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Sierra Leone*

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I. Overview and methodology

1. Sierra Leone submits this National Periodic Report, pursuant to resolution 5/1 of the Human Rights Council, to give an overview of steps undertaken by the country to fulfil international human rights obligations under various treaties and instruments to which the country is State Party. The report was compiled from information gathered from the citizenry and stakeholders in nationwide consultations, following the official launch of the exercise by the President, H. E. Dr. Ernest Bai Koroma on 30th August 2010.
2. The Human Rights Secretariat of the Ministry of Foreign Affairs and International Co-operation was the lead agency, together with the Inter-Ministerial Council of the Government of Sierra Leone. The report was prepared through collaboration with designated focal persons in the line Ministries, Departments and Agencies (MDAs).
3. The consultations were done with stakeholders ranging from representatives of the Government, religious leaders/bodies, traditional leaders/bodies, Local Council representatives, Civil Society Organisations, Non-Governmental Organisations (NGOs), Human Rights Commission, the UNIPSIL, Vulnerable groups (women, HIV/AIDS, persons with physical disabilities), the Media, the Police, Army and Prisons departments, respectively.
4. This report reflects Sierra Leone's background; the current normative and institutional framework for the promotion and protection of human rights; its implementation and efficacy ; compliance of the state and institutions with accepted human rights standards, mechanisms and national human rights institutions; NGOs and other relevant national human rights stakeholders at national, regional and international levels; achievements and best practices which have emerged; challenges and constraints; key national priorities and expectations in line with Resolution 6/102.

II. Country background

5. Sierra Leone is situated on the west coast of Africa with the Atlantic Ocean being to the west and south-west, Liberia in the south-east and Guinea in the north. It has a land size of 71,740 Sq Km (45,000 sq miles) and a population of some six million people, of which 53 per cent (fifty-three per cent) is female and 47 per cent (forty-seven per cent) is male.
6. The country attained independence from the United Kingdom in 1961. The normative arms of Government consist of a unicameral legislature, the executive and the judiciary. The basic law is the Constitution of Sierra Leone (Act. No 6) of 1991.
7. The country has gone through a series of military Coups d'états and civil unrest culminating in a 10- year long civil war from 1990 that was characterised by gross violations of human rights including murder, mass rape, amputations, abductions, enforced marriage, destruction of property and a stagnating bundle of international human rights obligations needing urgent attention.
8. The civil war ended in 18/01/2000 and the process of peace-building has been slow and arduous but concrete. Sierra Leone comes from securing peace, to reconciliation, then to peace-building and development. Human development includes promotion and protection of human rights therefore, this review would report on the state of human rights promotion and protection using the guidelines of Resolution 60/251.

A. The Constitution

9. The Sierra Leone Legal System is made up of the Constitution, Common Law, Statutory and Customary Law. As a former British Colony, Sierra Leone received laws from Britain inclusive of the Common Law and the Statutes of general application in England before the 1st day of January 1880. The country operates a two-tier system of common law and local customary law respectively.

10. The Constitution of Sierra Leone is the Supreme law of the land and has an entrenched Bill of Rights (Chapter III). The Constitution guarantees most, if not all the rights in the Universal Declaration of Human Rights, the International Convention on Civil and Political Rights (ICCPR), the International Convention on Economic Social and Cultural Rights (ICESCR), The African Charter on Human and Peoples Rights, the ECOWAS human rights regime, the ILO Conventions, as well as the applicable international humanitarian law. Thus a number of basic freedoms ranging from the right to life, right to liberty, right property ownership, protection from slavery and forced labour, protection from inhumane treatment, protection from discrimination on grounds of race, place of origin, political opinion, colour or creed, right to a fair trial and the presumption of innocence are all provided for in the Constitution.

11. The Constitution also provides mechanisms for redress by persons whose rights have been violated through the courts of law and other statutory bodies such as, the Ombudsman, the Human Rights Commission, the Anti-Corruption Commission, the National Commission for Democracy and Human Rights and the Independent Media Commission. These institutions thus serve as the effective domestic guardian of human rights in Sierra Leone.

B. Legislature

12. Sierra Leone Law at the present provides for a single chamber legislature with a multi-party, democratic system of government in place.

