1) Establish a special directorate in the Office of the President to ensure speedy ratification of all pending international instruments including the Convention on the Prevention and punishment of the Crime of Genocide, Op-CRC, Op-CEDAW etc
7. 111.206 (Philippines),111.142(Mexico);
 - GoSL accepted to continue engaging its regional and bilateral partners with the view to build capacity and mobilize resources in support of efforts to fulfill its human rights obligations and to eliminate barriers to women enjoying effective access to justice and promote knowledge of their rights and provide basic legal assistance and continue to eliminate barriers to women enjoying effective access to justice and promote knowledge of their rights and provide basic legal assistance.

The government has taken some positive strides to fulfill its human right obligations by establishing institutions through Act of Parliament responsible to promote and protect human rights. The Government has established Legal Aid Board (LAB) in 2012, FSU in 2001, Independent Police Complaint Board in 2014, Human Right Commission for Sierra Leone (HRCSL) in 2004, to name but a few. All these institutions have contributed to the fulfillment of SL human rights obligation. Since its establishment, LAB has provided access to justice to more than 2,000 women one of the most effective justice right based institutions in the country. Apart from defending the rights to justice for indigents, it also embarks on community sensitization of its work. It has regular TV broadcast on National broadcaster SLBC every Saturday. With all these efforts, they are challenged by both personnel and logistics to carry out their mandate in full. Till date, there is no effective mechanism by the central government to mobilize external resources, apart from the parliamentary annual appropriation which are sometimes not enough to carry out their full mandate.

CUMG recommends that the Government of Sierra Leone:

- 1) set up mechanisms to mobilize external resources both finance and human to support the work of right based institutions across the country
- 2) partner with civil society in popularizing instruments that created all right based institutions
8. 111.61(Egypt);
 - GoSL accepted to submit the belated national reports to the treaty bodies

Sierra Leone is among countries that have huge reporting obligations, to mention but a few:

- Acceded to Economic, Social and Cultural Rights instrument on 23 August 1996 but has not submitted any report since 30 June 1998.
- Signed International Convention for the Elimination of All Forms of Racial Discrimination on 17 November 1966 & ratified it on 2 August 1967. Report submitted in: 1971, 1973, 1991 &1995. This clearly shows outstanding reports since 1995.

- Signed the Convention on the Rights of Persons with Disabilities on 30 March 2007 & ratified it on 4 October 2010. But only submitted report in 2020 that was due in 2012.
- Signed Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment and ratified it on 25 April 2001. Report only submitted on 23 May 2014.

Section 7(2)(e) of the Human Rights Commission of Sierra Leone Act, No. 9 of 2004 provides that the Commission is responsible to “advise Government concerning preparation of periodic reports required by international human rights treaties or agreements to which Sierra Leone is a party”. The Commission is yet to take proactive measures to fully fulfill this obligation.

Government failure to fulfill its reporting obligation is clearly responsible for limited information on the progress and challenges the country is making on its human rights obligations.

CUMG recommends that the Government of Sierra Leone:

1. Set up reporting directorate in the Office the President to meet its international reporting obligations
2. Support HRCSL implement Section 7(2)(e) of its Act.
9. 111.39 (South Africa);111.40 (Lesotho)111.41(Chile)111.43(Niger);111.50(Malaysia);

- Government of Sierra Leone accepted to continue/accelerate efforts including allocating more resources in the context of the Constitutional Review Process and make appropriate amendments in order to align the national legislation and policies with regional and international human rights obligations undertaken by the country

The Constitutional Review process which started in 2015 was marred by serious controversies between the Constitutional Review Committee and the then ruling Ernest Bai Koroma led government. The work of the Committee to make amendments so as to align with Sierra Leone international and national human rights obligations was therefore delayed due to these controversies. Ideally, the government of President Rtd Julius Maada Bio has made commitment to restart the review process.

However, no budgetary allocation and timeline have been given to the public indicating a delay if donor funds are not secured.

