



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

**Consideration of reports submitted by States
parties under article 18 of the Convention**

Sixth periodic reports of States parties due in 2009

Sierra Leone*

[22 November 2011]

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not edited.

Foreword

Once again Sierra Leone is responding to its obligation (as enshrined in Article 18 of the CEDAW Convention) to present its 6th CEDAW periodic report. For eleven (11) years, the country was embroiled in a horrendous civil strife in which defenceless children and women were brutalised, abused and exploited. While other nations were designing and implementing progressive policies and programmes to improve the situation of their population, including children and women, the future of Sierra Leone looked bleak at that time. Today and almost ten years since the end of these atrocities, Sierra Leone is now poised for holistic political and socio-economic development. The prerequisite for this process of wholesome development and progress of the Nation was embodied in the President's "*Attitudinal and Behavioural Change*" concept. The rationale is that with the right attitude and the appropriate behavioural change, Sierra Leone will be better positioned to eliminate negative customs and traditions, as well as other practices that have been discriminating against women over the past few decades and hence, help to foster gender equality.

The Government of Sierra Leone is fully committed to pursuing equitable gender development, promoting human rights and good governance. In this regard, the various stakeholders, including Government Departments, Civil Society Groups and Development Partners have been working together assiduously to accomplish this.

As a sign of its commitment to reduce the gender gap, the Government has developed and introduced the twin policies of Gender Mainstreaming and the Advancement of Women with the goal of eliminating gender discrimination. Towards this end, Government has enacted the following legislations since the presentation of the last periodic reports:

- Domestic Violence Act 2007
- Devolution of Estates Act 2007
- Registration of Customary Marriage and Divorce Act 2007
- Child Rights Act 2007
- Chieftaincy Act 2009

In addition to the above, the Sexual Offences and Matrimonial Causes Bills are at an advanced stage for their enactment into law. The Registration of Customary Marriage and Divorce Act was given Presidential assent on the 23rd January 2009 and the amendment to the Act is at an advanced stage as well. Similarly the Child Rights Act is undergoing some amendments that will soon be completed. Recently, the President gave his consent to the much advocated 30% female representation in all spheres of governance to the women of this country and that was received with jubilation.

These measures and many others are designed to reinforce Sierra Leone's commitment and determination to fulfil its international and regional obligations in promoting human rights, especially the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the AU Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.

The country's 6th periodic CEDAW report highlights the legal, social, economic, and other forms of improvements since the submissions of the initial, 2nd to 5th periodic reports. Especially, it has indicated the areas that are yet to be addressed before the full domestication of CEDAW as well as challenges to be tackled in various spheres to ensure the realization of CEDAW Articles. Furthermore, the Report went on to expose the grey areas, particularly in the Stature Books, that still aggravate discrimination against women in Sierra Leone. Key among this is the need to expunge section 27 (4) (d) from the

Constitution of the country. With the commitment currently displayed by the Government, Sierra Leone is well placed to make significant strides in the realization of the Articles of the CEDAW Convention.

I wish you all a present reading.

(Signed) Rosaline **Oya Sankoh**
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Acronyms and abbreviations

AMNET-SL	Advocacy Movement Network-Sierra Leone
ARC	American Refugee Council
ARD	Association for Rural Development
CBO	Community Based Organization
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
DAW	Division for the Advancement of Women
ENCISS	Enhancing the Interface between Civil Society and State Actors to improve Poor Peoples' Lives
FAWE	Forum for African Women Educationalists
FGC	Female Genital Mutilation
FSU	Family Support Unit
GBV	Gender-Based Violence
GGEM	Grassroots' Gender Empowerment Movement
GRADOC	Gender Research and Documentation Centre
ICT	Information, Communication and Technology
ILO	International Labour Organization
IOM	International Organization on Migration
IRC	International Rescue Committee
LAWCLA	Lawyers Centre for Legal Assistance
LAWYERS	Legal Access for Women Yearning for Equal Rights and Social Justice
MDA	Ministry, Department, Agency
MEST	Ministry of Education, Science and Technology
MOHS	Ministry of Health and Sanitation
MoU	Memorandum of Understanding
MSWGCA	Ministry of Social Welfare, Gender and Children's Affairs
NaC-GBV	National Committee on Gender-Based Violence
NaCSA	National Commission for Social Action
NGO	Non-Governmental Organization
NMJD	Network Movement for Justice and Development
NPSE	National Primary School Examination
NGSP	National Gender Strategic Plan
SDI	Society for Democratic Initiative
SGBV	Sexual Gender-Based Violence
SLDHS	Sierra Leone Demographic Health Survey
SLeGEN	Sierra Leone Gender and Education Network
SiLNAP	Sierra Leone National Action Plan
SSL	Statistics Sierra Leone
UN	United Nations
UNICEF	United Nations Children's Fund
UNFPA	United Nations Population Fund
UNIFEM	United Nations Development Fund for Women
UNSCR	United Nations Security Council Resolution
VOT	Victims of Trafficking

I. Preface

Stages in the preparation of the report

1. Multi-stakeholders Workshop

1. As a first step to the 6th CEDAW reporting process, the Ministry of Social Welfare, Gender, and Children's Affairs requested and got support from the United Nations Division for the Advancement of Women (DAW), among others, to initiate the process of preparing the 6th CEDAW report. A multi-stakeholders workshop was organised on the 18th and 19th May 2009 in Bintumani Hotel, Freetown. The objective of the Workshop, among others, was to brainstorm with MDAs, UN Agencies and other stakeholders involved with the implementation of the CEDAW, and to assist the Ministry to set the stage for the preparation of the 6th CEDAW report.

2. Establishment of the CEDAW Secretariat

2. Following the multi-stakeholders workshop, a private CEDAW Consultant was hired and tasked to set up the Secretariat. The Secretariat was established in the Ministry of Social Welfare, Gender, and Children's Affairs. The key tasks of the Secretariat were to: a) work with the key stakeholders to identify and establish Technical Working Groups for the preparation of relevant reports on the various Articles; b) to facilitate, coordinate, monitor, and supervise the CEDAW reporting process; c) to consolidate the reports and inputs provided by the various Technical Working Groups.

3. Commissioning of the CEDAW Report Writing Process

3. As a first step, the reporting process was commissioned. The launching served as a means to sensitise the general population on the reporting process, to solicit the full cooperation of the authorities in the MDAs, and to agree on timelines for the various aspects of the work.

4. Commissioning of major studies

4. A Legal Consultant was contracted to provide adequate responses to the paragraphs in the Concluding comments that touch on and concern legal issues. Secondly, to explain the legal and practical measures undertaken since the last report to date and to give effect to the provisions of the Convention and the progress made in ensuring enjoyment of the Convention by the people subject to its jurisdiction.

5. Statistics Sierra Leone was commissioned to generate key primary data relevant to some of the Articles all over the country.

5. Establishment of CEDAW Steering Committee

6. A CEDAW Steering Committee was established comprising of representatives from government departments, UN Agencies, and Civil Society Groups. The Committee worked with the CEDAW Secretariat to provide direction and support to the reporting process. Additionally, particular MDAs especially Health, Education, Foreign Affairs & International Cooperation, Agriculture, Labour & Social Security participated in the upgrading of the various Articles including responding to the concerns in the Concluding Comments.

6. Technical Peer Reviews

7. Representatives from government departments, UN Agencies, Non-Governmental Organizations (NGOs), and Academia were asked to review the draft report especially to ascertain the data/information contained in the respective sections of the report.

7. Validations

8. A National Validation workshop was held in Freetown on the 18th and 19th May 2011, which was attended by a cross section of key stakeholders nationwide including UN CEDAW Experts.

II. Core report

Introduction

Geographic and demographic context

9. Sierra Leone is a small country located along the West Coast of Africa. It is bounded on the south-east by Liberia, on the north, north-west and north-east by Guinea, and on the west and south-west by the Atlantic Ocean. The land area measures approximately 71,740 sq km (about 45,000 sq miles). There is a low-lying coastal plain about 80 kms deep with the exception of the Freetown Peninsula, which is dominated by hills. Please see map in Figure 1 for more details.

Figure 1

Map of Sierra Leone



10. The 2004 National Census survey indicated that Sierra Leone's total projected population for 2009 was 5,473,530. Of this population, about 53% or 2,900,971 represent the female population and the remaining 47% population or 2,572,559 constitute the male population. According to the same population projections, Sierra Leone's population would reach the 6 million mark by 2012.

III. Main report dealing with articles of the Convention

Articles 1 and 2: Policy and legal measures

1. Domestication of the Convention

11. The Convention has not yet been fully domesticated to be part of the laws of Sierra Leone.

12. However, since the submission of the last CEDAW report in 2006, the Government undertook legislative reforms in the following critical areas as required by the Convention:

- Devolution of Estates Act, 2007
- Domestic Violence Act, 2007
- Registration of Customary Marriage and Divorce Act, 2007
- Child Rights Act, 2007
- Chieftaincy Act, 2009

13. In addition to the enactment of these laws, the Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA), which is the lead agency in the implementation process, launched the National Strategic Roll-out Plan on 25th of November, 2008 to be used in the implementation process. The Plan was developed in close consultation with stakeholders across the country including civil society, state actors, and relevant UN agencies. The Plan does not only set out all the steps which need to be taken over the next three years, but it lays the basis for long term enforcement of the 'gender acts' on a national scale. It will serve as a guideline or reference point for all stakeholders with each knowing their individual responsibilities in order to avoid duplication of efforts.

14. The Roll-Out plan is divided into three main sections: Enforcement; Public Education; Monitoring and Data Collection. The enforcement section deals with the systems and institutions that need to function effectively in order for individuals and the State to enforce the law, both through formal and informal mechanisms. Enforcement is key in that if abusers of the law find they can get away with acting in contravention of the law, or if people's expectations are raised and they are then unable to enforce their rights, the impact of the Acts will be minimized, potential abusers will feel no compunction to abide by the law and those who it is purporting to protect will merely feel disillusioned. Within the enforcement section, the roll-out plan deals with general issues of enforcement first, and then looks at the specific issues raised by the individual Acts that need to be handled distinctly. The public education section deals with building knowledge among the general public about the Acts, as educators, users and potential offenders. Public understanding of the Acts is vital so as to gradually reduce the number of instances of abuse of the laws, and so that fellow members of the public can both identify unlawful behaviour and assist those who feel their rights have been violated. The data collection and monitoring section emphasizes the importance of gathering accurate, consistent and up to date data on implementation, using the efforts of all stakeholders, and sets out a monitoring strategy for gathering data and monitoring implementation of the roll-out plan on a national scale.

15. Simplified versions of the three Acts have been produced including brochures and several copies have been distributed to partners and communities during advocacy events like the International Women's Day and the 16 Days of Activism against Gender Violence coupled with training sessions.

16. Admittedly, this is still short of the full implementation of the Convention and, until that is done, a breach of the provisions either by Government or individuals is not yet justifiable. The Ministry of Social Welfare, Gender and Children's Affairs in collaboration

with its partners are pursuing the enactment of three additional Bills namely: the Sexual Offences, Matrimonial Causes and the National Gender Equality Commission Bills.

2. Repeal of the discriminatory laws

(a) Chapter III of the 1991 Constitution of Sierra Leone is titled “The recognition and protection of fundamental human rights and freedoms of the individual”

17. The said fundamental human rights as identified by Section 15 and Sections 16-26 inclusive make provisions for the nature, extent and limitations of each of them separately.

18. In addition to the provision in the Constitution of Sierra Leone for fundamental human rights to be enjoyed by human beings (including women) in Sierra Leone, the same Constitution also forbids discrimination either by way of legislation or administrative action. Section 27 (1) of the same Constitution provides that:

- Subject to provisions of subsections (4), (5) and (7), no law shall make any provision which is discriminatory either of itself or in its effect.

19. Section 27 (2) provides that:

- Subject to the provisions of subsections (6), (7) and (8), no person shall be treated in a discriminatory manner by any person acting by virtue of any law or in the performance of the functions of any public office or any public authority.

20. By Section 27 (3) the Constitution then defines the term “discrimination” for the purposes of The Constitution in the following terms as:

- “affording different treatment to different persons attributable wholly or mainly to their respective descriptions by race, tribe, sex, place of origin, political opinions, colour or creed whereby persons of one description are subjected to disabilities or restrictions to which persons of another such descriptions are not made subject, or are accorded privileges or advantages which are not accorded to persons of another such description.” (emphasis mine)

21. In effect, subsections (1) and (2) of Section 27 expressly prohibit discrimination either by way of laws (i.e. subsection (1)) or administrative practice or action (i.e. subsection (2)) in Sierra Leone based on factors including sex.

22. However, Subsection (4) (d) of Section 27 poses a serious legal challenge to the spirit and letter of CEDAW. Section 4(d) provides that “subsection (1) shall not apply to any law so far as that law makes provision with respect to adoption, marriage, divorce, burial, devolution of property on death or other interests of personal law”. This means therefore that any law which is discriminatory, both in itself or in its effect (based on sex) in Sierra Leone with respect to those areas listed in subsection (4)(d) of section 27 of the Constitution is lawful and justifiable. It therefore needs to be amended by being completely expunged from the Constitution.

23. In January 2007, after the submission of the Initial, 2nd to 5th report, the then President of Sierra Leone appointed a Constitutional Review Commission, the terms of reference of which was “to review the Sierra Leone Constitution of 1991 with a view to recommending amendments that might bring it up to date with economic, social and political developments that have taken place nationally and internationally since 1991”. This was contained in Government Notice No. 6 Vol. CXXXVIII of Sierra Leone Gazette No. 2 of Thursday, 11th January, 2007.

24. The Commission has recommended the complete repeal of section 27 (4) (d) from the Constitution. Unlike the previous law which only covered discrimination against women in the public sector, the Review Commission also expanded the areas of

discrimination against women to include the private sector by the proposed section 27 (2), which reads as follows:

“subject to the provisions of subsections 4, 6 and 7, no person shall be treated in a discriminatory manner by any person acting by virtue of any law or in the performance of any functions of any office in the public or private sector”.