13. The State practices a presidential system of government based on universal adult suffrage and is characterised by regularly held free and fair elections held at regular intervals as prescribed by the constitution. The manner in which the system is designed creates the possibility that the party forming the Government in Sierra Leone need not have the majority in the legislature. The president is only required to secure a majority at the polls in favour of his candidacy. This peculiarity in the governance of Sierra Leone ensures effective checks and balances in the exercise of executive powers.

14. Two types of elections are conducted in Sierra Leone, the Parliamentary Elections and Presidential Elections. General Elections were last held in 2007 and resulted in a change of government from the Sierra Leone People's Party (SLPP) to the All Peoples Congress (APC) formerly the opposition. His Excellency President Ernest Bai Koroma was sworn into office in September 2007 and the country is now gearing towards the next elections, due in 2012.

C. The Judiciary

15. The Judiciary is the guardian of the constitution and is tasked with the job of interpreting both the constitution and the laws of the country. This independent institution is headed by the Chief Justice, and Sierra Leone currently boasts of its first female incumbent to that position. The Chief Justice and other judges of the Supreme Court of Judicature are appointed by the President, on the advice of the Judicial and Legal Service

Commission. Nominees are subject to approval by Parliament and by statute are guaranteed a safe tenure of office.

16. The Supreme Court is the highest court in the land; followed by the Court of Appeal and then the High Court (Labour Law Court and a Commercial Court were recently established as part of the High Court). Below this level are the Magistrate Courts, which are first instance courts with limited jurisdiction in both civil and criminal matters. The High Court hear appeals from the Magistrate Courts in an appellate capacity and also acts as a first instance court of unlimited jurisdiction in both civil and criminal matters except on the interpretation of the Constitution and statutory provisions.

17. Chiefdom or Local Courts adjudicate on matters pertaining to customary law and operate at chiefdom level. Customary Law Officers, who are trained and qualified lawyers, oversee the workings of these courts. Dissatisfied litigants have a right of appeal from Local Court to the Magistrates Courts sitting as District Appeal Courts. Thus in this way, matters are fed into the “formal” court system.

18. Additionally, apart from the formal constitutional courts, the citizens have access to justice through interventions by administrative tribunals, the Office of the Ombudsman created under Chapter VII of the Constitution of Sierra Leone, the Human Rights Commission, and the National Commission for Democracy and Human Rights, the Independent Media Commission.

D. Multi-lateral treaties

19. Sierra Leone has signed and ratified the following key human rights treaties:

- International Covenant on Civil and Political Rights (ICCPR) and its Optional Protocol
- International Covenant on Economic Social and Cultural Rights (ICESCR)
- International Convention on the Rights of the Child (CRC) and the two Optional Protocols; CRC OPAC and CRC
- International Convention against Torture and other Inhuman Treatment - CAT
- International Convention on the Elimination of Racial Discrimination - ICERD
- International Convention on the Elimination of All Forms of Discrimination Against Women - ICEDAW
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families - ICMW
- International Convention on the Rights of Persons with Disabilities – CRPD
- Rome Statute
- The Four Geneva Conventions and the Two Additional Protocols

E. Human rights infrastructure; national human rights institutions, NGO’s, civil society organisations

20. The Human Rights Commission, tasked with the protection and promotion of human rights in Sierra Leone was established in 2004, based on the Paris Principles.

21. The Commission became operational in 2007 and has produced three Annual Reports on the State of Human Rights in Sierra Leone and making recommendations to the President and the Government.

22. Sierra Leone has also enacted legislation to govern the unimpeded registration and operation of Non Governmental Organisations (NGOs) to ensure the promotion and protection of human rights. Both national and international human rights groups generally operate without government restriction, investigating and publishing their findings on human rights issues. The government has encouraged independent bodies like representatives of various international NGO's, foreign diplomats, regional bodies and other UN agencies to visit prisons and other related areas so that resulting recommendations can lead to an improvements to the conditions in those establishment in the long term.

III. The implementation and efficacy of the normative and institutional framework

A. Women

23. Sierra Leone experienced a decade long civil war that culminated in socio-economic stagnation. As part of the peace-building initiative, Truth and Reconciliation Commission (TRC) was set up with a mandate to investigate the causes of the war and make recommendations to prevent re-occurrence and promote national healing. The TRC made general recommendations and imperative recommendations (30 per cent for women). A good number of the TRC's recommendations on women have been implemented including the Presidential Apology to women and girls for their suffering during the civil war. This Apology was done in March of 2010.