CUMG recommends that the Government of Sierra Leone:

1. allocate a budget to Constitutional Review process a commitment to international obligation
2. Provides time line for the review process
10. 111.52(Portugal);111.53(Egypt);111.54(Indonesia)111.56(Nigeria)

- Government of Sierra Leone accepted provide its National Human Rights Commission with adequate funding in order for it to be able to fulfill its role and to ensure its independence and to advance its work through, among others, developing a comprehensive human rights national action plan for the Commission to continue promoting and protecting the fundamental freedoms, human rights of all its citizens.

The Truth and Reconciliation Commission (TRC)³ recommended the establishment of a human right institution as an autonomous quasi-judicial national body.

In 2004, Parliament Legislated the Human Rights Commission for Sierra Leone Act 2004, creating the HRCSL as an autonomous quasi-judicial national Human Right Institution, in compliance with the Lome Peace Accord and Paris Principle. Since its establishment, the Commission has developed comprehensive strategic national human right plans aimed at promoting and protecting the fundamental freedoms and human rights of all persons living. It is presently accredited as a Grade A NHRI status. It is designed to receive funding primarily from the National Consolidated Fund. As a result, funding constraints have marred the operations of the Commission. For the 2018 & 2019 financial years, the Commission received less than 25% and 78% respectively.

³ The TRC was established in Lome, Togo Republic in 1999 as part of the peace agreement signed between the government of Sierra Leone and Revolutionary United Front(RUF) as the main warring faction brokered by the UN

In 2018, the government dissolved the Commission there by terminating the contract of three Commissioners including the Chairman; a decision that was seriously contested by affected Commissioners attracting the attention of international community, which made them request full explanation from the AG&MJ, and the Speaker of Parliament to put on hold any approval of new Commissioners. This was resolved and new Commissioners have been appointed and approved by Parliament.

During this period there were huge number of unreported human rights cases due to lack of quorum in the Commission.

For instance, in February 2019, the country experienced a nationwide customary feud as a result of the “Poro society” initiation. These incidents degenerated into widespread human rights violations, but the Commission was handicapped to conduct effective investigation. In Pujehun, in the southern district, the forceful Poro initiation led to the death of two civilians, where a curfew was declared and arbitrary arrests reported including arrest of a sitting Member of Parliament. The situation remains volatile as there is still a serious animosity between land owners and a multinational Agricultural company called SUCFIN. A committee was set up headed by the Office of the Vice President to mediate between the land owners and the company. Government has not published any report on progress made although efforts are made to mediate between the land owners called Malen Land Owners Association (MaloA).

In 2017, the government established the Independent Police Complaint Board (IPCB) through an Act of Parliament. As all other boards, it is constrained with funding to carry out all its statutory functions. The Board has submitted its annual reports to the President highlighting achievements and constraints including lack of resources to cover its work nationwide and mostly enforcement powers to effect implementation of its Recommendations. The Board is shares best practices with Complaints, Discipline and Internal Investigations Department of the SLP.

CUMG recommends that the Government of Sierra Leone:

- 1) ensure full independence of IPCB & HRCSL to carry out their operations
- 2) ensure adequate funding for HRCSL & IPCB
- 3) fully implement IPCB recommendations

11. 111.104 (Slovakia);111.105(Albania);111.58(Lao People’s Democratic Republic);111.130 (Cote’d’Ivoire)111.141(Malaysia);111.45(Brazil);

- Government of Sierra Leone accepted to implement a zero-tolerance policy on sexual and gender-based violence and ensure the prosecution of all perpetrators of violence against women, rehabilitate and support victims of violence, take effective measures to further implement the National Action Plan on Gender-based Violence and the Domestic Violence Act and the Sexual Offences Act, specially by promoting access to ensure access to justice for vulnerable groups, especially women and children, whom have been victimized by violence and abuse

Both Domestic Violence and Sexual Offensive Acts respectively make provisions to prosecute all perpetrators of violence against women and girls. The FSU was also established to ensure implementation of these laws. The MSWGCA has developed National Action Plan on Gender-based Violence. However, inadequate funding to fully implement these laws and policies are still posing a serious challenge. In addition, both laws do not make explicit provision to rehabilitate and support victims of gender based violence and sexual offences. Also, both laws do not make explicit provision to protect women and girls with disability against gender base violence. For instance, a girl with visual/hearing impairment do not access justice in most police stations and courts and therefore prefer to remain silent rather to seek justice.