25. The report of the Constitutional Review Commission was presented to the incumbent President in 2008 and is receiving the attention of the Executive and, subsequently, the Legislature.

26. However, it should be noted that section 27 of the Sierra Leone Constitution belongs to a group of provisions known as ENTRENCHED CLAUSES which can only be lawfully amended by way of a referendum.

3. Sensitization on discriminatory legislations and customary laws

27. The Ministry of Social Welfare, Gender and Children’s Affairs, through its Gender Affairs Directorate, and numerous development partners, such as UNIFEM, UNFPA, UNICEF, IRC, ENCISS, Action Aid among others, provide technical assistance and backstopping to various initiatives, governmental and non- governmental, that are designed for enhancing the status of women, including the girl- child.

Article 3: Equality in political, social, economic and cultural fields

1. Policies and laws on gender equality and women’s empowerment

28. In 2000, the government through the Ministry of Social Welfare, Gender and Children’s Affairs developed two policies namely: National Gender Mainstreaming Policy and the National Policy on the Advancement of Women. The overall goal of the Gender Mainstreaming policy is to incorporate gender perspective in all legislative measures, policies, programmes and projects. Its aim is to provide for policy makers and other actors in the development field, reference guidelines for identifying and addressing gender concerns, particularly when taking decisions to address imbalances which arise from existing inequalities; to promote equal access to and control over economically significant resources and benefits, to ensure the participation of both women and men in all stages of development.

29. The Ministry of Social Welfare, Gender and Children’s Affairs (MSWGCA) has developed a National Gender Strategic Plan (2010 – 2013) which has six main priority areas with clearly defined strategies, and a monitoring and evaluation framework. The aim is to promote the advancement of women within the various sectors. The six priority areas include:

- Capacity Building, Management and Oversight
- Women’s Participation in Governance
- Sexual and Reproductive Health Rights
- Research, Documentation and ICT
- Women’s Empowerment
- Gender Budgeting and Accountability

30. Implementation strategy involves, among other things, promoting appropriate education, sensitization and creation of awareness on the responsibility of all concerned parties in each sector.

31. Parliament in 2007 enacted three 'Gender Justice Laws' namely: the Registration of Customary Marriage and Divorce Act; the Domestic Violence Act; and the Devolution of Estates Act in a bid to protecting and promoting women's human rights. Implementation of such policies are however plagued with weak human, technical and financial resources. Some of the policies are yet to be widely publicized and partnership with other sectors is yet to be fully established. The sectorial gender focal points in MDAs set up at inception of the policy are non-functional due to administrative and other constraints.

32. In spite of these shortcomings, the Gender Affairs Directorate is working with its partners, to create the necessary conditions for effective implementation of the policies.

2. Strengthening of the national machinery for the advancement of women

33. The institutional capacity of the Ministry of Social Welfare, Gender and Children's Affairs, particularly the Gender Directorate, has improved considerably through:

(1) Implementation of recommendations of the Public Sector Reform Unit of the Office of the President, after management and functional review of Ministries, Departments and Agencies (MDAs). In this exercise, the parent Ministry of Social Welfare, Gender and Children's Affairs will benefit. Already, the Gender Directorate has identified positions, developed job descriptions and submitted same to the Human Resource Management Office for recruitment of the personnel through established Public Service procedures. Provision has been made in the Government of Sierra Leone budget for the 2010 financial year for the emoluments of those who will be recruited.

(2) In collaboration with Statistics Sierra Leone, a statistical unit has been established in the Gender Directorate of the Ministry of Social Welfare, Gender and Children's Affairs and fully operationalised, with the main objective of providing essential empirical mechanism for monitoring service delivery, both quantitatively and qualitatively, including impact assessment, disaggregated by sex.

(3) Regional Gender Desk Officers are fully in post for coordinating, monitoring and supervising gender mainstreaming and other programming initiatives with MDAs, Local Councils, and NGOs/CBOs. By the provision of essential logistical support, with funds accessed from the UN Peace Building Fund, the service delivery capacity of the Regional Gender Desk Officers has been enhanced considerably.

(4) With resources accessed from the UN Peace Building Fund, the Gender Directorate has benefited from staff training and logistical support (vehicles, motor cycles, and office technology).

3. Challenges

34. These capacity-building achievements notwithstanding, there are a number of challenges that are yet to be overcome.

35. These include:

(a) Insufficient financial provision by the Government of Sierra Leone, including cumbersome procedures in accessing allocated funds from the Consolidated Revenue Fund;

(b) Inadequate office accommodation at both national and regional levels, for existing staff and others to be recruited in the near future;

(c) Delays in the completion of the staff recruitment process, within the context of submissions by Ministry of Social Welfare, Gender and Children's Affairs to the Human Resource Management Office;

(d) Staff remuneration and incentives unsatisfactory.

36. The 2011 budget allocation to the Ministry was increased after series of lobbying and advocacy by the partners and CSOs; however the amount put aside for the Gender Affairs Directorate was two hundred and ninety Million leones (approximately 69 thousand dollars) out of seven billion leones (approximately 1.7 million dollars).

37. At a multi-stakeholder workshop, held in Freetown on 18th – 19th May 2009, it was decided that the “twin” policies on the Advancement of Women and Gender Mainstreaming were to be reviewed, with support of the Ministry’s partners. Ministry of Social Welfare, Gender and Children’s Affairs is working with development partners to ensure a coordinated approach to gender mainstreaming.

38. The policies were not reviewed but various measures have been put in place by the Ministry and its partners such as the development of the National Gender Strategic Plan, in order to actualise the key elements of the policies.

Article 4: Various steps taken through temporary special measures to accelerate equality

39. The first was the enactment of the Local Government Act, No. 1 of 2004, which by Section 95 (2) (c), on the composition of Ward Committee, requires that at least fifty percent of the other members besides the Councillor and Paramount Chief of a Ward, should be women. It provides that a Ward Committee shall comprise “not more than ten other persons, at least, five of whom shall be women, resident in that ward and elected by the ward residents in public meeting”. A ward is the smallest political and administrative unit in a Chiefdom represented by a Councillor in a District Council of the Local Government. Though this took place before the 2006 submission, it is important to refer to it again as most of its impact has been felt afterwards. This is a very positive legislative measure as it affects the rural women who are generally and heavily marginalized in their participation in political decisions that affects them.

40. Recently, the President made a policy statement to support the minimum 30% representation of women in governance at all levels during the observance of 2011 International Women’s Day. A draft Affirmative Action Bill for the minimum 30% has been developed.

Article 5: Measures to improve sex roles and stereotyping

41. A Gender-Based Violence Situation Analysis Research in Sierra Leone (2007) by the Ministry in collaboration with Statistics Sierra Leone with support from UNFPA and UNIFEM, showed divided opinions on FGM. Whereas 47.17% of men say that traditional practice on a woman in the form of “bondo” is harmful, 50.55% say that the practice is not, 66.67% do not know and probably do not care when their wives and daughters are violated. As for the women, 52.83% say that the practice (FGM, early marriage, etc.) is harmful and should be stopped, 49.45% say it is not a violation and 33.33% do not know whether it is harmful or not. The contradictions in the findings clearly indicate that the Sierra Leonean society is much divided on these practices.

42. The Demographic and Health Survey in 2008 (SLDHS 2008) reveals that the prevalence of female circumcision is universally high (95-96 percent) among women age 25-49 and lower among women in the younger cohorts: 89 percent for women aged 20-24 and 76 percent for women aged 15 -19. FGC prevalence is highest in the Northern Region (97 percent) and lowest in the Western Region (80 percent); it is higher in rural areas (95 percent) than in the urban areas (85 percent). Women in Sierra Leone with the most education and those in wealthier households are less likely to be circumcised than those with less education and those who live in poorer households.

43. The persistence of the pervasiveness of harmful cultural practices, especially Female Genital Mutilation (FGM) has continued to pose a major challenge to young girls and to women's pressure groups who are advocating to eradicate the practice in Sierra Leone. Early marriages (marriages before of consent, i.e. 18 years) and forced marriages (without consent) are prohibited as stipulated by the Child Rights Act 2007.

44. In 2007, the anti-FGM activists, succeeded in convincing the Ministry of Social Welfare, Gender & Children's Affairs to include the elimination of FGM into the Child Rights Bill. This attempt failed as Parliament expunged from the BILL the clauses that prohibited FGM on the grounds of uncertainty of definition of "initiation" into a secret society.

45. However, Section 33 (1) of the Child Rights Acts that was passed states: "No person shall subject a child to torture or other cruel, inhuman, or degrading treatment or punishment including any cultural practice which dehumanizes or is injurious to the physical and mental welfare of a child".

46. Also, Section 34 (1) of the same Act states that the minimum age of marriage of whatever kind shall be eighteen (18) years. Section (2) further states: "No person shall force a child:

- (a) To be betrothed;
- (b) To be a subject of a dowry transaction, or
- (c) To be married".

47. Between the two sections of the Child Rights Acts, Human Rights Organizations interpret it to mean that 18 years MUST be the age of consent for a young girl to be initiated into any secret society including FGM. Therefore the genital cutting of girls under the age of 18 is now a crime in Sierra Leone. With ongoing sensitization targeting parents and children, it is expected that by the time the girl is 18 years, she should be informed enough to choose not to participate in all the activities. There is no explicit law on FGM in Sierra Leone. However, there is an ongoing sensitization and awareness raising engagements with the traditional leaders and initiators to discourage harmful traditional practices especially FGM.

48. In 2008, the National Movement for Emancipation and Progress (NAMEP), an umbrella body of 20 Women's Organizations, was launched, primarily to advocate and lobby against harmful cultural practices against women, especially female genital cutting. This Association has been very active all over the country sensitizing the "Soweis" (the initiators in female secret society) on the age of consent and the consequences of violation, and the potential side effects of the act. As a result, some Chiefdoms in the Northern parts of Sierra Leone have locally legislated against FGM in their chiefdoms. Advocacy Movement Network of Sierra Leone (AMNET-SL) has facilitated the signing of MoUs between the Paramount Chiefs and the Initiators named (Soweis) in all the chiefdoms in the Kambia District and the Port Loko Districts in the Northern Province and similarly for the Western Area.

49. Ministry of Social Welfare, Gender and Children's Affairs and its partners continuously address this burning issue, through sensitization of grassroots women's leaders (such as "Soweis" who are the initiators in female secret societies), chiefs at all levels in the rural and urban areas, the Judiciary, Police, and other stakeholders. In mid 2009 over 500 persons were sensitized in this regard. By the end of 2010, Government with support from Development Partners have undertaken nationwide consultations with 'Soweis' for the formation of a 'Soweis' Council which will serve as the vehicle for planning and effecting necessary actions on the elimination of FGM.

1. Violence against Women

50. The government of Sierra Leone is aspiring to promote a zero tolerance on gender-based violence, especially violence against women in the country. It is in this spirit that the former President Ahmad Tejan Kabbah gave a certificate of urgency for the passage of the three Gender Bills, namely the Registration of Customary Marriage and Divorce; the Domestic Violence; and the Devolution of Estates. All of these Bills were passed into law on the 14th June 2007 by the Sierra Leone Parliament. The Ministry of Social Welfare, Gender and Children's Affairs has coordinated some advocacy events during the International Women's Day and 16 Days of Activism against gender violence to garner support from stakeholders in addressing the issues of gender-based violence in the country.

51. The Ministry has similarly concluded Regional stakeholder input into the draft Sexual Offences and the Matrimonial Causes Bills which is expected to go through the normal processes for legislation. It is hoped that these two Bills will shortly go through Cabinet and Parliament for enactment.

52. Apart from legislating the above mentioned laws, the following institutional mechanisms/systems have also been put in place to address the growing menace.

53. The Family Support Unit (FSU) based in the Sierra Leone Police was established in 2002 and at the moment there are forty-one (41) FSUs across the country. The Family Support Units (FSU's) are specialist units attached to police stations across Sierra Leone with a mandate for the investigation of all forms of child abuse and violence against women (sexual abuse and violence, physical abuse, exploitation, commercial exploitation, including internal and cross border trafficking).

54. The Sierra Leone Police FSU's have a partnership with the MSWGCA in an effort to combat all forms of abuse against children and women.

55. A National Committee on Gender-Based Violence (NaC-GBV) has been established comprising of government institutions, UN System, International and National Non-governmental Organizations working on the prevention and response to issues of gender-based violence across the country. To this end, a NaC-GBV Secretariat has been set up within the Ministry of Social Welfare, Gender and Children's Affairs with a designated Coordinator. The National Committee meets every third Friday of the month and the meetings are chaired by the Hon. Minister of Social Welfare, Gender and Children's Affairs with the Assistant Inspector General of Police for crime serving as co-chair. This is a clear pointer to the seriousness that government attaches to gender-based violence in the country. The Ministry has also facilitated the setting up of Regional GBV Committees in the provinces and providing the requisite training in terms of prevention and response to gender-based violence issues.

56. A National Referral Protocol for Child Victims/Survivors of Sexual and Gender-Based Violence has been developed through wide range of stakeholder consultations especially policy makers and service providers. Currently there is training for medical personnel to provide medical response to survivors. The Ministry is also at the verge of completing a Referral Pathway for all categories of sexual and gender-based violence in the country. The referral pathway will be piloted in four districts across the country to measure its effectiveness.

57. In 2007, the Government of Sierra Leone (represented by the Ministry of Social Welfare, Gender and Children's Affairs) was provided with funding jointly by UNFPA and UNIFEM, to conduct a county wide Situation Analysis Research of GBV in Sierra Leone.

58. The key issues for the research were focused on the "existing forms of violence, the policies and the legal frameworks, as well as the institutional capacities of the GBV interventions".

59. The study revealed, among other things, the following components of services that are provided by families, communities, and intervening institutions:

- Counselling to GBV victims (MSWGCA, FSU, etc.)
- Provision of access to legal service (MSWGCA, FSU, LAWYERS, etc.)
- Provision of shelter (Family members)
- Referrals (Traditional leaders, other community members, family etc.)