24. The report concluded that women, girls and children were subjected to systematic abuse during the conflict such as 'torture, rape, sexual abuse, sexual slavery, trafficking, enslavement, abductions, amputations, forced pregnancy, forced labour and detentions. It also found that Gender-Based Violence and structural inequality on the basis of gender still continued even after the war and successive governments have failed to address these issues. The TRC recommendations, aimed at addressing the underlying causes of the conflict, prioritised the elimination of laws and practices that discriminate against women and the introduction of effective measures to address and reduce sexual and domestic violence.

25. The government, as part of its commitment to the full implementation of the TRC recommendations, came out with a white paper and since then efforts have been made by the government to implement them. The following have been achieved: legal reforms aimed at addressing human rights, establishment of the Human Rights Commission, reparation for war victims, Presidential apology to women, constitutional review process commenced and GOSL has collaborated with its national moral guarantors in drawing-up the criteria for the International moral guarantors, the request has been forwarded to the latter.

26. The Convention on the Elimination of all Forms of Discriminations against Women (CEDAW) was signed and ratified by the GOSL. The Ministry of Social Welfare (MSWGCA), Gender and Children Affairs has since submitted its combined initial, 2nd – 5th periodic CEDAW report to the United Nations Committee of Experts on CEDAW in May 2007. The Ministry has, recently, put together a draft 6th periodic report awaiting validation and official submission for presentation to the United Nations.

27. CEDAW has been partially domesticated to promote the rights and advancement of women generally. This is evident in the enactment of what is being widely termed as the “three Gender Acts” namely:

- Registration of Customary Marriage and Divorce Act 2007
- The Devolution of Estate Act 2007
- Domestic Violence Act 2007

28. Prior to the domestication of CEDAW, women were discriminated against in the areas of marriage, property inheritance and a high prevalence and incidence of sexual and domestic violence. This is being addressed by the GOSL especially in the area of women’s participation and representation in governance. Women hold Cabinet positions, Parliamentary positions and a landmark appointment of a female Chief Justice were made in 2008. However, the percentage of this representation is woeful. In compliance with international instruments on the rights of women and the Truth and Reconciliation Commission (TRC) on the minimum 30 per cent quota for women in governance, the government has gone a step further in committing itself to ensuring that the 30 per cent quota is duly achieved.

29. Similarly, in the area of peace and security in response to United Nations Resolution 1325, a female soldier was promoted to the rank of a Brigadier- General in the Republic of Sierra Leone Armed Forces; women are also as Assistant Inspector-General of Police in the Sierra Leone Police. Further, the Sierra Leone Army now has women peacekeepers.

30. The twin policies of MSWGCA the National Gender Plan and National Act Plan on United Nations Resolution 1325 and 1820 both launched in 2010.

31. GOSL has put mechanisms that readily respond to violence against women and gender-based violence in general. The Family Support Unit (FSU) established since 2001 to serve as an office, within the Sierra Leone Police, mandated to investigate sexual and domestic violence in the country. A National Committee on Gender-Based Violence (NaC-GBV) which is a multi-stakeholder organisation comprising of Government Institutions, UN Agencies and CSO’s working on the prevention and response to gender-based violence. The committee is housed within the MSWGCA and meets every third Friday of the month and the meetings are chaired by the Hon. Minister of MSWGCA and co-chaired by the Assistant Inspector-General of Police in charge of crime services. Sexual Offences, Matrimonial Causes, National Gender Equality Commission Bills have been drafted and awaiting Cabinet approval and enactment by Parliament.

B. Children

32. Sierra Leone signed and ratified the United Nations Convention on the Rights of the Child (CRC) in 1990. As part of its commitment, the government has produced periodic treaty reports to the Committee Monitoring the implementation of CRC treaty to ensure effective implementation. GOSL has further, domesticated the Convention in the Child Rights Act of 2007.

33. Government through the Ministry of Social Welfare Gender and Children’s Affairs established the Children’s Forum Network 2010. The aim is to help children interact and discuss issues that affect their future.