Sexual violence against women especially rape is on the increase. In 2019, FSU reported 8,199 GBV out of which western area alone accounted for 3,845(46.87%) indicating high rate of GBV reported cases in the western area than the rest of the regions. In 2018 report, sexual penetration was more alarming. There was a case of a five year old girl sexually penetrated by her uncle and now paralyzed, which made the President request the German government for surgical operation.

This urged the First Lady of the Republic to launch ‘Hands Off Our Girls’ campaign on 14 December 2018, where seven First Ladies from West Africa participated. Similarly, in the President’s 2018 New Year’s Message, he announced strong laws for perpetrators of sexual penetration, recommending life imprisonment for perpetrators convicted of such a heinous crime. In fulfillment of this pledge, the President declared a state of emergency on sexual penetration and rape, which parliament of Sierra Leone has ratified. This led to amending Sexual Offences Act of 2012 in 2019, making provision for life imprisonment as maximum sentence and penalties for anyone compromising during investigations.

CUMG recommends that the Government of Sierra Leone:

1. to set up a forensic lab for speeding investigation into sexual penetration and rape
 2. provide adequate funding and personnel for FSU
 3. support treatment centers, including rehabilitation and psychosocial support for survivors
12. 111.127(Israel);111.57(Azerbaijan);111.110(Germany);111.71(Pakistan);
- Government of Sierra Leone accepted to adopt measures to prevent, punish and eradicate violence against women and continue the implementation of the National Referral Protocol on Gender-based Violence and the National Plan of Action on Gender-based Violence (2012) all across the country; address the issue of female genital mutilation in an appropriate manner through awareness-raising programmes for parents, women, girls and traditional and religious leaders and suitable legal instruments, as previously recommended in the first universal periodic review and accepted by Sierra Leone.

In 2012, the government developed the national Referral Protocol and that of National Plan of Action on Gender-based Violence respectively. Both policies provide a comprehensive framework as measures to prevent, punish and eradicate violence against women and girls. However, these measures not popularized among rural women, girls and traditional and religious leaders, as such not effectively implemented.

This led to the high increase in the cases of FGM nationwide even though this recommendation was accepted in the first cycle. Our report revealed that most parents are not aware of National Referral Protocol and that of National Plan of Action, hence could not refer matters in compliance with the Referral Protocol

CUMG recommends that the Government of Sierra Leone:

- 1) popularize the National Referral protocol and National Action Plan
 - 2) ensure full implementation of Referral protocol and National Action Plan
13. 111.122(Argentina);111.114(Jamaica);
- Government of Sierra Leone accepted to explicitly prohibit traditional practices that harm the rights of women; continue: to strive for a careful balance between measures taken against harmful traditional practices, respect for traditional cultural and spiritual beliefs, protect women from traditional practices which hinder full realization of their rights, and continue implementing regulations to end all forms of discrimination against them

Traditional practices are part of the culture of Sierra Leone, before and after independence (1961). It has a strong socio-cultural sensitivity especially among women. It is the only means rural women meet and share their common interest, hence a strong bond for them. There is therefore little effort from government to prohibit this practice. During elections, politicians use traditional rites to gain political power as the population of women outweighs that of men⁴ (a ratio of 52:48).

The government before Ministry of Social Welfare was separated in 2019 established a strong working relationship with the Soweï Council key actors to his traditional rite called '**bondo,**' where FGM is mainly practiced. The Child Right Act 2007 prohibits age of consent to the practice of FGM while Customary Marriage and Divorce Act 2007 provides for. This authorizes Soweï to practice on women above 18. The Soweï Council has therefore been authorized by the GoSL to carry the practice for women above 18 upon their consent. However, there are several reported cases of FGM among girls as young as 5 years which has sometimes resulted to death. For instance, every year, girls as young as 7 years undergo the FGM, sometimes leading to death. Fortunately there is a ban on all secret societies since the insurgence of COVID 19.