60. Whilst the FSU and MSWGCA play a big role in providing linkage to legal services for GBV victims, the main assistance comes from legal service providers, such as LAWCLA (Lawyers Centre for Legal Assistance), Legal Access for Women Yearning for Equal Rights and Social Justice (LAWYERS), Timap for Justice, Access to Justice Law Centre, Society for Democratic Initiative (SDI), Sierra Leone Bar Association, NGOs such as International Rescue Committee (IRC) provide medical and psychosocial counselling support to survivors at their Rainbo Centres within the Government Hospitals; and sometimes provide logistical support in terms of movement of victims to attend courts.

61. The law relating to violence against women saw a considerable improvement in 2007 when The Domestic Violence Act No. 20 of 2007 was enacted. By this Act, marital rape is now an offence in the laws of Sierra Leone punishable by a fine not exceeding Five Million Leones (Le5,000,000/00) or a term of imprisonment not exceeding two years. Also, in addition to physical or sexual violence, this Act provides for economic, emotional, verbal or psychological abuse. Section 2 (2) defines domestic violence in the following terms:

62. **Physical or sexual abuse** i.e. beatings, spread of **HIV/AIDS** or **STDs**, slapping, threatening with weapons, forcing sexual intercourse; bosses and teachers demanding sexual favors; women not having reproductive rights;

63. **Economic abuse** i.e. bread winner (men/fathers) not providing adequate financial support for the family; difficulties women face regarding land property; wife's property considered as the husband's; men spending much money on things other than their own hungry children and paying school fees.

64. **Emotional, verbal or psychological abuse** i.e. oral expressions, things said and done that belittle another person and makes her/him feel constantly unhappy, humiliated, ridiculed, afraid or depressed or feel inadequate or worthless; fear of being beaten, attacked or harassed; greater appreciation of sons; women having little say in decision-making in the home or any conduct that takes away or is likely to take away another person's dignity or worth as a human being.

65. Although all civilians suffered the atrocities of the war, the greater majority of those most adversely afflicted including as refugees and internally displaced were women and girls. Women's and girls' bodies, in particular, became the location of the war, in rural as well as in urban areas. Even, in these post war period of prevailing relative peace, various ongoing, peace consolidation, peace building and reconciliation initiatives, Sexual and Gender Based Violence (SGBV), against women and girls persists. The indication from daily media reports is that Sexual Violence against females is increasing with impunity. Almost daily newspapers report incidents of the rape of female children by much older males in various districts. Females experienced the war differently from males. The differentiated special situation of women, are not to be recognized and addressed from the perspective of victims only, but also needs to be addressed from the perspective of contributors either as willing or forced combatants, and peace builders whose experiences must be fully utilized for enduring peace and emerging development stages. Women's experiences in the Sierra Leone war and their roles and contributions brought resolution 1325 in to practice, even though their engagement in conflict prevention and resolution are not widely recognized particularly at community levels. In the Sierra Leone Parliament, of 124 members, women account for only 12 percent. Women need to be actively represented

at all decision-making levels in all the areas of the ongoing peace consolidation, post-conflict reconstruction and development processes. Thus, the Government jointly with other Development Partners, particularly Civil Society Organizations in country, initiated intensified action in 2008 towards the development of a Sierra Leone National Action Plan (SiLNAP) for the full implementation of UNSCR 1325 on Women, Peace and Security. Also the SiLNAP includes elements of resolution 1820 that builds on 1325, offering a stronger policy strategy than 1325 for the protection of women and girls against conflict-related Sexual Violence. It affirms that effective steps to prevent and respond to such acts of sexual violence can significantly contribute to the maintenance of peace and security.

66. The full implementation of the SiLNAP will allow the application of the gender approach in especially related institutional reforms, strategic policies and plans at national and sectorial levels to prevent and respond to the continued consequences and impact of the civil conflict on women and girls.

2. Services Provided by the Family Support Unit

67. The Family Support Unit (FSU) of the Sierra Leone Police as supported by UNFPA issued a Situation Report on the status of Sexual Abuse and Domestic Violence cases reported to them.

68. The two tables below give a national picture as provided by F.S.U.

Table 1

Sexual abuse cases

<i>Year</i>	<i>No. of Cases Reported</i>	<i>No of Cases Charged</i>	<i>Under Investigation</i>	<i>Kept In View (KIV)</i>	<i>Resolved</i>	<i>Lack of Evidence</i>	<i>Convicted</i>
2001	192	175	Nil	15	2	-	-
2002	587	447	Nil	105	35	-	-
2003	670	537	Nil	92	41	-	-
2004	2010	1,397	Nil	605	8	-	-
2005	891	636	Nil	169	64	-	22
2006	823	311	Nil	384	89	-	5
2007	761	326	171	164	52	35	13
2008	1,186	437	555	90	93	11	-
2009		353			113	2	20
	1,004		492	44			
2010	1220	541	507	60	70	11	

Source: Sierra Leone's Family Support Unit 2001 - 2011

Table 2
Domestic violence cases

<i>Year</i>	<i>No. of Cases Reported</i>	<i>No of Cases Charged</i>	<i>Under Investigation</i>	<i>Kept In View (KIV)</i>	<i>Resolved</i>	<i>Lack of Evidence</i>	<i>Convicted</i>
2001	100	11	-	68	21	-	-
2002	984	92	-	197	695	-	-
2003	998	119	-	281	598	-	-
2004	949	191	-	233	525	-	-
2005	908	241	-	92	575	-	-
2006	1,171	190	-	482	471	13	15
2007	808	128	-	135	252	38	08
2008	2,747	369	-	230	712	2	-
2009	1,642	305	777	425	134	01	15
2010	3071	566	1684	637	176	08	

Source: Sierra Leone's Family Support Unit 2001 - 2011

Note: The number of convictions for both Sexual Abuses cases and Domestic Violence cases amounted to fifty seven (57) for the year 2010.

69. Both tables give an abysmal picture of the situation particularly between the police and the Courts. Most of the cases are either resolved or under review by the police, and out of those charged to Court very few are successfully prosecuted. In addition to some of the challenges highlighted under Article 6 on non-effective prosecution of trafficking cases, the FSU identified the following:

70. Firstly, there is interference and consequently settling of the cases at all levels.

71. Secondly that the F.S.U. personnel are not motivated enough to effectively investigate the reports because they do not have sufficient financial and logistical support.

72. Therefore for the identification and management of sexual abuse and domestic violence cases by the FSU, government is endeavouring to provide them with the requisite financial and technical support to enhance their capacities to act effectively and efficiently country wide.

73. The Sierra Leone Bar Association has for the first time in its history, set up the National Centre for the Prosecution of Violence against Women, with the mandate to investigate and prosecute gender based violence and domestic abuse.

3. Institutional and Legal Challenges

74. The Family Support Units of the Police have become popular and instrumental in addressing GBV, but number and institutional capacity of these units are severely limited for national coverage, particularly in the rural areas where the incidence of violence against women is widespread.

75. The bulk of the people of Sierra Leone live in the rural areas, where they are, by and large, governed by Customary Law which is essentially patriarchal and reinforces male dominance.

76. Glaring absence of a GBV Law, despite the enactment of the Gender Laws, to address sexual violence and the harmful traditional practices.

77. Legal challenges that include pressure from family members of the victims to drop charges, obstruction of justice by people in high places (including traditional leaders and politicians), and the long delay in court trials.

78. Weak institutional capacity of institutions involved in providing GBV Services, such as lack of adequate logistics (e.g. transport) to facilitate investigation and follow-ups.

79. Inadequate financial resources available to MDAs, such as Ministry of Social Welfare, Gender and Children's Affairs and FSU, for GBV issues and large dependence on donor funding which is, often times sporadic.

80. Poor information and communication facilities to enhance outreach and networking.

81. The Government of Sierra Leone through the Ministry of Social Welfare, Gender and Children's Affairs has finalized the Sexual Offences Bill and has sought Cabinet approval for onward submission to Parliament. The Sexual Offences Bill will address the anomalies and challenges highlighted above. Furthermore, the Ministry with support from its Development Partners have drafted a National Action Plan on GBV. The document awaits validation and launching for effective implementation.

4. Measures for the full rehabilitation and reintegration of war affected females

82. In response to the recommendations of the Truth and Reconciliation Commission (TRC), the Government established a reparations programme in 2008 to correct some of the ills of the 11-year war. Services ranged from emergency health care for those injured during the war but did not get adequate medical attention, to fistula surgery provided for women that were sexually abused, and symbolic reparations.

83. The types of reparation support provided for the various categories of war-affected victims in Sierra Leone in 2009 total to 20,107 victims of who benefitted from reparation packages of micro-grants and educational support. Of this total 1,063 were amputees, 7,005 were children, and 4,378 were war-wounded. These three categories included both men and women.

Table 3

Gender patterns of reparations beneficiaries in 2009

Categories	Registered victims		%	Registered victims	
	paid 2009	Female victim		Male victim	%
Amputee	1,063	255	24%	808	76%
Child	7,005	3,012	43%	3,993	57%
War wounded	4,378	1,365	31%	3,013	69%
War widow	4,744	4,744	100%		
Victim of sexual violence	2,917	2,917	100%		
Total	20,107	12,293	61%	7,814	39%

Source: Reparations Directorate, NaCSA 2009

84. The Table 6.1 above displays the beneficiaries of the micro-grant and educational support by gender. As has already been indicated 100% of the beneficiaries of the war-widow and victims of sexual violence were women. Additionally, 24% of amputees and 31% of the war wounded were women. As well, 43% of the children targeted were girls. As in any war, women and children are the greatest victims and Sierra Leone is no exception. Government's acceptance to undertake reparations in the midst of serious budgetary constraints is an indication of Government's willingness to address the abuses and excesses of the war against citizens of Sierra Leone, especially women and children who were the most affected.

85. Another important milestone that is worth mentioning in this report is the Presidential Apology made by H.E. Dr. Ernest Bai Koroma to the women of Sierra Leone for all the abuses that were meted against them during the 11 years of civil strife. The

President made this apology in his capacity as Head of State, Commander in Chief of the Armed Forces of the Republic of Sierra Leone, and as Fountain of Honour. This historic event took place during the International Women's Day celebrations in March 2010.

Article 6: Measures to suppress the trafficking of women and the exploitation of prostitution of women

86. The relevant paragraphs of the Concluding Comments include paragraphs 27, 28, and 29.

87. The Anti-Human Trafficking Act was enacted in 2005 prior to the submission of the last CEDAW report. The Act gave legal basis to prosecute offenders. Section 2 (1) of the Act creates the offence of trafficking in person whilst Section 2 (2) and (3) defines what trafficking means.

88. For the purpose of the implementation of the Anti- Human Trafficking Act (2005), an Inter-Ministerial Committee was set up to oversee and provide advice and policy guidance to the National Task Force on Human Trafficking.

89. The National Task Force on Trafficking in Person was established in November 2006, just before the last submission. Its primary purpose was to coordinate the implementation of the Anti-Human Trafficking Act, with focus on the enforcement of the law against trafficking, rendering assistance to victims of trafficking, prevention initiatives geared to improving the economic wellbeing, and opportunity for potential victims, and to increase public awareness of the causes and consequences of trafficking.

1. Efforts at Implementation and Enforcement of Anti- Human Trafficking Act of 2005

90. An Anti-Human Trafficking Secretariat was established within the Ministry of Social Welfare, Gender and Children's Affairs. The mandate of the Secretariat is to coordinate, monitor and supervise the activities of Service providers for victims of trafficking.

91. The Ministry and the International Organization for Migration (IOM) signed a Memorandum of Understanding on 20th March 2007. The purpose of the MOU is to establish standards of conduct for the implementation and sustainability of project activities related particularly to providing immediate protection assistance, as well as building the capacity of relevant stakeholders to provide tailored reintegration assistance.

92. The Ministry and IOM are working together to provide shelter/accommodation called safe homes for victims of trafficking. During the stay of victims of trafficking in the safe homes, psychosocial counselling, and family tracing for eventual reintegration with their families or relatives are provided. Already two (2) safe homes have been constructed, one each in Makeni and Freetown.

Table 4

Statistical analysis of rescued victims of trafficking by IOM from Jan - Dec 2009 - under the regional funding

<i>Gender</i>	<i>Internal Trafficking</i>	<i>Cross boarder Trafficking</i>	<i>International Trafficking</i>	<i>Total</i>
Females	16	0	0	16
Males	5	3	0	8
Total	21	3	0	24

Source: MSWGCA/IOM 2009

2. Interventions Undertaken

93. Various MDAs and Civil Society Groups are very active in providing support services to the anti-trafficking in person's initiatives. For instance, about 200 service providers including law enforcement officers, community stakeholders, and other categories of services providers have been trained. Ten (10) communities have been trained, training modules for service providers have been developed, and 15 anti-trafficking school clubs have been established.

94. Four Hundred (400) victims were reunified with their families and provided reintegration packages; while 50 victims were provided micro-credits. A three-year work plan has been developed

Table 5

Statistical analyses of rescued victims of trafficking by IOM from October 2006 to July 2009

<i>Gender</i>	<i>Internal Trafficking</i>	<i>Cross boarder Trafficking</i>	<i>International Trafficking</i>	<i>Total</i>
Females	100	10	4	114
Males	41	7	2	50
Total	141	17	6	164

Source: MSWGCA/IOM 2009

3. Challenges

95. Prevention of human trafficking in Sierra Leone, particularly of children, is hampered by the following key challenges.

96. Porous border-crossing points, most of which are not manned by security agents.

97. There seems to be a high demand for children to serve as sources of cheap labour within and outside Sierra Leone, and women and girls to be given into commercial sex work.

98. High level of poverty and ignorance of parents, particularly in the rural areas, who are deceived into giving their children to be taken away by person's known/unknown purportedly for better living conditions elsewhere in the country or abroad.

99. Public awareness of the practice of human trafficking and its evil consequences are largely lacking in the outlying/border areas of Sierra Leone.

100. Lack of adequate mechanisms for detecting trafficking, and proper attention to VOTs at border areas, including the absence of FSUs at Police border posts.