34. As one of the conditions of implementation of the CRC a National Child Rights Commission which is being debated. The Commission will be mandated with monitoring and coordinating the implementation of the Convention and the Charter; oversee the implementation of Child Rights Act, Parental and State Responsibilities as enshrined in

Chapter III of the Child Rights Act; advice government on policies aimed at the improvement of the condition or welfare of children in Sierra Leone, to ensure that they are compatible with the Convention and the Charter.

35. Furthermore, the Ministry of Social Welfare Gender and Children's Affairs has undergone a functional management restructuring which has been approved by Cabinet; there is now a functional Directorate for Gender and a Directorate for Children. Age Assessment Guidelines on Juveniles have been developed and currently with the Office of the Chief Justice for approval.

C. Persons with disabilities

36. Sierra Leone has recently signed and ratified the Convention on the Rights of Persons with Disability. A Draft Disability Policy and Bill have been drawn up and the latter is in the pre-legislative deliberations with Parliamentarians and civil society organisations. The bill makes provision for the establishment of a Disability Commission.

37. There does not appear to be outright discrimination against persons with disability in housing or education; however, given the high rate of general unemployment, work opportunities for persons with disabilities may be fewer than for some other segments of society. Protecting the rights of this vulnerable group and ensuring quality existence and zero discrimination towards them is a priority of Government.

D. HIV/AIDS

38. The National Aids Secretariat (NAS) was established under the Presidency to design policies and strategies to combat HIV/AIDS pandemic. The President is the Chairman of the National Aids Council which is the highest strategic body responsible for the overall policy and coordination of the national response to HIV/Aids in Sierra Leone.

39. The national prevalence rate of HIV/AIDS in Sierra Leone is at 1.53 per cent. Government has also developed and launched a National Strategic Plan on HIV/AIDS for the period 2011–2015 to drive the response towards zero new HIV infections in Sierra Leone. To achieve this, efforts to prevent sexual and mother-to-baby transmission of HIV will have been strengthened and scaled up.

40. Government will continue to ensure that programmes, services and support for HIV prevention reach the general population. The HIV Prevention Act of 2007 has been criticised for what is claimed to be its discriminatory provisions against women. The Ministry of Social Welfare Gender and Children's Affairs is currently reviewing these provisions to ensure better protection for all.

41. A total of 30,000 people were tested during the World Aids Day Campaign.

42. The Aids Secretariat has also launched a brail handbook on the basic fact on HIV/AIDS for the blind.

E. Education

43. The Government continues to increase access to education for all its citizens with a view to achieving universal primary education by 2015. One difficulty encountered however, is that as the access to education increases, so too have concerns been raised as to the quality of education. The current teacher/pupil ratio in primary school stands at 1/50 and suspicion is that it is on the increase.

44. Surveys conducted over the years by the Ministry of Education reveal that the illiteracy rate was too high. The Education Act of 2004 (Act No. 2 of 2004) was promulgated to arrest this dire situation. Consequently, the education has been structured to cater for middle education and all categories of human resource, with adult literacy provisions, tertiary institution provisions, polytechnics, universities and junior to senior secondary school programmes (which follows the formal education on the 6-3-3-4 system). The Education Act of 2004 (Act No. 2 of 2004) further mandates basic education for every child between 6-16 years.

45. The government has committed itself to providing free and compulsory formal education for primary school children, with particular emphasis on the girl child education up to Basic Education Certificate Examination (BECE). The full implementation of this is underway. Government has trained Guidance Counsellors in all our schools for family and career guidance. In terms of infra structure government has ensured that there are secondary schools in all chiefdoms as it is the Constitutional right of every child.

46. The Teaching Service Commission Act 2010 was enacted to ensure the protection of the rights of teachers for the ultimate goal of improving the standard of education in the country.

F. Labour

47. The Government of Sierra Leone has signed and ratified six of the International Labour Organisation Conventions:

- ILO 87 Freedom of Association and Protection of the Right to Organise Convention (1948)-date of ratification: 15.06.1961
- ILO 98 Right to Organise and Collective Bargaining Convention (1949) - date of ratification: 13.06.1961
- ILO 111 Convention concerning Discrimination in Respect of Employment and Occupation (1958) - date of ratification: 14.10.1966
- ILO 138 Minimum Age Convention (1973) ratified 20th January 2011
- ILO 182 Worst Forms of Child Labour Convention (1999) ratified 20th January 2011.