CUMG recommends that the Government of Sierra Leone:

- 1) put mechanisms in place to monitor and enforce full implementation of the Child Right Act 2007.
- 2) Set up a data base of all Soweï or Initiators indicating their initiation location
- 3) Enact Traditional Practice Act clearly prohibiting the harmful traditional practice

⁴ 2015 National Housing and population Census

14. 111.151(Germany) 111.162(USA) 111.190(Senegal), 111.191(Costa Rica); 111.192(Oman)

- Government of Sierra Leone accepted to integrate human rights education into the education system and for law enforcement officials and agents and to ensure that all police officers are aware of and abide by international human rights standards on police use of force. The government agreed to prevent, investigate and sanction cases of violence committed by law enforcement officials and to refrain from arbitrary arrest and the use of criminal libel laws against and harassment of journalists and opposition members

The Sierra Leone Police (SLP) and Sierra Leone Army Military (SLA) have incorporated human rights training into their curriculum. However, there is little follow up mechanism to ensure effective implementation of lessons learnt. There are evidences of SLP brutality, arbitrary arrests, high handedness, use of force, to name but a few.

In 2016, SLP allegedly killed, arbitrarily arrested, imposed curfew when youth agitated for a youth village in Kabala north of Sierra Leone. Similar incidence was reported in Mile 91 in September 2018 during a raid on suspected cannabis, where another civilian was killed, millions of Leones worth of property carted away and houses vandalized. In Freetown Ahmadiyya Muslim Secondary School was vandalized, teachers manhandled, school teachers arrested. In Makeni SLP used excess force including lither weapons during a civil riot that led to wounding and killing of civilians and arresting dozens. HRCSL conducted independent report condemning the police and the government for not taken measures to protect human rights of civilian, the matter is still in court and some of the youths still detained while no charge against the SLP for their action.

In Pujehun SLP operated with the SLAF during a civil rife between land owners and SUCFIN Agricultural Company where two civilians died due to gunshot wounds, a sitting member of parliament arrested and more than one hundred civilians internally displaced. In Waterloo town,⁵ members of Sierra Leone Army invaded a police station and vandalized police properties and manhandled police officers. Full investigations into these violations are yet to be conducted.

In 2020 government has abolished the criminal libel provision in the Public Order Act of 1965 decriminalizing libel against journalists, human rights defender including opposition members. However on 8 October 2020 SLP redeemed their image by professionally a situation that was to generate into serious massacre

CUMG recommends that the Government of Sierra Leone:

- 1) Sep up a special committee to monitor police operations
- 2) Seek international support to provide human right training on international standard to security forces

15. 111.59(Code 'I' Voire)

- Continue with measures aimed at protecting and respecting civil and political rights

Sierra Leone has taken positive steps in promoting and respecting civil and political rights. Since end of the civil war (2002), Sierra Leone has organized four successful elections in 2002, 2007, 2012 and 2018. During these elections the citizenry were given the right to scrutinize politicians on how they intend to guarantee their civil and political rights when assume power. Civil and political rights such as right to vote, peace and security, access to justice, gender equality etc are gradually improving.

Equally, Sierra Leone has established National Electoral Commission, HRCSL, FSU, LAB as institutions responsible for the respect and protection of the civil and political rights. All these institutions have greatly improved the human rights of all citizens. The 1991 Constitution provided for the creation of SLP responsible to protect civil and political rights of persons within territory of the country.

However, the laws establishing these institutions give high executive powers to oversee their operations especially in appointment and funding, therefore, a tendency to undermine their independence. This was exhibited by dissolving some of these Human Right Commissions using presidential order: key reason for the slow pace of the full realization of civil and political rights especially the SLP. This has even led to mistrust between these state institutions and the civilians including political parties.

CUMG recommends that the Government of Sierra Leone:

- 1) Review the 1991 Constitution to reduce to reexamine power of the executive and human rights.