4. Enforcement of Anti-Trafficking Laws

101. Since the passage of the Act in 2005, there has been very few successful prosecution of offenders under the Act.

5. Challenges

102. The prosecuting authorities i.e. the police and the Law Officer's Department face lots of practical and legal challenges in the successful prosecution of these types of cases, particularly in the provinces. There are problems ranging from physical accessibility of the courts, to limited number of trained personnel to administer the courts. As a result, most of the courts seldom sit. The non-availability of the Courts to seek redress undermines the prosecution of these matters.

103. Secondly, some of the cases are settled between the suspect/accused and the family of the victim.

6. Practical Problems in Eliminating Prostitution

104. There are practical obstacles to eliminating prostitution and trafficking women. The first is that just after the war when the economic infrastructure was destroyed there were lots of unemployed youth including females in the country particularly in the cities of Freetown, Bo, Kenema, Makeni and Koidu. Most of them were uneducated and illiterate and therefore not easily employable both in the public and private sectors. Prostitution, unfortunately, becomes a way of earning their living.

105. Also some of the young female prostitutes lost their parents or guardians in the course of the civil war and they therefore do not have people to support them physically, financially and morally. They therefore resort to prostitution to survive. However, the Ministry and its partners especially with support from UNFPA provide capacity building such as skills training, life skills, micro credits and other opportunities for commercial sex workers, in a bid to discourage the practice.

106. There is also another proposed law in the pipeline to fight against sexual offences. The Bill is entitled “The Sexual Offences Bill, 2011” which proposes further legislation on rape, sexual assault, causing a third party to engage in sexual activity, engaging in sexual activity in the presence of a child, pornography, sexual abuse by person in a position of trust, incest, engaging in sex with persons with mental disorder, engaging in a sexual activity with animals. The Bill has gone through Cabinet and awaiting the necessary steps for Parliamentary hearings and passage.

Article 7: Equality in political and public life

107. Section 31 of the 1991 Constitution of Sierra Leone guarantees every citizen being 18 (eighteen) years of age and above, the right to vote and be voted for in all elections – local, national, and public referenda. This means that no Sierra Leonean, regardless of sex, religion, ethnicity, property ownership or other qualifications be denied the right to hold any public office, form or belong to a political party of her/his choice.

108. There are, however, challenges to the participation of women in political and public life vis-à-vis men. Paragraphs 14 (1-5) of the Sierra Leone combined CEDAW Report of 2006 outlines the main challenges that beset women in their participation in political and public life, and legal and other measures adopted to ameliorate the challenges.

109. Since the submission of the combined initial to 5th Report in 2006, some progress has been made towards equality of women and men in political and public life.

110. At the local government level, 18.9% of women won seats as Councillors in 2007, as against 10.9% of women in 2004 local council elections. Table 6 shows that for Paramount Chieftaincy positions, the apex of traditional/customary governance in Sierra Leone, 7.4% of Paramount Chiefs in the 149 chiefdoms were women in 2004, while, for 2007, 6.7% of those chiefs were women. It should be noted that women’s occupancy of Paramount chieftaincy positions in the entire Northern Province and two out of the three districts in the Eastern Province is prohibited by prevailing custom that is circumscribed by the male secret society (‘poro’).

Table 6
Women in local governance

<i>Politics</i>	<i>Year</i>			
	<i>2004</i>		<i>2008</i>	
	<i>% Male</i>	<i>% Female</i>	<i>% Male</i>	<i>% Female</i>
Councillors	89.1	10.9	81.1	18.9
Chairperson of Local Councils	94.7	5.3	100	0
Deputy Chairperson of Local Councils	89.5	10.5	---	---
Paramount Chiefs	92.6	7.4	93.3	6.7

Source: National Electoral Commission 2008

111. In the 2008 Local Council elections, there were 226 (16.6%) female contestants, nationwide. There were 107 female contestants in the 2004 Local Council elections.

Table 7
Local councils' nominations by district – 2008
Local Councils Nominations Statistics Gender Breakdown by District

<i>District</i>	<i>Gender</i>				<i>Total</i>
	<i>Female</i>		<i>%Male</i>		
	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>%</i>	
Bo	23	15.5	125	84.5	148
Bombali	20	24.1	63	75.9	83
Bonthe	20	19.4	83	80.6	103
Kailahun	17	18.1	77	81.9	94
Kambia	5	7.7	60	92.3	65
Kenema	23	15.3	127	84.7	150
Koinadugu	11	13.6	70	86.4	81
Kono	20	17.9	92	82.1	112
Moyamba	5	5.7	83	94.3	88
Port Loko	5	7.2	61	92.8	69
Pujehun	12	16	63	84	75
Tonkolili	8	12.7	55	87.3	63
Western Rural	15	20.5	58	79.5	73
Western Area Urban	42	27.3	112	72.7	154
Grand Total	226(16.6%)		1132		1358(83.4%)

Source: National Electoral Commission, 2008

1. Women in legislative, executive and judiciary positions

112. Generally, female participation in Parliamentary and Presidential elections has increased significantly. This has been due to incessant and extensive sensitization of the populace by a broad spectrum of stakeholders, including Political parties, MDAs, and civil society (particularly women's organizations).

113. This notwithstanding, there was a decline in the number of women vying, for Parliamentary positions. In the 2002 Parliamentary elections, the electoral system was based on Proportional Representation, which did not put too much pressure on individual contestants, as their selection was at the behest of the Political parties to which they belonged.

114. In 2007, however, the country reverted to Constituency elections. This necessitated considerable financial and other commitments on the part of contestants, which inhibited women's emergence in that regard. As a matter of fact, while there was a female Presidential candidate in 2002, there was none in 2007.

115. As shown in table 6 below, the number of women Cabinet Ministers in relation to the total number of Cabinet Ministers declined from 14.3% in 2002 to 10.0% in 2009. As for Deputy Ministers, the figures for 2002 and 2009 are 30% and 13%, respectively.

116. At the level of the Judiciary, females comprised of 7 (seven) High Court judges and 2 (two) magistrates in 2005. In 2009, the number of female magistrates remained at 2 (two) out of 13 magistrates. Whereas the number of female High Court judges stands at 4 (four) among 9 (nine) judges, there are 2 (two) females out of 4 (four) Justices in the Court of Appeal. In the Supreme Court, out of 6 (six) Justices, 3 (three) of them are women. Most refreshingly, a woman was appointed as Chief Justice in 2008. The Ministry in collaboration with the Sierra Leone Female Parliamentary Caucus, CSOs and UN Agencies are currently finalizing the Affirmative Action on the minimum 30% Quota for women in governance at all levels.

117. Also, the Chief Electoral Commissioner is a woman, and two of the 4 Regional Commissioners of NEC are females.

Table 8

Showing percentage distribution of women in political and leadership positions, 2002 and 2009

<i>Politics</i>	<i>2002</i>			<i>2009</i>		
	<i>% Male</i>	<i>% Female</i>	<i>Total</i>	<i>% Male</i>	<i>% Female</i>	<i>Total</i>
Presidential Candidates	87.5	12.5	8	100	0	
Cabinet Ministers	87.7	14.3	21	90	10	20
Deputy Ministers	70	30	10	86.9	13.1	23
Parliamentarians	85.5	14.5	124	86.3	13.7	124
Paramount Chiefs	84.7	15.3	124	93.3	6.7	149
National Electoral Commission (Chief & Provincial Commissioners	100	0	5	40	60	5
High Court Judges	N.A	N.A	N.A	44.4	55.6	9

Source: National Electoral Commission (NEC)

2. Legal progress to enhance the status of women in the enjoyment of their human rights

118. Another serious legislative break through is the passage of the Chieftaincy Act No. 10 of 2009. Section 8 makes women eligible to contest for and become Paramount Chiefs. This Act supports the candidature of women as was evident in the Kailahun District in the Eastern Province. However, plans are afoot to expunge this conditionality from the Act.

119. The said Section 8 provides as follows:

(1) A *person* is qualified to stand as candidate in a paramount chieftaincy election if

a) *he* was born in wedlock to a rightful claimant in a recognized ruling house in the chieftaincy;

b) *where tradition so specifies*, he or she has direct paternal or maternal lineage to a rightful claimant in a recognized ruling house, whether born outside wedlock or not.

120. This is a significant development because Chieftaincy, particularly paramount chieftaincy in the Northern and some parts of the Eastern Provinces, was a no go area for women.

121. Further and by subsection (I) (b) candidates can now trace their lineage from both the paternal (male) and maternal (female) descent. Before the passage of this act, rules' regarding chieftaincy was customary and patrilineal.

3. Challenges

122. Firstly, subsection (1) (b) has a proviso that women are only eligible "where tradition so specifies". Unfortunately, this proviso can automatically disqualify female candidates if tradition (or customary law and practice) does not so specify for women to contest. This was evident in Kono District where a female candidate was disqualified because of the dictates of culture and tradition.

Article 8: Women's participation in international governmental representation

Table 9

Women's representation at the Diplomatic/Foreign Service Officers (2009)

Person on International Postings and Positions	2009				
	Total	Male	% Male	Female	% Female
Foreign Service at post	44	33	75	11	25
Foreign Service Officers at Headquarters	34	25	73.5	9	26.5
Diplomats (Ambassadors)	15	14	93.3	1	6.7
Head of Chancery	17	11	64.7	6	35.3
Directors	8	7	87.5	1	12.5
Protocol Officers	3	3	99.9	Nil	0

Source: Ministry of Foreign Affairs & International Cooperation

123. As shown in table 9 above, of the total number of 44 (forty-five) personnel in the Sierra Leone Foreign Service, 11 (25%) are female, which is the same percentage at the time of the Combined Sierra Leone CEDAW report of 2006. At the level of Ambassadors, there has been a drop of 1(one) in the number of women Ambassadors in 2006, as at 2009. As for Heads of Chancery, there were 3 (three) females of 15 (sixteen) in 2002, and there are 6 (six) out of 17 (seventeen) in 2009. From the Table above, it could be discerned that there is need for more political will in the assignment of women to international posting.

Article 9: Nationality

124. Section 2 of the 1973 Act provides as follows.

125. Every person who, having been born in Sierra Leone before the nineteenth day of April, 1971, or who was resident in Sierra Leone on the eighteenth day of April, 1971, and not the subject of any other State shall, on the nineteenth day of April, 1971, be deemed to be a citizen of Sierra Leone by birth:

126. Provided that

- (a) His *father* or his *grandfather* was born in Sierra Leone; and
- (b) He is a person of negro African descent.

127. The law was discriminatory against women because one could only become a citizen by birth provided one's father or grandfather (not mother or grandmother) was born in Sierra Leone.

128. However, these discriminatory provisions were repealed and replaced with non-discriminatory ones in The Sierra Leone Citizenship (Amendment) Act of 2006.

129. "Person of negro African descent" is now defined by Section 2 of the 2006

130. Act to mean "a person whose *mother* or *father* and any of the *grandparents* of the *mother* or *father* is or was a Negro of African descent."

131. Sierra Leoneans can now hold dual citizenship. The *Sierra Leone Parliament approved a measure legalizing dual citizenship*. The citizenship Act of 1973 has been amended which states that no person shall have Sierra Leonean citizenship and any other citizenship at one and the same time. The amended act means that Sierra Leoneans holding citizenship of another country and who by birth or by descent are Sierra Leonean are now eligible for Sierra Leonean citizenship.

132. Apart from these improvements, mostly undertaken prior to the submission of the previous reports, no new measures have been taken.

Article 10: Measures to improve equality of access to education by women

133. The Ministry of Education, Science and Technology, has developed strategies, among others, in the Education Sector Plan, to reduce gender disparity and gender-based violence, particularly for girls in school. They include the following:

- (a) Safe environment and separate toilets for girls;
- (b) Equitable proportion of female teachers in primary schools;
- (c) Code of ethics with the Sierra Leone Teachers Union to prevent male teachers from having sexual relationships with female pupils;
- (d) Institute severe penalties for child abuses;
- (e) Gender – sensitive curriculum;
- (f) Child – mothers and drop-outs allowed to complete school;
- (g) Abolish the idea of primary school-going aged children becoming baby sitters, child – traders during school hours;
- (h) Encourage open discussion of child protection issues;

(i) Reduce exploitation and strengthen government commitment and capacity to fulfil children's rights to protection (GOSL (2007) Ministry of Education Master Plan).

134. In the period 2006 – 2009, some strides were made in the sphere of equality of access to education at all levels primary, secondary, tertiary and non-formal. Besides policy instruments and legal measures taken, geared towards ensuring affirmative action in favour of the girls, post-war physical infrastructural rehabilitation and construction of new educational institutions have continued during this period.

135. Almost all of the 149 Chiefdoms in the country now have a junior secondary school to ensure that all children have access to basic education.

136. On technical and vocational education, 8 standard/upgraded institutions have been established in those districts considered to have been very adversely affected by the war.

137. An important policy in the Ministry of Education, Science and Technology (MEST) to meet the Education for All goal by 2015 is the girl-child support education. Here, actions have been taken to support the education of girls in the Northern and Eastern Provinces, where it was observed that girls significantly lagged behind boys in education. The policy is now extended to all four administrative regions effective 2008/2009.

138. MEST, with support from UNICEF, and collaboration of NGOs, such as Forum for African Women Educationalists (FAWE) and Gender Resource and Documentation Centre (GRADOC), has launched the Sierra Leone Gender and Education Network (SLeGEN), which provides support to outstanding girls from class 4 to JSS 3 in all examinations.