Government is considering action on:

- ILO 169 Indigenous and Tribal Peoples Convention 1989

48. Sierra Leone in the Child Rights Act of 2007 set out the minimum age for light work as 13 years and that of hazardous work as 18 years. The Act further provides for the registration of children and young persons in industrial undertakings. Persons in the public service are required to retire from the service at age 65 years and are entitled to social security benefits.

49. The Constitution prohibits forced and bonded labour, problem perceived to be especially prevalent in children. The Ministry of Social Welfare Gender and Children's Affairs has several policies that will curb this situation in the long term.

50. The Constitution provides for the right of association, and in practice workers have the right to join independent trade unions of their choice. Approximately 60 percent of workers in urban areas, including government workers, are unionized, but attempts to organise agricultural workers has met with little success. By custom all labour unions join the Sierra Leone Labour Congress (SLLC), but such membership is voluntary.

51. National Social Security and Insurance Trust (NASSIT), National Social Safety Net, National Social Protection Policy, National Social Protection Framework, as well as an Industrial Court have been instituted to promote the welfare of workers.

52. Government in collaboration with Sierra Leone Labour Congress and the International Labour Organization has signed Employers Federation document on 28th October 2010 in order to improve on the working condition of Employees: Fair Salary; Good Medical Facility; and Safety Measures among others.

53. Labour safety provisions include a good working environment. The Department of Factory Inspectorate in the Ministry of Labour administers the Factory Act No.3 of 1974, to ensure the maintenance and promotion of the safety and health of workers in factories.

G. Human trafficking

54. GOSL enacted the Anti Human Trafficking Act in 2005 for the prevention of human trafficking both internally and externally. A Trafficking in Persons Secretariat has also been established within the Ministry of Social Welfare Gender and Children's Affairs to coordinate and monitor all human trafficking activities within the country. There is in addition to the National Taskforce on Trafficking comprising of Government, UN Agencies and Civil Societies. However, the Anti Human Trafficking Act of 2005 is undergoing a review to make it more robust in addressing trafficking issues especially new and emerging issues relating to trafficking.

H. Civil and political discrimination

55. The Constitution prohibits all forms of discrimination based on sex/gender, race, religion, ethnicity, or creed. However, residents of non-African descent, particularly the Lebanese community, are not able to attain citizenship status, even though some of them are of third or fourth generation, born and bred in the country. This has engendered a fair amount of criticism, but Government has now publicly acknowledged that legislation to address this anomaly is on its legislative agenda.

56. Sex/gender discrimination founded on the cultural beliefs and traditional practices of some of the ethnic groups persist. In Paramount Chieftaincy, for example, women cannot become Paramount Chiefs on account of their sex, as the institution is anchored in male-only secret societies. Government views these practices as untenable, considering the important role of the institution in governance and the maintenance of good order in society and is committed to their gradual phasing out.

I. Freedom of expression and association

57. The Constitution guarantees freedom of association, and the Government fully respects this in practice. There is the full enjoyment of this right through the formation of political parties and other pressure groups, without any let or hindrance. There are about six registered political parties, numerous workers associations, women's groups, as well as professional associations freely operating in the country.

58. Government passed the Sierra Leone Broadcasting Corporation Act (Act. No. 1) of 2010 has created the first public service broadcaster in Africa. With this move every shade of opinion is allowed to propagate its ideas. Government by an Act of Parliament created the Independent Media Commission (IMC) in 2005, as a guardian of free speech through the media. The IMC prides itself in "Promoting a free and pluralistic media throughout

Sierra Leone and ensuring that media institutions achieve the highest level of efficiency in the provision of media services.” The Commission currently has some 52 private newspapers and 51 operating radio stations registered with it.

J. Protective mechanisms for human rights defenders

59. Human Rights Commission Act 2004 provides for the protection of human rights defenders. However, any violation of those fundamental rights laid down in the Constitution can be prosecuted. Should the human right defender be treated in a way contrary to the laws of Sierra Leone the point of redress must be the laws of Sierra Leone.

IV. National policies, strategies and commitment

A. Good governance

60. Sierra Leone has the Governance Reform Unit within the office of the President to restructure the Civil Service for efficacy in their output.