16. 111.138(France);111.139 (Oman);111.149(Cuba); 111.144 (United Kingdom of Great Britain and Northern Ireland); 111.145;(Egypt);111.143 (Switzerland); 111.146 (United States of America);

- The Government of Sierra Leone accepted to carry out measures to reduce overcrowding in prisons, including through a reduction in lengthy pretrial detention and alternatives to custodial sentences for minor offences and provide adequate resources to address poor prison conditions. The government also accepted to guarantee all individuals the right to be tried within reasonable time or released, and introduce alternative punishments to the imprisonment

In 2014, Sierra Leone repealed the Prison Ordinance Act 1960 to Correctional Services Act 2014, hence replacing Sierra Leone Prison to Sierra Leone Correctional Services. This measure is aimed to reduce overcrowding in all prisons and detention centres. Through this new Act, all prisons and detention centres in Sierra Leone have been charged to do correctional and rehabilitation services including access to skills development, educational and religious services.

Also, the government is reviewing the Criminal Procedure Act of 1965. If repealed, will reduce length of pre-trial detention and allow custodian sentences as alternative punishment for minor offences. However, this effort has taken more time than expected. The measure was initiated in 2014 and till date it is yet to be debated and approved by the House of Parliament.

As a result, even with the change of the Prison to Sierra Leone Correctional Service (SLCS), overcrowding is still on the increase as there are inmates for minor crimes such as loitering, traffic offences, delayed or pretrial investigations, limited access to health care facilities, inadequate food and basic items, inadequate sanitation and others. All correctional centers in the country have exceeded their maximum capacity some by more than two folds.

Through the effective work of the Legal Aid Board, the Chief Justice in mid 2019 ordered review of all cases relating to minor crimes such as loitering, traffic offenses etc. This led to reduction correctional centers by about 5 while the President has pardoned more than 1000 prisoners since 2018

CUMG recommends that the Government of Sierra Leone:

1. Speedily repeal the Criminal Procedure Act 1965
2. Provide adequate funding Sierra Leone Correction Service to carry out its new mandate

17. 111.131 (United States of America);

- GoSL accepted to take effective measures to provide adequate legal and other assistance for domestic and international trafficking victims, and intensify efforts to identify and prosecute trafficking cases

Sierra Leone has adopted the Human Trafficking Act 200 establishing a human trafficking committee to monitor human trafficking internally and at border crossing points. However, there is ineffective implementation of these measures due to the lack of human, technical and financial resources. Even the few measures implemented, the Monitoring Group discovered that there is no effective mechanism to monitor the implementation. This was confirmed by the Deputy Minister of Internal Affairs that there are 80% of border crossing points that are not monitored effectively to track data on human trafficking. Report of trafficking in children and young women is therefore on the increase and grossly under reported. In 2020 the Vice President hosted a high level virtual on Human Trafficking indication government commitment to combat human trafficking but need to be translated into affirmative action.

CUMG recommends that the Government of Sierra Leone:

1. Popularize the Human Trafficking Act
2. Establish data on human traffic on all border crossings.

18. 111.136(Portugal);111.147(Botswana);111.149(Cuba);111.138 (France);

- Accelerate reforms within the justice sector in order to improve the conditions of judges and strengthen the independence of the judiciary. Continue to adopt measures to strengthen the criminal justice system,

in order to ensure accountability for crimes committed and to improve access to justice and fight against the abusive recourse to pretrial detention and ensure adequate allocation of resources towards court infrastructure and capacity-building in the Judiciary.

The government continues to support Justice Coordinating Office which has the mandate to enhance justice delivery to all citizens of Sierra Leone. This office has facilitated many judicial reforms. Through this office, facilities and conditions of service of judges and judiciary have been improved. For instance, the justice sector has ensured an increase of nearly 200% in salary for judges and magistrates. However, this increment did not address the condition of service for the entire justice sector. There is still a need to improve basic minimal provisions such as vehicles and other equipment required to carry out their work. Till date most judges and magistrates deliver hand written decisions, and files are stored manually, thus making files sometimes get missing leading to delayed justice.

The 1991 Constitution provides for independent judiciary headed by the Chief Justice. However, the supreme executive power interpreted by the Supreme Court in the case of the government of Sierra Leone v.s former Vice President Sam Sumana was perceived by the public as executive interference in the juridical powers. This was evidenced by the decision of the ECOWAS Court ordering the supreme court of Sierra Leone to reverse the decision: reinstate all the privileges and rights due the former Vice President. Most Sierra Leoneans perceived the Supreme Court decision as influenced by power from above. In December 2018, the Chief Justice resigned as provided in the 1991 Constitution. The President has appointed a new Chief Justice who has pledged to overcome this perennial problem of prison congestion and condition of service for the judiciary.