139. Recent studies conducted by various stakeholders, and data obtained from the MEST Inspectorate and institutions of higher learning in Sierra Leone, have revealed the following scenario:

(a) The Core Welfare Indicator Questionnaire Survey in 2007 (CWIQ 2007) survey reveals that literacy rate for all people aged 15 years and above in Sierra Leone was 36.9 percent. The survey further shows that adult literacy rate for males was 47.9 percent and the corresponding rate for females was 27 percent and that youth literacy rate was higher for females (67.3%) than for males (46.8%);

(b) Overall, 58 percent of women and 46 percent of men have no education. Only one in four women (25%) and 28 percent of men have some primary education and that men are almost twice likely as women to have attended secondary school (22 % and 12 %) respectively (SLDHS 2008);

(c) According to the SLDHS report, younger people are more likely to be educated than older people. Whereas about 57 percent of girls aged 6-14 years have some primary education, the corresponding proportions for women aged 15-19 and 20-24 are 21 and 12 percent, respectively. The proportion is even lower for older women (SLDHS, 2008);

(d) More than two thirds (69 %) of women in the rural areas have no education and only about one quarter (24%) have some primary education. The situation is worse for secondary education; only about 4 percent of women in rural areas have some secondary education. This pattern is seen across all regions except in the Western Region, where 25 percent of women have some secondary education and 10 percent have completed secondary education (SLDHS 2008);

(e) The overall primary school dropout rate was slightly higher for boys (0.4 %) than girls (0.3%) and for Secondary school dropout rate was higher for girls (0.9%) than for boys (0.4%) (CWIQ 2007).

Table 10
Primary school enrolment trends (2005/2006 – 2008/2009)

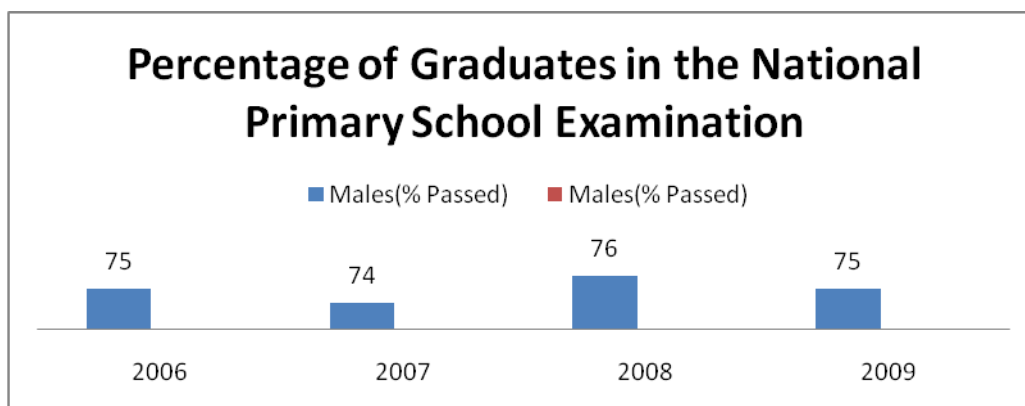
	Sex				Total
	Female	%	Male	%	
2005/2006	581386	45	709869	55	1291355
2006/2007	628508	51	603730	49	1232238
2007/2008	NA	NA	NA	NA	NA
2008/2009	579547	44	744170	56	1353717

Source: MEST Inspectorate Division

140. The table above shows the primary enrolment of boys and girls in percentages from 2005/2006 to 2008/2009 academic years. From the chart, the primary school enrolment for girls was 45 percent which was 10 percent lower than the percentage of boys who got enrolled in 2005/2006 academic year. More girls were enrolled in primary school (51 percent) as compared to 49 percent of boys in 2006/2007. In 2008/2009 academic year government extended the free girl child education to the Southern and Western Regions in a bid to cover the whole country.

Figure 2

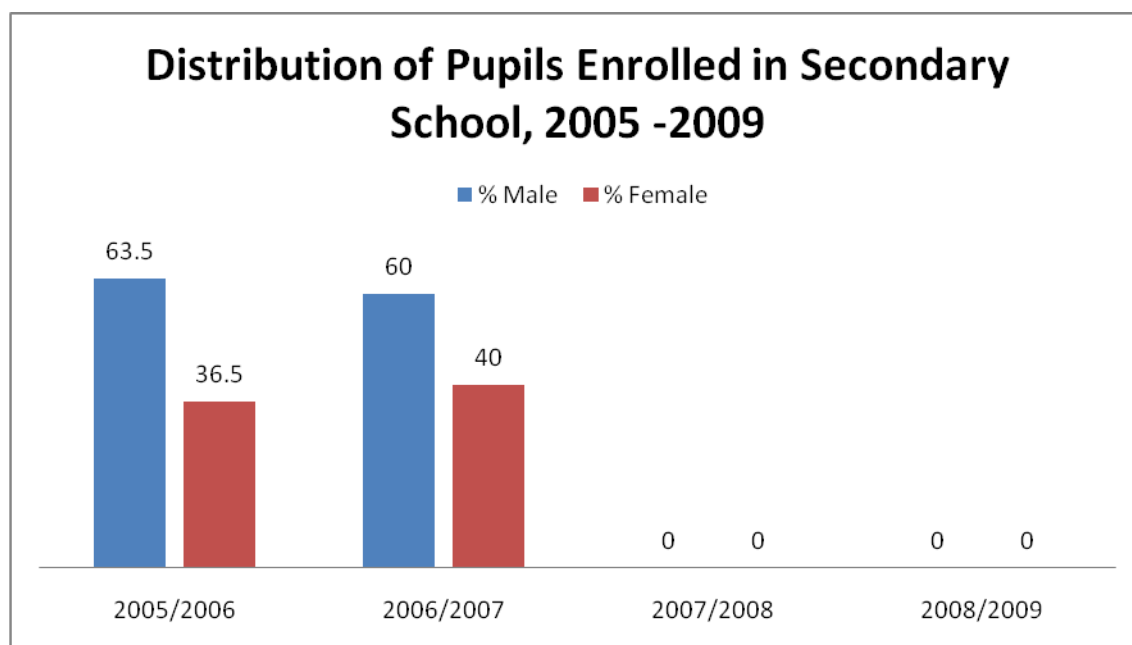
Percentage of graduates in the National Primary School Examination (NPSE) (2006-2009)



Source: Ministry of Education, Science and Technology 2009

141. The chart above shows the percentage of graduates in the National Primary School Examination (NPSE) for a period of four years. Although it can be seen from the diagram that the percentage of female graduates increases over the years (69 % in 2006, 69.1 % in 2007, 71 % in 2008 and 72 % in 2009) but the males still have a higher percentage of passes than the girls in all of the four years.

Figure 3
Showing trend statistics of pupils enrolled in secondary school (2005/2006 – 2008/2009)



Source: Ministry of Education, Science and Technology 2009

142. The chart above gives an indication of pupils (males and females) enrolled in secondary school from 2005 to 2009. In the academic years 2005/2006 and 2006/2007, the male pupils enrolled exceeded the female pupils but over the years, there seems to be an increase in the percentage of female pupils who were enrolled into secondary schools.

Table 11

Student enrolment in tertiary institutions (2006/2007, 2007/2008 & 2008/2009)

Institution	2006/2007			2007/2008			2008/2009		
	%Male	% Female	Total	% Male	% Female	Total	% Male	% Female	Total
FBC	80	20	3542	79	21	3722	77	23	3905
COMAH									
S	45	55	953	53	47	1047	45	55	1069
IPAM	71	29	1567	69	31	1555	67	33	1607
MMCET	NA	NA		58	42	4985	45	55	3447

Source: The University of Sierra Leone 2009

143. Table 10.2 above shows the student enrolment statistics for three consecutive academic years (2006/2007, 2007/2008 & 2008/2009), of four different institutions and the statistics of the post graduate students in percentages. According to the data, more males were enrolled in all the four institutions except COMAHS, in which 55 percent of female students were enrolled in both 2006/2007 and 2008/2009 academic years as compared to 45 percent of males in the same years. Overall, the percentage of female enrolment of the different institutions including those offering post graduate studies increases over the years.

Figure 4
Student Enrolment Statistics – 2006/2007, 2007/2008 and 2008/2009

The trend statistics show that technical/vocational enrolment for girls increased by 5 percent in 2006/ 2007 academic year

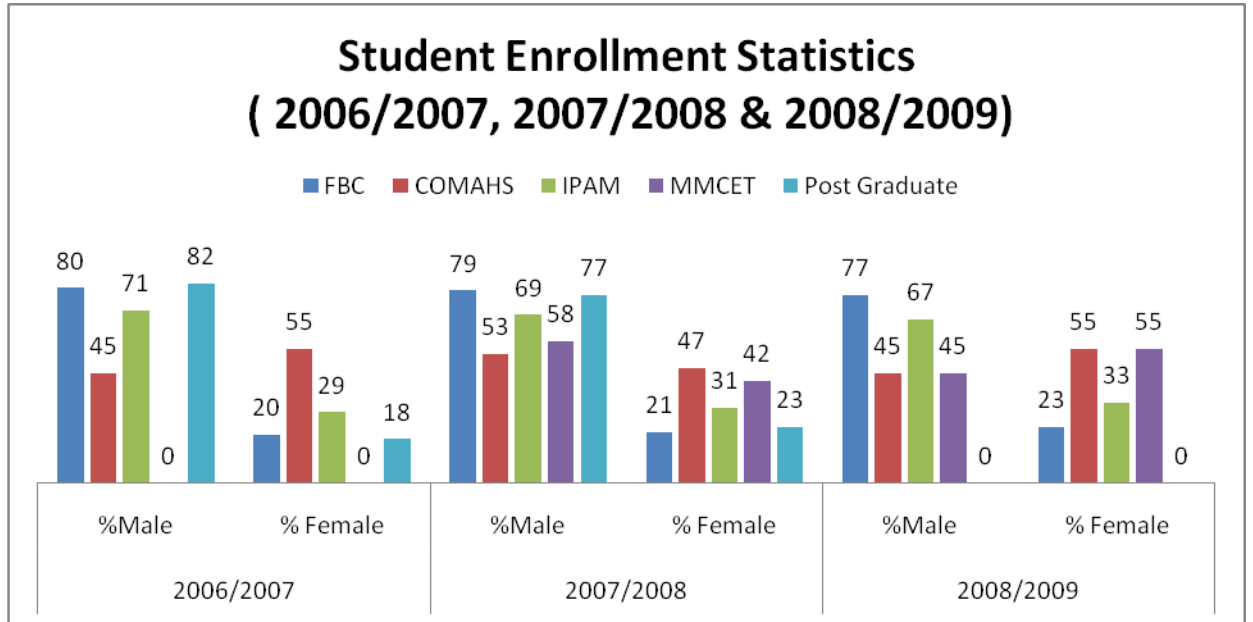
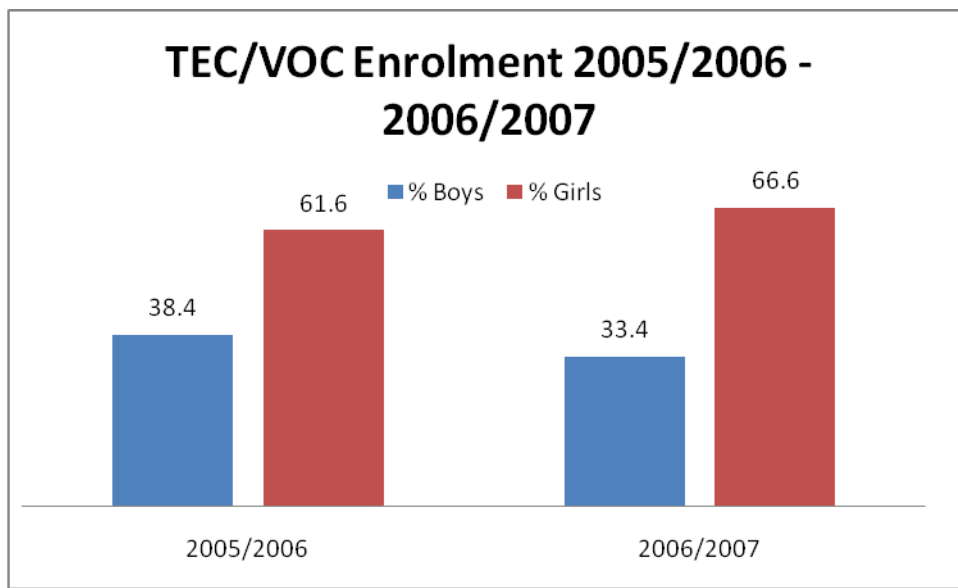
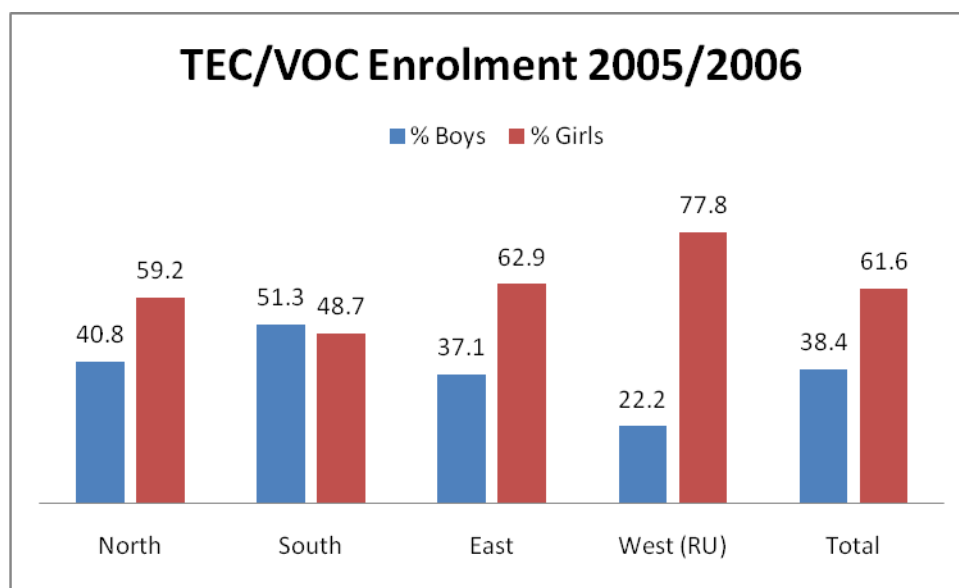


Figure 5
Technical/vocational enrolment (2005/2006 – 2006/ 2007)



Source: Ministry of Education, Science and Technology 2009

Figure 6
Technical/vocational enrolment (2005/2006)



Source: Ministry of Education, Science and Technology 2009

144. The figure above gives the indication of the technical / vocational enrolment of boys and girls in percentages in 2005/2006 academic year. Overall, more girls (61.6%) were enrolled in 2005/2006 as compared to boys (38.4%). At regional levels, more girls than boys were enrolled in the North (girls=59.2%, boys= 40.8%), East (girls=62.9, boys=37.1), West (girls=77.8%, boys =22.2%) except in the South were slightly more boys (51.3%) than girls (48.7%). The introduction of the girl child education initiative by the government for the Northern and Eastern Regions is largely responsible for the higher girls enrolment in those regions than in the South. The Western Area on the other hand has always had the lead in girl child education in the country.