61. All Political Party Youths Association is a forum which enhances youth governance, education and also democratic process nationwide to curb youth violence and governance issues.

62. Institutional mechanism and structures have been put in place to enhance effective service delivery and accountability including: Government Agenda for Change or PRSP II, Freedom of Information Bill(which will soon be passed), National Anti -Corruption Strategy. The latter is being guided by an Act Of Parliament: Anti Corruption Act of 2008-that has been amended to provide a more robust monitoring of public officials, Declaration of assets of public officials, performance contracts signed between the President and his Ministers; Independent Electoral Commission, Political Parties Registration Commission among others.

63. There is an Open Government Initiative in the office of the President which aims at “bringing the government to the people”. The following has been set up: Public Sector Governance Reform, Public Finance Management, Decentralisation and Office of National Security for peace and security.

64. The Peace-Building Commission High-Level Special Session on Sierra Leone that took place on 10 June 2009 welcomed the Agenda for Change noting that it was a robust national framework for growth, economic development and peace consolidation.

65. After much debate as to the restrictive nature of the existing Libel Laws of GOSL has promulgated a Freedom of Information Bill. The Bill is currently in the legislative process and is intended to offer protection in all forms of media expression.

B. Crime prevention and community policing

66. The end of the bloody civil war heralded a time of peace and reconciliation. However, a lot of damage had already been wrecked on the nation both physical and psycho-social. Reconciliation became part of the peace process which has since developed into a building phase. With the advent of peace-building, several initiatives geared at reforming the security sector were developed. One such initiative was to capacitate and train the police and military which also brought about the Office of National Security. It further established the Directorate of Complaints, Discipline and Internal Investigations

Department (CDIID) mainly as a correction unit within the rank and file of the police to deal with complaints against the Police by the Civilians. By way of strengthening discipline within the Police, the Executive Management Board (EMB) to deal with management, discipline and administer the day to day affairs of the Police. One peculiarity of this reform is the Community Policing which requires the Police not only to work with the community but to also cooperate with such communities in their effort to track down criminals. This development has led to the establishment of Community Police Partnership Boards to enhance community policing. The following organs have subsequently emerged from this particular initiative: Provincial Security Committee (PROSEC); District Security Committee (DISEC); and Chiefdom Security Committee (CHISEC).

67. GOSL has created an Office of National Security which is a politically neutral security organisation capable of increasing effective coordination of security activity at national, regional, district and chiefdom levels.

C. Education and human resource development

68. GOSL has ensured the diversification of the educational programme in the country to meet the needs of human resource capacity in both private and public sector.

69. The Constitution advocates for equal opportunity for all its citizens in terms of education. It further demands that the rights of vulnerable groups such as children, women and the disabled must be made paramount by providing the necessary structures, finance and supportive facilities for education as and when practicable.

70. GOSL is bent on eradicating illiteracy and to this end shall direct its educational policies towards achieving;

- (a) free adult literacy programmes, and
- (b) free compulsory basic education at primary and junior secondary school level

71. GOSL together with Parliament has enacted and implemented the Educational Act 2004 and the Education Sector Plan 2007 respectively. The statute and the policy are seen as a means of achieving the Millennium Development Goal (MDG) on education. Above all the plan is trying to meet the human resource needs through higher education, skills, training and literacy.

72. The Education Act 2004 was enacted to reform the education system, including provision for pre-primary education, technical and vocational training, adult and non-formal education and the role of universities, and to provide for other related matters.

73. An important policy in the Ministry of Education, Youths and Sports to meet Education for All girls by 2015 is the Girl Child Education Support. Under this policy, actions have been taken by the GOSL to support the education of the girl child nationwide. GOSL has further reviewed this through its Girl-Child Support Programme in the junior secondary schools and therefore stepped up its Gender Parity Programme. Free education is available for primary level i.e. class1 – class 6 generally whilst the girl-child has added incentive of a free education up to B.E.C.E level with paid up B.E.C.E. examination fees.

D. Health

74. In a bid to promote Reproductive Health service delivery, the Government has developed a National Reproductive Health Policy. One of the important components of this policy is Family Planning; the focus is aimed at providing a high quality of life.