CUMG recommends that the Government of Sierra Leone:

1) Develop independent funding arrangement in order to ensure independence and efficiency of the judiciary

19. 111.140(France)

➤ Fight against impunity of the perpetrators of human rights violations, particularly those perpetrated during the civil war which have not been judged by the Special Tribunal for Sierra Leone, as well as those perpetrated by members of the law enforcement agencies

Since end of the eleven years civil war, both Truth and Reconciliation Commission and Special Court of Sierra Leone have completed their work. In its final report, the TRC gave historical causes of the war and proffered recommendations for actions to be undertaken that will prevent any such unfortunate situation. The Commission completed its work in 2006 but did not recommend legal proceedings against perpetrators due to the provision of blanket Amnesty in the Lome Peace Accord protecting all warring factions in the civil war. However, in 2018, lawyers have issued leave of the court of Sierra Leone, to allow them initiate proceedings for judicial accountability against ECOMOG fighters who were believed to have committed atrocities against innocent civilians but were not held accountable in Nigeria for their crimes

The Special Court indicted 13 persons responsible for the heinous crimes committed from 1996 to 2000. They were indicted from three factions as follows (five RUF, four AFRC, and three CDF), and former Liberian President Charles G Taylor where three died before end of their trial and Johnny Paul is still at large. The remaining six are serving long sentences in Rwanda and Charles Taylor in UK, while one is free and one serving remaining sentence in his community under Condition Early Release provision in the Practice Direction of Residual Special Court for Sierra Leone. The Residual Special Court is overseeing all post trial activities solely with funding from the international community.

CUMG recommends that the Government of Sierra Leone:

1) Establishes robust outreach on TRC Report and the SCSL decisions

20. 111.77 (Tunisia)

➤ Government of Sierra Leone accepted to step up its efforts to combat discrimination against women and prohibit corporal punishment of children in all circumstances

Government has demonstrated its effort to combat discrimination against women by adopting four gender laws mentioned inter earlier These laws provide measures to protect women against discrimination.

However, corporal punishment is still considered in Sierra Leone as a traditional practice. So no significant effort by the government to address corporal punishment.

CUMG recommends that the Government of Sierra Leone:

- 1) Develop and popularize national policy on corporal punishment in schools and communities
21. 111.205 (Poland);
- Engage the civil society in the follow-up implementation process of the recommendations raised during the universal periodic review

After the second cycle review, Government took positive steps to engage civil society in its follow-up implementation. In June 2019, CSOs participated in four day training for monitoring and reporting UPR recommendations accepted and noted by the Government of Sierra Leone. The training created a National Framework for reporting on the UPR, and CSO UPR Monitoring Group is member of the framework. Also, CSOs actively participated in the draft of the government midterm report. Government engaged all CSOs working on UPR in their activities.

However, follow up on the recommendations of the training outcome in 2019 was not fully implemented. This is largely attributed to lack of allocation of funds to the Ministry of Foreign Affairs for UPR process.

CUMG recommends that the Government of Sierra Leone:

- 1) Allocate special budget for UPR processes
- 2) Fully implement the 2019 training outcome organized by OHCHR on UPR and Treaty Monitoring Bodies

4. Education

22. 111.193(Singapore)111.194(Cuba);111.195 (Namibia);111.199 (South Africa); 111.203(Democratic Republic of the Congo);

- Ensure that the New Education Sector Plan is well implemented and adequately resourced, in order to raise education standards at all levels in the country; take measures to ensure the provision of the required resources for the full implementation of the new educational system introduced in 2012 and strengthen measures to ensure that women's access to education is enhanced and establish a range of measures for the application of the 2014 law on education with a view to ending women and young girls' illiteracy