Article 11: Employment

145. The level of gainful employment in the economy is one of the indicators of economic and human development. Employment is the means that makes it possible for members of the population to meet their daily survival needs, acquire property and improve their standard of living. According to Maslow's theory, this is one of the very basic needs of man, and hence a fundamental human right. According to Article 6 (1) of the International Covenant on Economic Social and Political Rights (ICESPR) state parties should take appropriate steps to safeguard their citizen's rights to work. Also, Articles 11 of CEDAW and 15 of the Universal Declaration of Human Rights protects the right of women to work. By these Articles, it is incumbent on States to ensure that their citizens have free choice of career profession, employment, job security and all the benefits that go with them. It is also required of Governments to ensure that its people including women acquire knowledge and skills in various disciplines including scientific and technological, vocational and other areas in order to be gainfully employed as a right. It is also Government's responsibility to provide requisite amenities at the workplace for workers including working mothers so as to safeguard the functions of reproduction.

1. Legal and Other Measures

146. As was pointed out in the last report, there are no legal barriers to equal employment opportunities for women, as Sierra Leone is a signatory to the ILO Convention No. 100 on

Equal Remuneration and No. 111 on Discrimination (Employment and Occupation). The 1991 Constitution also grants equal rights of employment to men and women. However, there is still no Labour Policy that should protect equality of employment and treatment in employment and occupation. The Ministry of Employment, Labour and Social Security with support from the International Labour Organization is working out modalities in undertaking a comprehensive labour survey nation wide which will inform a policy and legal reform.

2. Employment in the Formal Sector

147. Data is not available to provide information on trends in women's employment over a period of time. However, there are data on the current situation in both public service and the private sector.

Table 12

Employment by grades and gender in the public sector

<i>Level</i>	<i>Male</i>	<i>Male (%)</i>	<i>Female</i>	<i>Female (%)</i>	<i>Total</i>
Junior	8865	61	5556	39	14421
Middle	741	78	205	22	946
Senior	322	87.0	46	13	368
Total	9928	63%	5807	37%	15735

Source: Human Resource Management Office, Government of Sierra Leone 2010

148. The Table above provides a summary of the patterns of male and female employment in the Government services in Sierra Leone. It shows that of the 15,735 personnel recorded to be in government employment in December 2009, 63% were males while 37% were females. The number of women employed at the junior levels (39%) is much higher than the women engaged at the senior levels (12%).

Table 13

Employment patterns of women in the private sector

<i>Industrial Sector</i>	<i>No. of Employees</i>	<i>No. of Females</i>	<i>% of Females</i>
Air Transport	250	70	28
Foreign Exchange Bureau	283	62	22
Communication	2,353	342	15
Construction	4919	175	4
Hotels/ Restaurants	5980	2005	34
Insurance	632	210	33
Manufacturing	20084	2697	13
Other Business Service	20452	5406	26
Shipping Agencies	310	70	23
Trade	88886	9322	11
Total	123697	20,359	17

Source: 2008 Annual Economic Survey, Economic Statistics Division, Statistics Sierra Leone

149. Table 11.2 indicates employment of women in the private sector of the economy. Like in the public sector, there are fewer women in the private sector. Of the women engaged in the formal private sector of the economy, there are more women in the Hotels/Restaurants followed by the Insurance business. The Air Transport business also attracts many women followed by the shipping business. Understandably, there are fewer women in construction, trade, and manufacturing. These require much bigger capital

outlays to start with. Besides, such businesses are mostly managed by nuclear families with very limited openings to the public.

150. The Tables above provide summaries of the patterns of male and female employment in the public and private sectors of the economy. According to Table 11.1 there are 15,735 personnel recorded to be in government employment in December 2009. Out of this total 63% were males while 37% were females. The number of women employed reduced from (39%) at the junior levels to 22% in the Middle level to (13%) in the senior levels.

151. As has been previously indicated, the reasons for disparities between men and women in employment have more to do with lack of professional skills among women than legislation or the resistance of men. It may be interesting to note that, there are even occasions where employers advertise jobs and indicate preference for women.

3. Occupation of Women in the Informal Sector

Table 14

Main occupation of women disaggregated by rural urban areas

Type of Occupation	Rural (%)	Urban (%)
Farmer	41.0	8.5
Petty Trader	31.0	30.6
Student	11.9	25.1
Civil Servant	1.0	3.8
Miner	0.5	0.9
House wife	4.4	11.3
Teacher	2.0	5.1
Security Personnel	0.2	0.7
Health Worker	1.1	2.6
Fisher Woman	1.8	0.9
Business Woman	3.4	5.9
Other	1.8	4.5
Total	100.0	100.0

Statistics Sierra Leone CEDAW Survey Dec 2009

152. The table above gives a clear picture of the spread of women between rural and urban areas of the Sierra Leone economy. Firstly, it shows that up to 84% of rural women and 63% of urban women operate in the informal sector of the economy. These include farming, petty trading, mining, housewife, fisher woman, business women, and others. It also clearly shows that in rural areas the majority of women are in farming (41%), while in the urban areas the bulk of the women in the informal sector are in petty trading (31%). Considering that 58% of the study population were 35 years and below, with 14% of them below 18 years, it is not surprising that up to 25% and 12% in urban and rural areas respectively indicated student as their main occupation.

4. Income

Main Sources of Income for Women in the Informal Sector

153. As has been indicated in the table above, the majority of women in that study were in the informal sector. This explains why up to 96% of the women in the rural communities and 83% in the urban communities earned their living mostly from farming, trading, and fishing. In rural communities, farming (47%) and trading 40% were the most common

sources of income for women. The high percentage of women doing petty trading in the rural communities gives an indication of rural women striving to augment the family income, through subsistence entrepreneurship. In addition to products from their farms, rural women also sell items like kerosene for the lanterns, fish, magi, salt, tomatoes, and many such others brought into the communities from outside.

154. The majority of women in the informal economy in the urban settlements (52%) were engaged in petty trading. Another 17% were under the category of others which includes various informal activities. This is a very good picture of the national context. Most women in the urban settlements do not have the professional skill to compete for the limited paid jobs available. As a means of coping strategy, many women engaged in trading in goods. Some women trade in only local agricultural products only, while others trade in imported goods including wares and food stuffs. However, there are those who trade in mixed assortment of local agricultural products and imported goods. The draft National Social Protection Policy was completed on 7th March 2010. It is going through the approval process. A National Commission for Social Action (NaCSA) was established by the government of Sierra Leone to provide socio-economic assistance to the people of Sierra Leone. Initially it was providing micro finance to women but the discourse has changed to capacitating non-governmental micro finance institutions to effectively deliver micro credits to women such as Association for Rural Development, Finance Salone, and other faith-based organisations.

Article 12: Measures to promote equality of access to health care services

1. Maternal Morbidity and Mortality

155. For a longtime Sierra Leone has been in the bottom rankings of the Human Development Index. One of the precipitating factors of the dismal situation has been the high infant and maternal mortality rates in the country. According to the 2008 Demographic and Health Survey findings, the lifetime risk of a woman dying from complications of pregnancy and childbirth is one in eight. Although there have been lots of improvements in maternal mortality rates, as could be seen in the Table below, much still remains to be done to achieve the Millennium Development Goal.

Table 15

Trends in infant and maternal mortality patterns between 2000 and 2010

Description	2000 Level*	2005 Level**	2008 Level***	Target 2015
Child Mortality (U5s)	286/1000 live births	267/1000 live birth	140/1000 live births	95/1000 live birth
Maternal Mortality (MMR)	1,800/ 1000 live births	1,300/ 1000 live births	857/1000 live Births	450/1000 live births

Source: Sierra Leone Multiple Indicator Cluster Survey (MICS II) 2000

MICS III 2005 - Demographic & Health Survey 2008

156. In his 2009 Opening of Parliament speech, the President stated “presently our health care systems is caught between the strictures of a Government with limited resources, a people in extreme poverty, and a global recession that is limiting international support for improving access to services”.

157. The Health System in Sierra Leone is characterized by a lack of appropriately qualified health care workers, poor salaries for health personnel, insufficient supplies of drugs and equipment, poor coordination and management, and charges levied at points of service delivery (**Sierra Leone Conference: Stability; Opportunity; Growth, 2009**).

2. Causes of Maternal Mortality

158. Information generated from the newly established Reproductive and Child Health Division of the Ministry of Health and Sanitation classified the causes of maternal mortality into three categories viz root causes, underlying causes, and immediate causes. Key among the root causes over the years are poverty, ignorance, difficulty in accessing health service delivery points, and lack of political will, in former years, to tackle the challenges confronting the health services systems. Some of the underlying causes include inadequacy of qualified personnel, poorly motivated health personnel, inadequacy of drugs, and equipment, and supplies, poor health status of women, multiple pregnancies, and pregnant women's delay in reaching the clinics or hospitals. The immediate causes on the other hand include obstructed labour, post-partum haemorrhage, pregnancy induced hypertension, post-partum sepsis, and complications of illegal abortion.

3. Proposed Government Actions to Address Child and Maternal Mortality

159. In an effort to address this unacceptable situation, 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 BPEHS will be available at all levels of service delivery in the district and content will be level specific. It will focus on cost-effective interventions including essential and emergency obstetric care, and preventive services such as family planning, immunisation and the provision of insecticide treated bed nets.

160. The objective of this strategy is to abolish all charges to pregnant women, lactating mothers and children under 5 years of age. In the longer term, the aim is to provide universal access to quality health care for all vulnerable groups. This will mean that in 2010 alone approximately 230,000 pregnant and lactating women and approximately 950,000 children will benefit from free healthcare services; and the entire population from a strengthened healthcare structure.

4. Strategies to Achieving Strategic Health Plan

161. The Ministry of Health and Sanitation has worked closely with government stakeholders and development partners using the Health Sector Strategic Plan as a guiding document to set out priority interventions as outlined below:

162. The government commits to substantially increase its financing to the health sector aiming to achieve the Abuja Declaration by 2012 and developing new financing mechanisms including a social health insurance scheme. Already, Government has generated substantial funding to enable the plan to be operational beginning April, 27th 2010. However, additional resources are still needed.

163. The procurement and supply chain management system will be strengthened to ensure that there are sufficient drugs and equipment supplied at point of use.

164. The number of healthcare workers will be increased. As an interim measure a performance-based incentives system and top up salary provided to Health Services providers nationwide to promote provision of quality healthcare services.

165. An improved oversight, co-ordination and management systems put in place at all levels to ensure transparency, quality, and efficiency, and to monitor performance. Communicate the policy to allow people to exercise their rights to free healthcare.

5. Manpower Requirements for Strengthened Health Services System

Table 16

Manpower situation of the Ministry of Health and Sanitation: 1991–2009

Trends in Manpower Availability at the Ministry of Health and Sanitation: 1991–2009.

<i>Personnel Type</i>	<i>2003</i>	<i>2009</i>	<i>Gap</i>
Medical Officers	71	75	459
Paediatricians	4	1	53
Dentists	6	5	47
Obstetricians & Gynaecologists	6	5	49
Public Health Specialists	18	24	6
Surgeons	7	5	49
Specialists Physicians	6	3	7
Midwives	111	95	205
Psychiatrists	1	0	7
MCH Aides	530	825	1,175
State Registered Nurses	266	685	701
Pharmacists	13	17	13

Source: Ministry of Health & Sanitation

166. The availability of appropriately trained human resources will be an important prerequisite for the success of the BPEHS. The Table above shows that there is a huge gap in manpower requirement for the successful implementation of the Health Strategic Plan. There will be need to design and implement strategies to produce, deploy, and retain staff with the necessary skills. This will include training health staff to undertake tasks they were not originally trained to perform. According to the health strategic plan, this will be accomplished through the following.

(a) Improving conditions of service for health personnel.

167. Beginning May 2010, performance based incentives were introduced to act as a top up for staff salaries thereby removing the need to charge patients. This is accompanied by a rural incentive package to attract and retain health personnel in hard to reach areas. The government plans to establish a Health Services Commission to address the more long term issues of staff welfare and remuneration.

(b) Provision of adequate number of qualified health workers with appropriate skills in health facilities across the country

168. The objective will be to close the personnel gap shown in Table 12.2 above. In the meantime interim measures will include deployment of Cuban and Nigerian doctors, and improved training for Maternal and Child Health Aides (MCH Aides).

(c) Training of Community Health Officers and qualified Midwives to supervise MCH Aides

169. There are also longer term strategies to ensure sustainability of measures.

(d) Introduction of improved and regular training programmes for staff.

170. Currently there are a number of personnel being trained in various disciplines in Ghana. Government will build the capacity of its training institutions by providing

appropriate teaching facilities and tutors that will provide the career progression of the health personnel.

Table 17

Distribution of Maternal Services Provision Centres

Region	Number and Types of MCH Delivery Service Points			
	No of Hospitals	No of CHCs	No of CHPs	No of MCHPs
West Urban	9	24	12	23
West Rural				
East	6	47	77	132
South	7	56	47	170
North	9	62	59	260
Totals	31	189	195	585

Source: Ministry of Health & Sanitation 2009

171. Table 12.3 above shows the spread of maternal services provision centres all over the country. There is a fairly good spread of health service delivery points targeted at women in Sierra Leone. These are trained medical aides located in the rural communities to provide basic maternal and child care services.