75. In an effort to address maternal and child mortality rates, the Government recently launched a Health Sector Strategic Plan 2010-2015. The plan aims to ensure successful implementation of the Basic Package of Essential Health Services (BPEHS) in order to improve service delivery. This package will ensure the provision of minimal essential quality of care for all and includes services that have the greatest impact on the major health problems (especially that of maternal and child health). The objective of this strategy is to abolish all financial charges to pregnant women, lactating mothers and children 5 years of age and under. In the longer term, the aim is to provide accessibility to quality health care for all vulnerable groups.

E. Gender

76. National Gender Strategic Plan has been developed and launched on the 3rd June 2010 by His Excellency the President. The document has six (6) priority areas including: Capacity Building, Management and Oversight; Women Participation in Governance; Sexual and Reproductive Health Rights; Women Empowerment; Research, Documentation and Information Communication and Technology; and Gender Budgeting and Accountability.

77. Sierra Leone's National Action Plan on United Nation Security Council Resolution 1325 and 1520 which has 5 pillars: Participation; Prevention; Protection; Prosecution; and Coordination were launched by His Excellency, the President, on the 8th June 2010.

78. A draft Bill on National Gender Equality Commission has been submitted to Cabinet for discussion and approval.

79. Prior to the above, the Ministry in 2000 developed and launched the National Gender Mainstreaming Policy and the National Policy on the Advancement of Women.

F. Management of natural resources

80. GOSL's review of the Core Mineral Policy, with the view of attracting private investment in the sector, has led to the promulgation of the Mines and Minerals Act of 2009. This new Act backed with the cadastre system established with the support of the UNDP has brought credibility to both the licensing process and the license itself. The GOSL sector policy is to ensure that the people receive optimal benefits from the mineral wealth and to facilitate economic and social development.

81. The improved governance of natural resources and the environment is a key feature of government stability and relevance. GOSL is mindful of the effects of unsustainable exploitation and management of the country's natural resources. The aim is to:

- Strengthen National Environment Management Institutions
- Ensure that there are integrated environmental management mechanisms
- Mainstream environmental and disaster issues
- Strengthen the Environmental Impact Assessment Framework
- Strengthen environmental compliance and enforcement

82. The Sierra Leone Environmental protection Agency has the task of addressing environmental issues. GOSL is in the process of harmonising the Natural Resources and Environmental Management Act. Mechanisms are being set to ensure that all development projects have an environmental component.

V. Best practices and achievements

83. GOSL by instituting the Agenda for Change created a mechanism to streamline Poverty Reduction by phasing it into immediate, mid-term and long term goals. The efficacy of this has been the Joint Progress Reports on the Agenda for Change that have emerged cataloguing the achievements and the challenges and putting forward recommendations.

84. The most laudable achievement, in terms of human rights, is the establishment of the Human Rights Commission that has a mandate for the protection and promotion of Human Rights in Sierra Leone and other related matters. The Commission has also lend its experiences in conflict management and peace building initiatives in post conflict Sierra Leone and other post conflict countries in collaboration with their National Human Rights Institutions and the Commonwealth Secretariat. It became fully operational in 2008 and has been commended by the Commonwealth Secretariat in the Status Report on Human Rights as going beyond the threshold set by the Paris Principles. The Commission has a complaint registry for all human rights violations including those perpetrated against human rights defenders. Depending on the nature of the complaint, it is forwarded to the GOSL department responsible to take action. It has proven itself in the defence of the fundamental human rights of Sierra Leoneans and in urging GOSL to adhere to its international human rights obligations.

85. In trying to curb impunity GOSL together with the United Nations created a hybrid Court, the Special Court for Sierra Leone, to address primary crimes under international criminal law and those specific to the Sierra Leone war. Persons with the greatest responsibility were prosecuted including a sitting Head of State who is now being prosecuted.

86. The State has not only entrenched fundamental human rights clauses in the Constitution, it has gone further to sign/accede/ratify a number of Human Rights Conventions and Treaties in support and protection of fundamental human rights.

87. GOSL's commitment to Human Rights is evident in the participation of Civil Society and Non-Governmental Organisation in politics, social and civil life. These entities operate without any restrictions or investigations on their publication or literature concerning findings on Human Rights issues and government has been generally cooperative and responsive to their views.