The government of Sierra Leone has introduced a new education plan called Free Quality School Education, under the present New Direction Education for development Agenda 2019-2023 at its flagship policy. This policy is providing free tuition and learning materials for pupils from basic to senior secondary schools in government and government sponsored schools. The policy has also removed the four years in senior secondary school, thus reversing to 6-3-3-4 as enacted in the Education Act 2004. To ensure effective implementation, the government has allocated 21% of its GDP to basic and senior secondary sector. This led to school enrollment of 2,000,000 from primary to senior secondary schools culminating to a huge challenge in pupils accommodation across the country. Teachers have also received an increase in salary by 35% by 2020 and about 5000 new teachers recruited. However, lack up accurate disaggregated data in compliance with SDG 4, Millennium Challenge Corporation and other right to education instruments remain a huge challenge although the Ministry has put a system in place to overcome this challenge.

In 2019 the Government divided the Ministry of Education, Science and Technology into two, where, one is responsible for basic and senior secondary school while the other is responsible for tertiary, technical and vocational education. The ministry responsible for higher education has created Tivet funds to provide resources for vocational and skills training for girls and women. However implementation of these policies is at slow pace hence impact difficult to measure.

CUMG recommends that the Government of Sierra Leone:

- 1) Popularize the tivet fund in rural communities
 - 2) Ensure accurate data collection in compliance with SDG4, MCC indicators and other education bodies like UNESCO
23. 111.198(Madagascar);111.196(Nigeria);
- Strengthen all policies to bolster basic education, including education for girls, adult literacy and education for persons with disabilities and prioritize universal basic education for the benefit of all Sierra Leonean children

In the Education Act 2004, section 3 (3) provides for free and compulsory basic education. It further provides that parents or guardians who fail or refuse to send their children to school, commit an offence and if convicted shall pay a fine not exceeding five hundred thousand Leones (Le500, 000 or 50USD) or a one year imprisonment or both fine and imprisonment. However, this law is yet to be fully implemented as there are thousands of children especially girls between 5-15 years still selling or engaged in street begging without going to schools. In Freetown, around all lorry parks, car wash, market places, religious houses etc hundreds of girls are seen selling while counterparts are in school. A situation we expect the Free Quality School Education to address in compliance with the above provision.

CUMG recommends that the Government of Sierra Leone:

- 1) Works with local councils implement policy in compliance with section 2(3) of Education Act 2004.
24. 111.197(Malaysia);
- Promote the completion of education for children, and remove all hindrances and discrimination against children in fulfilling their right to education

Payment of tuition fees was a major hindrance to school completion rate in the country especially for girls and persons with disabilities. The payment of tuition fees by present government to all government and government assisted schools has significantly been addressed. However, there are still hindrances for children with disability to equally benefit from the free quality education. Learning materials such as Braille, hearing aid etc, are still not part of the package provided by the government. Equally, children with disability are challenged in accessing school buildings, playing grounds, sanitations (toilets) and water.

CUMG recommends that the Government of Sierra Leone:

1. Provides teaching and learning material for children with disabilities
 2. Develop a policy on access to school infrastructure
25. 111.201(Germany);111. 202(Angola);
- Ensure the rights of all girls to education by inter alia reversing a decision to ban pregnant girls from attending classes and exams, promote school enrolment of girls and literacy of women and continue to advance its poverty reduction strategy and increase investment to health and education to improve national health-care system and raise education coverage

In 2015, government pronounced a policy preventing pregnant teenage girls from accessing education including sitting to public exams until safe birth. This was as a result of school closure in June 2014 to April 2015 due to Ebola epidemic

In 2020 government has reversed this decision but still been challenged by some sectors of society. This is expected to lead higher enrollment of girls in schools. Fortunately there is a growing revelation that girls are doing very well in public exams than boys. The minister of health and sanitation has also promised to include health and sanitation services in the free quality school education. If fully implemented will lead to improve school completion and health care services.

During the launch of the free quality school education, government pronounced to give loans to vulnerable parents hence increasing school enrollment especially for girls.

CUMG recommends that the Government of Sierra Leone:

1. the Free Quality Education is yet to give priority to girls' enrolment by creating special incentives for girls to keep pace with boys.