Table 18

Utilization of prenatal and postnatal services

Year	Utilization Patterns of services	
	No of pre-natal visits	No of post-natal visits
2007	89019	
2008	73153	3910
2009	107385	9120
Total	269557	13030

Source: Ministry of Health & Sanitation 2009

172. Table 12.4 above shows the use of pre-natal and post-natal services in Sierra Leone between 2007 and 2009. The table shows a steady increase in the utilization of above services. For example, in 2007 only 89,019 women attended pre-natal services, while in 2009 about 269,557 women utilised the services. Another pattern revealed is the limited usage of post-natal services. While in 2008 some 73,153 women attended pre-natal services, only a paltry 3,910 attended the post-natal services. One of the major reasons for the low clinic attendance has been the high cost of services. With the declaration of free services to all pregnant and lactating women, as well as children under five in April/May, 2010, clinic attendance has increased many fold. Government is currently putting all modalities in place to be able to meet the challenge of service provision.

6. Awareness Raising for Increased Access to Health Care Services

173. An important component of the Health Sector Strategic Plan 2010 – 2015 is policy communication. The objective is to enable the population in general and the target beneficiaries in particular to know about the Basic Package of Essential Health Services (BPEHS), understand how it will operate, and to know how they will access the services as required. In this vein, a jingle aimed at sensitizing the people on what the service is all about, who is targeted and how to access the services has been put on radio all over the country to prepare, especially the target population.

7. Contraceptive and Family Planning Services

174. The Government has developed a National Reproductive Health Policy. One of the important components of the policy is Family Planning. The focus of the Family Planning programme is the provision of high quality family planning services.

175. The Initial 2nd to 5th CEDAW report provided extensive information on the provision of Family Planning services in the country, the institutions providing these services, and the types of family planning services provided all over the country. The 2008 Demographic Health Survey provided various data/ information on Family Planning Services and Contraceptive use in the country; including knowledge and use.

8. Knowledge of Contraceptive Use

176. According to the Demographic and Health Survey report on Family Planning and Contraceptive use, 74% of women surveyed knew about some form of contraceptive method and 73% of pregnant women studied knew about some form of contraceptive method. About 90% of all sexually active unmarried women knew about some type of contraceptive method. With men 83% of all men survey knew about some type of contraceptive method, while 85% of men who were married knew about some contraceptive method. About 87% of sexually active unmarried men knew about contraceptive method.

9. Use of Contraceptive Method

177. However, data on use of contraceptive method was very low. Only 21% of women who were married had ever used contraceptive method. About 10% had ever used modern contraceptive method and 6% had ever used traditional method. Contraceptive use is highest in the western area where the capital city is located and lowest in the northern region. The SLDHS report indicated that 36% of married women in Sierra Leone have an unmet need for Family Planning. Out of this 21% was for birth spacing, while 15% was for limiting birth. According to SLDHS 2008, information on where women obtain their conception and family planning services indicates the main sources are public sector (Government Healthcare centres), private medical sector (private hospitals/clinics, pharmacies etc) and other sources(shops, friends/relatives).

10. HIV Prevalence

178. According to the SLDHS 2008, 1.5% of the population aged 15 – 49 was HIV positive. The prevalence is 1.7% for women and 1.2% for men. The prevalence of HIV among women in rural areas is 1.2% compared to 2.7 % among urban women. This same survey indicated that over 60% of rural women aged 15 – 49 years had more than one sexual partner, and that only 33% of them use condoms. While the current HIV prevalence rate is still low, the high level of promiscuity and the lack of condom use is a recipe for so HIV explosion in rural communities, with women as the greatest victims.

Table 19
Summary of progress on the outcome indicators monitored for the PRSP since December 2008 to May 2010

<i>Outcome Indicator(s)</i>	<i>Baseline (Dec. 2008)</i>	<i>Target 2009</i>	<i>Actual (Dec 2009)</i>	<i>Target for Dec 2010</i>	<i>Status as May 2010</i>	<i>% Achievement</i>
Number of PLHIVs who received ART in the last 12 months	4,810	6,592	6,592	8,242	7,445	90
Number of Condoms Distributed	7,704,505	7,000,000	7,000,000	9,000,000	12,605,328	140
Number of Pregnant women receiving complete course of ARV prophylaxis	1735	3,095	3,095	3,720	2,616	70
HIV/AIDS prevalence amongst Antenatal clinic attendants	3.5%	3.5%	3.5%	3.2%	3.1% ¹	

Source: NAS M&E Data base 2010

Article 13: Economic and social measures

179. Economic and social measures directly affect women on a day to day basis. In Sierra Leone, as has been indicated under Article 11, over 80% of the women are in the informal sector. In rural areas where the majority of the women live, over 70% are subsistence farmers. These same women are also engaged in some form of petty trading. According to the Statistics Sierra Leone (SSL) CEDAW Survey, only about 5% of women in rural communities are in the formal sector. In Sierra Leone, there are very limited economic and social services targeting women in the informal sector.

1. Legal Measures

180. The laws governing social and economic benefits to men and women in Sierra Leone have not changed since the time of the last report. Section 45 (1) of the National Social Security Insurance Trust (NASSIT) Act on survivor's benefits in terms of beneficiaries and content have not changed. The Constitution still guarantees equal access to all opportunities and benefits on merit.

2. Family Benefits

181. As was reported in the Initial 2nd to 5th CEDAW Report, there has been no change.

3. Access to Bank Loans

182. Commercial Banks in Sierra Leone target everyone irrespective of gender. There are set rules for accessing their loans whether the person is a man or a woman. The person must be an account holder. The person must provide some form of guarantee that the money to be loaned will be paid back. The more the money to be loaned the more tangible the

¹ Preliminary results

collateral required. Women in the informal sector are under-capitalised and have low purchasing power. Their income source is not regular and usually do not have concrete collaterals to contend for tangible loans that could deliver their businesses from subsistence entrepreneurship to capital intensive investment. As has already been indicated in this report, the schemes mostly available to them are informal savings scheme or 'OSUSUs'.

4. Mortgage Services

183. Various mortgage institutions are operating in the country. To date, the largest and the most prominent of these is the Housing Finance Company (HFC). In order to benefit from its services, one must be an account holder with their institution. In addition, the customer must be prepared to pay 20% of the total cost of investment required. For instance, for a total housing investment of fifty million Leones (equivalent of US\$ 14,000), the Client must as a condition pre-pay about ten million Leones (or US\$ 3,000,000). Additionally, the Company should assess the applicant's income and be satisfied that the Client has the capacity to pay the agreed regular monthly mortgage payments.

184. Considering the economic status of the majority of Sierra Leonean women, most of them will not qualify for housing mortgage loans.

5. Other Forms of Financial Credits

185. There was a national micro-finance policy in place at the time of the last report. There has been no change to this policy. Also there are still many micro-finance institutions in the country. On the side of Government, the National Commission for Social Action (NaCSA) is still providing micro-credit services. However, these are not especially targeted to women.

186. There are various NGOs providing micro-finance services. Key among these are Association for Rural Development (ARD), Finance Salone, American Refugee Council (ARC), Network Movement for Justice & Development (NMJD), Grassroots' Gender Empowerment Movement (GGEM) and many others. Most of these target women as well as men. Their major criterion for credit consideration is ability to pay back. One of the main complaints against most of these institutions is their high interest rates and stiff payment conditions. In some chiefdoms, women and their families members have been locked up for non-payment. But there are those individuals or groups that are making good use of these services and are benefitting immensely.

187. Government intends to create a National Coordinating and Supervisory framework for ensuring data collection and guaranteed savings and loan schemes for all Sierra Leoneans especially women. The Bank of Sierra Leone, the country's Central Bank is at the fore front of this process. In many ways, this is intended to overcome the present dearth of reliable information/data on how many women have benefited from micro finance skills.

6. Rights to Participate in Recreational Activities

188. As was reported in the previous report, there are no legal barriers to the participation of women in sporting and other forms of recreational activities in Sierra Leone.

189. An important emerging area of sports for women is football. There are female football teams in all regions of the country. There are female football leagues organised between local communities for entertainment. There are also competitive female football leagues. Sierra Leone now has a national female football team that competes in international competitions. However, like the male football, funding is the problem. Therefore the game for women remains at its amateur stage.

Article 14: Situation of rural women

190. This section of the report highlights the situation of rural women in Sierra Leone. It throws light on what the Government and its partners are doing to eliminate discrimination against women. It also reports on the extent of empowerment of women to contribute to the sustainable improvement of their lives and families. Information contained in this section is from a report of a survey undertaken purposefully for the CEDAW reporting. Various descriptive statistics were also generated from the Sierra Leone Demographic Health Survey done in 2008, and the Core Welfare Indicators Survey (CQIQ) report done in 2007.

1. Fertility Rate

191. According to the 2008 Demographic and Health Survey (DHS), the average national total fertility rate (expressed per woman) is 5.1 children. The average total fertility is 3.8 in urban areas and 5.8 in rural areas. The average General Fertility Rate (expressed per 1000 women) in Sierra Leone is 179 compared to 138 in urban areas and 202 in rural areas. The average national Crude Birth Rate (expressed per 1000 population) is 31.5. In the urban areas it is 27.3 and 33.4 in rural areas. According to the report, total fertility rates are highest in rural areas between the ages of 20-24 (224), peaks at ages 25-29 (229) and begins to reduce between the ages of 35 – 39 (208). The above data show that much work needs to be done in rural areas to control the fertility rates (DHS 2008 and CWIQ 2007).

2. Contraceptive Usage

192. There is a fairly good knowledge of contraceptives in rural communities. In a 2008 DHS findings 68.1% had heard of any form of any contraceptive method, while 60.2% had heard of a modern method. However, the actual usage of contraceptives is very low in rural areas. Of married women aged 15 – 49 years in the same survey only 5% had used any contraceptive method while only 3.8 % had used any modern method. None of them had used female sterilization method, 1.1 had used pills and 0.1 had used IUD, and 1.8 had used injectables.

3. Maternal and Child Health

193. Infant mortality rate (IMR) is the probability of a child dying before the first birthday expressed per 1000 children surviving to 12 months. It is the result of congenital diseases and other biological factors related to conditions in early infancy. The 2008 DHS data showed that in rural Sierra Leone the IMR is 113 compared to a national average of 89. Under-five mortality is the probability of dying before the 5th birthday. It is primarily the result of environmental causes that are more susceptible to control, such as infectious diseases, malnutrition, and accidents. The average rural under-five mortality rate 168 compared to a national average of 140 per 1000 live births. The national maternal mortality ratio (MMR) in Sierra Leone is 857 per 100,000 live births. There was no disaggregated data by rural and urban (SLDHS, 2008).

4. Maternity Care

194. 14.5.1 According to the SLDHS, the national average for women who receive antenatal care from skilled providers including doctor, nurse, mid-wife or Maternal & Child Health Aide (MCHA) is 87%. In rural areas up to 84% receive antenatal care. However, only 33% of births are assisted by skilled provider and with 19% of births done in the health facility.

5. Education

Table 20
Levels of education

<i>Level of Education</i>	<i>No.</i>	<i>Rural</i>	<i>No.</i>	<i>Urban</i>
None	2550	59.1	1168	38.6
Primary	843	19.6	449	14.8
JSS	524	12.2	524	17.3
SSS	228	5.3	388	12.8
Tec/Voc	72	1.7	166	5.5
College/University	74	1.7	295	9.8
Other	21	0.5	34	1.1
Total	4312	100	3024	100

Source: Sierra Leone Statistics CEDAW Survey 2009

195. Table 14.1 above shows that nearly 60% of the rural women were illiterate. Only about 30% of them were literate. Less than 2% each had vocational or College education. The same survey found out that only 10% of the women interviewed said there were adult literacy classes in their communities. Most adult literacy classes assist people to get functional literacy which helps them to read and write their names, write their cheques, know the names of basic agricultural tools and other vital functional resources within their sphere of influence. This low level of literacy and the unavailability of literacy classes in rural communities present a challenge for knowledge and skills transfer, as most training programmes require some level of literacy.

6. Sources of Drinking Water

Table 21
Showing sources of drinking water in rural communities

<i>Source of Drinking Water</i>	<i>Percent Rural Households</i>
Piped water into dwellg/yard/plot	1.0
Public tap/standpipe	7.1
Tube well or borehole	6.4
Protected dug well	18.8
Protected Spring	0.9
Improved Sources	34.3

Source: SLDHS 2008

196. According to the above survey only 34.3% of drinking water sources in rural areas are safe. The safest sources of drinking water in the rural communities were from protected dug wells (19%) followed by public tap/standpipe and boreholes.

Table 22
Sources of drinking water

<i>Source of Drinking Water</i>	<i>Percent Rural Household</i>
Unprotected dug well	15.3
Unprotected spring	9.5
Surface Water	40.2
Tanker Truck/cart with small tank	0.4
Unimproved Sources	65.5

Source: SLDHS, 2008

197. Table 14.3 above shows that 65.5% of drinking water sources in rural communities were unsafe. Most people in rural communities drink from surface water sources (40%), followed by unprotected dug well (15%), and unprotected spring (10%). Such high level of unsafe drinking water sources in rural communities probably explains the high levels of infectious diseases among women and children in rural communities.

Table 23
Household sanitation facilities

<i>Type of toilet/ latrine facility</i>	<i>% Rural Household</i>
Flush/pour flush to piped sewer system	0.0
Flush/pour flush to septic tank	0.1
Flush/pour flush to pit latrine	0.0
Ventilated Improved pit latrine	2.2
Pit Latrine with slab	3.5
Improved, not shared facility	5.8
Any facility shared with other households	21.8
Flush/pour flush not to sewer/septic tank/pit latrine	0.0
Pit latrine without slab/open pit	35.2
Bucket	0.1
Hanging toilet/hanging latrine	3.0
Bush/field/stream/river	33.2
Other	0.3
Non-Improved facility	94.2
Missing data	0.6

Source: SLDHS, 2008

198. Table 14.4 shows that only 5.8% of sanitation facilities in rural households were of improved quality, where facilities and services were not shared. Pit latrines with slabs and Ventilated Improved Pit latrines were the best sources in rural communities. Up to 94% of household sanitation facilities in rural communities were non-improved facilities. The bush, open stream and river were used by 33% of rural households, while pit latrines without slab or open pit were used by (35% of rural households).