88. The Office of the Ombudsman, Public Service Commission, Political Parties Registration Commission (PPRC), National Electoral Commission (NEC), National Public Procurement Authority (NPPA) are empowered to deal with various issues ranging from administrative malpractice, to employment and human resource management, political recognition, democracy and accountability.

89. The review of the education system which resulted in the GOSL White Paper on Education 2010 i.e. The Gbamanja Commission's Report, has resulted in positive recommendation for the overall improvement of the standard of education. The recommendations ranged from immediate, total overhaul of the school system with early schooling component and extension by one year of senior secondary school; to short term recommendations being capacity building of teachers and school administrators; and the medium term recommendations being securing a proper environment for schools, adopting a policy for early childhood education and another policy for technical and vocational education.

90. In the area of transparency and accountability, the government has amended the Anti Corruption Act in 2008 given them more powers to enable them prevent and prosecute all

forms of corrupt practices within the administration of government. The Parliamentary Budget Oversight Committee and the District Budget Oversight Committee were created to give valuable input in the development of the annual budget. In the monitoring of funds expended by the Ministry of Finance and Economic Development an annual Public Expenditure Tracking Survey (PETS) is conducted by independent consultants who record government expenditure nationwide.

91. The area of policing through a family friendly way the Family Support Unit was established in 2001 within the Sierra Leone Police to address sexual and domestic violence. The success of this programme is been lauded with appeals for the creation of more of the units nationwide.

92. GOSL is in the process of a Constitutional Review; the many calls for the repeal of entrenched clauses which are discriminatory have necessitated this review, the review is now very advanced.

93. The decentralisation process of public services has been one of the focus of GOSL. The aim being to improve public service delivery and to empower local communities to handle their own affairs.

94. Sierra Leone has maintained a respectable level of religious tolerance at all times.

95. There is de facto moratorium on the death penalty in Sierra Leone.

VI. Challenges and constraints

96. There is a pressing need to strengthen and nurture democratic institutions and mechanisms for the ultimate consolidation of good governance, peace and security, and human rights nationwide.

97. GOSL is faced with very high poverty rate and youth unemployment.

98. The basic infrastructure of the nation, particularly in the rural areas, is poor or non-existent.

99. GOSL is faced with the challenge of addressing the growing number of street children and youth violence.

100. There are very few public interest litigation cases to reinforce human rights protection.

101. There is still a variety of problems plaguing the prisons/detention centres. The capacity of the maximum security is bursting at the seams and the result is poor conditions for proper human rights protection.

102. Female representation in governance continues to be unacceptably low necessitating the agitation for the 30 per cent quota made mandatory by the TRC Report.

103. Even with the implementation of Free Health Care for lactating and pregnant women; and children under age five, the result will be long term. The constraint is actualising short term plans of providing standard hospitals and Medicare with up-to-date equipment and technology. Maternal mortality rate is still unacceptably high amidst government robust interventions – 857/100,000.

104. Justice still remains widely inaccessible. The need for a better and more encompassing legal aid scheme/s, prompt and fair trials, review of juvenile delinquency and the codification of customary laws will go a long way in making justice accessible.

105. The total protection of the new/emerging rights (food, security, shelter, water) continue to be a problem as the technical support needed for the proper implementation is lacking.

106. Reaching a consensus of implementing the age (18 years) of consent put forward in the Child Right's Act of 2007 with respect to Female Genital Mutilation has been difficult, i.e. allowing the girl-child to make the decision upon attaining the age of consent. Proper education on the necessity of consent is stifled because of funds.

107. Making female representation in political and public life widespread is a challenge because of traditional beliefs and practices.

108. There is a new surge of sexual offences especially perpetrated against young girls and children. There is a need for forensic facilities to assist in the investigation and prosecution of such crimes. Having shelters with adequate legal, psycho-social counselling, medical, security and other related care is greatly needed.

109. The Constitutional Review is still criticised as slow as the need for a more human right friendly Constitution is needed. The resources needed for conducting referendums in the total review is non-existent.

110. GOSL needs to outline all the recommendations of the TRC that it has carried out.

111. There is a need for the development of a National Action Plan on Human Rights.

VII. Expectation of the State

112. Sourcing technical and financial assistance to overcome the challenges and constraints faced in the total promotion and protection of human rights in Sierra Leone is essential.

113. Promoting the simultaneous growth of human rights and development.