26. 111.128(Armenia);111.129(Honduras);111.69(Slovenia)

- Take the necessary steps to combat girls' sexual abuse, discrimination and violence in particular at schools backed-up by the necessary human, technical and financial resources for any mechanisms and ensure pregnant teenagers enjoy equal access to education

Since independence, there has been a growing challenge for girls in primary, junior unto senior secondary respectively. Girls in all schools have reported "sex for grade syndrome". Ideally the Ministry of Basic and Senior Secondary Education has developed policy to combat sexual abuse against girls in schools. However, these policies are challenged by inadequate human, technical and financial support to ensure effective implementation. Also the policies are designed such that girls sometimes feel unsafe to report cases of abuse. In certain instances, girls who report and pursue are victimized by their school authorities.

As part of the free quality school education, the government announced providing micro finance to poor parents incapable to provide the basic facilities to compliment government support for education and health of their children. Equally government has extended free health care services to all school children nationwide.

CUMG recommends that the Government of Sierra Leone:

1. Put a robust mechanism to combat perpetrators of sex for grade in schools

27. 111.87(Israel);111.89(Mexico);111.184(Madagascar);

- Foster policies and implement measures to ensure the full enjoyment of rights by persons with disabilities and other vulnerable groups, especially regarding inclusive education

The persons with disability Act 2011 provides for non discrimination against all PwDs in Sierra Leone especially right to education. However, this right has not been fully realized by PwDs. The ongoing Education Inclusion policy is still under discussion before submitted to cabinet for approval and presented to parliament for enactment. Our monitoring revealed that the Free Quality School Education Coordinating Committee comprising of civil society and persons with disability organizations has designed programs to ensure the inclusion of Children and youngsters with disabilities, the right to inclusive education.

The Minister of Tertiary and Technical Education has also announced policy that all PwDs have access to free tertiary education in government and government assisted institutions. Government has adopted a policy offering free tuition for maximum 3 children whose parents are teachers and have served the teaching field for more than 10 years.

CUMG recommends that the Government of Sierra Leone:

1. Speedily enact Inclusive Education Policy
2. Fully implement policy providing free tuition for teachers served over ten in the field

5. Fighting Corruption

28. 111.60(Morocco)

- Implement a national strategy against corruption in order to fight against its effects that impair the enjoyment of human rights

Sierra Leone has shown commitment to fighting corruption since 2000. Government has signed the UNCAC in 2000 and subsequently enacted the Anti Corruption Act 2000. The Act mandated the creation of a specialized body called the Anti Corruption Commission headed by a Commissioner and a Deputy, both appointed by the President. The Commission has been in existence since then with clear strategy to fight petty corruption, versus mega corruption (that was very visible in very high places).

During this period therefore, public confidence in the Commission was not satisfactory. This was confirmed by various surveys conducted on the Commission where results have been very appalling. For instance the MCC in 2017 rated Sierra Leone 49% in the fight against corruption. This could be attributed to the then strategy for fighting corruption targeting petty crimes.

As part of his commitment to fight corruption, the President appointed a young lawyer who has promised to regain the confidence of all Sierra Leoneans in the Commission to fight corruption. The present Commission has emphasized both petty and mega crimes leading to the recovery of more than Le10B (US\$1.2M) cash, some of which the President promised to build an ultra modern hospital to reduce the burden of oversea travels by poor Sierra Leoneans to undertake medical examinations. For the first time the Commission was ranked by Millennium Challenge Corporation to 70% from its appalling 49%. Equally, the President appointed three Judges to conduct inquiry into the activities of former government officials since 2007 to April 2018. This decision was challenged by the former government calling it a “Witch Hunt” targeting them, and that the government did not follow due process in accordance with constitutional provisions. The government therefore decided to pursue all constitutional provisions and the Commission was passed as an Act of Parliament establishing three Commissions who have presented reports and government white largely accepting most of the recommendations including refunds of monies acquired through corrupt means and forfeiture of properties.

CUMG recommends that the Government of Sierra Leone:

1. Put effective measures to work with CSO popularize the UNCAC 2002 , ACC Act 2000 and that of Commission report and the White Paper