7. Problems of Rural Women

199. The 2007 Core Welfare Indicators Questionnaire survey indicated that 48% and 52% of the population of Sierra Leone are constituted by men and women respectively. It showed that 34% of the populations were below 15 years old and 59% were between the ages of 15 and 59. Yet women have low employment status in general, and rural women are

even worse off. There are only 37% of women in government service, and 17% in the formal private sector. About 84% of women in the rural areas are in the informal sector with inadequate resources and programmes targeted at them to improve the quality of life.

200. About 75% of the population lives in rural areas depending directly on agriculture for their sustenance and to meet the food needs of the urban communities. While commendable efforts are now being made to improve the lot of these rural communities, much still remains to be done to overcome years of neglect into the productive workforce that could serve as the engine to propel poverty reduction through increased agricultural production.

201. The health of rural women generally suffers as a result of frequent childbirth and heavy workload at home and in the farms. Rural women including pregnant and lactating women, work long hours in very stressful conditions. This impairs breast milk production for lactating women, the quality of breast milk produced, and the effectiveness of breastfeeding, giving their children a bad start in life.

8. Rural Women's Access to Productive and Economic Assets

(a) Ownership of House

202. According to the Statistics Sierra Leone CEDAW survey 25% of rural women owned a house while 75% do not own any house. Although the percentage was low (25%), but it is encouraging to note that women are beginning to own capital properties like houses in rural communities. This means that, if the poverty situation improves, more women could own houses.

(b) Ownership of Bank Account

203. The same study above indicated that only (6%) of rural women owned a bank account. While rural women are generally poor, the small percentage of account holders could probably also be explained by the limited availability of banks in rural communities.

(c) Participation in Informal Savings Scheme

204. Osusu is an informal savings scheme used by women in the informal sector. The members contribute money over a period and distribute it later or contribute over a period and give it to one person. The situation continues until all the members collect their shares. Unlike the formal bank account, the informal savings scheme is popular in rural communities where 44% of women interviewed participated in the scheme (SSL CEDAW Survey, 2009).

(d) Access to Adequate land resources to Farm

205. Overall about 28% of women studied had access to land, while 32% did not have access to land. For about 41% it was not applicable to them, meaning that they were not farmers. Considering the land tenure system in Sierra Leone, it is surprising that only half of the rural women had access to adequate land resources to farm. Land belongs to families and family members could farm on as much as they could manage to cultivate. It is not clear from the survey the reasons why rural women did not have access to adequate land for farming.

(e) Access to credit

206. According to the Statistics Sierra Leone (SSL) CEDAW Survey, 22% of women had access to credit, while 78% did not. Again this is surprising considering the increasing number of Financial Institutions including even some banks that now give micro-credit to women. Probably these services are only targeting the urban and peri-urban.

9. Involvement of Rural Women in Decision Making and Power Sharing

(a) Women in Leadership Positions in Rural Communities

207. The phenomenon of human rights and gender awareness are slowly permeating the Sierra Leone society. In many parts of Sierra Leone, women are slowly beginning to take their rightful place in the home, and community. According to the SSL Survey 82% of the women in rural communities indicated that there is room for women leaders in their communities, while 18% said they do not play leadership roles. This information should be interpreted with caution. Women are not community leaders like town chiefs or section chiefs. They are rarely paramount chiefs. But there are positions for women leaders at various strata of society, from village levels to chiefdom level. There are also women's organizations with leadership provided by women.

(b) Consultation of Women in Making Important Decisions Affecting Whole Community

208. According to the SSL CEDAW Survey, 2009, 84% of the women said that they are consulted when important decisions affecting the whole community are made. However, 16% said they are not consulted. This is an indication that sensitizations on gender parity by various human rights partners are beginning to produce results.

(c) Active Participation in Community Meetings

209. Women were asked if they participate fully and give their views freely in community meetings during the SSL CEDAW Survey, 2009. About 65% said they participate actively and freely express their opinions sometimes depending on the topics of discussion. Another 17% said they participate actively at all times, while 5% said they are not allowed to participate at all. About 13% said that they are given space to participate but sometimes feel inadequate.

210. The Beijing Platform for Action still remains the way forward for the emancipation of the women folk. The key priority areas include Peace and Security, HIV/AIDS, Violence against Women, and Women, Poverty, and Economics. The advent of CEDAW is fuelling the vehicle for the self actualization of women. Though much still remains to be done, a lot of ground work has been done. The roll out plan for the three Gender acts has been prepared. A national plan of action has been developed for the full implementation of Security Council resolution 1325 and 1820. A high powered delegation left Sierra Leone to attend the 54th Session on the Commission on the Status of Women to discuss among others the Beijing + 15.

Article 15: Equality with men before the law

211. Women are employed at all levels in the Judiciary of Sierra Leone. There are female jurors who sit with Judges in the High Court to hear and determine criminal matters.

212. Women can also, as a matter of law, become Local Courts Chairmen although the incidence of such is rare. Currently, out of about 300 Local Courts in the 149 Chiefdoms of the Provinces, there are only four female Local Courts Chairmen as at the date of writing this report.

213. Aggrieved parties of decision of a Local Court can appeal, as of right, to first, the District Appeal Court, which is found in each of the twelve (12) districts in the provinces of Sierra Leone.

214. Further appeals can be made from the District Appeal Court to the Local Appeals Division of the High Court and then to the Local Appeals Division of the Court of Appeal and finally to the Local Appeals Division of the Supreme Court which the highest and final appellate Court in Sierra Leone.

215. In each of the said appellate Courts, the Magistrate or Judge or Judges (as in the Court of Appeal with three Judges and Supreme Court with five Judges) sit with two Assessors who are elders (from the Chiefdom where the matter originated) knowledgeable in the customary law of the Chiefdom. The Assessors advise the Magistrate or Judge (s) on the customary law of the chiefdom relating to the fact (s) in issue before the Court but the decision is vested exclusively in the Magistrate or Judge or Judges as the case may be.

Article 16: Marriage and the family

216. Major strides have been made to eliminate discriminatory provisions in customary law. Since 2007, the enactment of the Registration of Customary Marriage and Divorce Act 2007, the Devolution of Estates Act, 2007, and the Child Rights Acts 2007 have contributed immensely towards addressing the issues of abuse and discrimination against women and girls in marriage.

1. Consent of Marriage Under Customary Law

217. Under Customary Law Marriage, the consent of the parents of the spouses- to- be is still necessary for a valid marriage.

218. However, as was reported, a male spouse- to- be, if he so chooses can contract a valid marriage without family consent. But for a female spouse- to- be, both the father and mother if alive must agree before a valid marriage could be contracted. It is only when there is conflict between the wishes of both parents that those of the father prevail. This aspect of customary marriage has not changed.

2. Age of Parties/Spouses

219. Section 34 (1) of The Child Rights Act, 2007, the minimum age of marriage of whatever kind is now legislated to be 18 years. This Section provides that, “The minimum age of marriage of whatever kind shall be eighteen years.”

220. Also, under the Registration of Customary Marriage Act, 2007, Part 11 – Validity of Customary Marriage; Section 2 (1) states Subject to this Act, a customary marriage, contracted after the coming into operation of this Act, shall be valid only if: (a) both spouses are not less than 18 years old and consent to the marriage.

221. Therefore, forced and early marriages are now unlawful in Sierra Leone.

3. Duties of Parties/Spouses

222. Under General Law, it still holds that the husband has the duty to maintain the wife. Maintenance includes the provision of a home/dwelling place, food and clothing. There is no corresponding legal duty imposed on the wife to maintain the husband. The wife on the other hand, has the duty to do all the domestic chores in the household.

223. Under customary law, the husband has the legal duty to maintain the wife/ wives and to protect her/them. In return the wife, if she is the sole wife, is expected to do all the domestic work. If there is another wife or wives, these jobs are shared among them with the head/senior wife directing and sharing the jobs. This remains true in Sierra Leone.

4. Property Rights

224. As was reported, there are no legal barriers against women owning property, under general law. Both husband and wife can either separately or jointly acquire, own, manage and dispose of property particularly real property including land and or house. The application of this law was extensively explained in the previous report and still remains valid.

225. However, in traditional customary law, the wife was herself considered the property of the husband and so whatever she owned devolved to the surviving husband on her death. Also a woman's continued interest in a property owned by her husband was dependent on two factors:

- whether she bore children with the husband, or
- whether on the death of her husband she chooses to remarry a male relation of her deceased husband.

If none of these factors exist, the woman/widow loses every right or interest in her deceased husband's property.

226. The Devolution of Estates Act No. 21 of 2007 has repealed all the discriminatory provisions of law and practices against women and has made men and women equal in the distribution of estate.

227. In the first place and by Section 22 of this Act of 2007, a dependant who includes his spouse can lawfully challenge a Will in Court if the testator did not make any or reasonable provision for him or her.

228. Secondly, and by the provision of Section 6 of the Act, a surviving widow or widower are put on equal footing regarding what devolves to them. Section 6 (1) provides that: "Subject to subsection (2) of Section 15 where an intestate is survived by a spouse but no children or issue, the whole of the estate shall devolve to the surviving spouse"

229. Further and by Section 6 (2), there is provision for intestate survived by more than one spouse. Here, consideration is given to the duration of the surviving spouse's marriage and contribution to the estate. Section 6 (2) provides that. "Where an intestate is survived by more than one spouse but no children or issue, the estate shall be distributed among the surviving spouses in proportion to the duration of their respective marriages to the intestate and other factors such as their respective contributions, if any, to the estate."

230. Also according to Section 18 a wife in a customary marriage shall have the capacity to personally acquire and dispose of properties and to enter into contracts in her own behalf.

231. This is quite a favourable provision particularly as most of the women are rural women and married under customary law and Mohamed Marriage Act, Cap 96 of The Laws of Sierra Leone, 1960 which marriages are polygamous. Surviving widows would now be proportionally rewarded having regard to the length of their marriage to the intestate.

5. Unmarried Women and Men Who Cohabit

232. Under general law, at the time of the previous report, the rights and correlative duties that accrue to parties on marriage did not accrue in an unmarried relationship. There was also no legal duty on the man to maintain the women. Maintenance was only a matter of moral (not legal) obligations.

233. Section 6 (1) of the Registration of the Customary Marriage & Divorce Act 2007 states "Where the personal law of co-habiting persons is customary law and the persons:- (a) are not below 18 years; and (b) have lived together as husband and wife for a continuous period of not less than 5 years, they shall be deemed to be married under customary law notwithstanding that they may not have performed any customary rites of marriage.

234. Also, by Section 2 of The Devolution of Estates Act, 2007, cohabiting but unmarried parties are presumed to be married for the purpose of the devolution of the estates of the deceased party.

235. If a child is born by the parties, the man is under legal duty to care for the child. This is pursuant to Section 27 of The Child Rights Act, 2007 which provides that, "No person

shall deprive a child of reasonable provision out of the estate of a parent, whether or not born in wedlock.”

236. By these Acts women are now much more protected in relationships where before now were very vulnerable.

6. Divorce

(a) General Law

237. Divorce, which is the termination of marriage, is available to both husband and wife on three grounds which include adultery, desertion and cruelty. This is provided for by Section 5 (a), (b) and (c) of The Matrimonial Causes Act, Cap 102 of The Laws of Sierra Leone, 1960.

238. Section 5 (c) gives women alone (not men) additional grounds to petition for divorce which include the husband being guilty of rape, sodomy or bestiality. Section 5 (c) provides as follows “... and by the wife on the ground that her husband has, since the celebration of the marriage, been guilty of rape, sodomy or bestiality.”

239. This additional provision puts women on a better footing than men.

240. There is also another pending Bill titled Matrimonial Causes Bill, 2005. The proposed law appears sound as it proposes new grounds for petition for divorce including habitual drunkenness, being in prison for a period not less than 3 years following a conviction for an offence punishable by death or life imprisonment, conviction for attempted murder, causing grievous bodily harm with intent, habitual intoxication, use of excess sedative, narcotic, being epileptic etc.

241. It also proposes distribution and transfer of property between the parties or to the other party, custody of children. It also contains grounds for divorce for customary and muslim marriages which include wilful neglect to maintain a wife or a child, impotence, barrenness or sterility, intercourse prohibited under the personal law on account of consanguinity, affinity of other relationships and persistent false allegations of infidelity by one spouse against another.

(b) Customary Law

242. Under customary law, there is discrimination against women on the grounds of divorce.

243. The grounds for divorce for a customary husband alone include:

- (a) Persistent adultery;
- (b) repeated disobedience and laziness;
- (c) slander of husband;
- (d) non-cooperation with co-wives;
- (e) refusal to allow husband to marry another wife;
- (f) frequent misconduct causing the husband to pay fines;
- (g) refusal to convert to Islam or husband’s religion.

244. The wife does not have available to her, the other grounds which the man has for divorce particularly slander, persistent adultery, refusal to convert to her religion. These are sure instances of discrimination against women.

245. However, the proposed Matrimonial Causes Bill, 2005 has put men and women on equal footing on the issue of grounds for divorce for customary marriages. The Ministry and its partners are currently working on the Bill to be passed into law.

(c) Registration of Customary Marriage and Divorce

246. Pursuant to the passage of the Registration of Customary Marriage and Divorce Act No. 1 of 2007, customary marriage and divorce were required to be registered.

247. Customary marriages contracted before the Act came into force, shall be registered within six months of that date and marriages after the Act came into force shall be registered within six months of the marriage.

248. Divorces should be registered within six months of dissolution of the marriage.

249. The District Councils were given the authority to register the marriages and divorces.

250. The object of this Act was to get data as to the number of customary marriages and divorce and also for the registration certificate to serve as evidence of marriage and divorce.

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