



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

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### Committee on the Elimination of Discrimination against Women

#### List of issues and questions in relation to the sixth periodic report of Sierra Leone\*

##### Constitutional, legislative and institutional framework

1. In the foreword to the report (CEDAW/C/SLE/6), reference is made to “grey areas [...] that still aggravate discrimination against women” and it is mentioned that “key among [these] is the need to expunge section 27 (4) (d) from the Constitution of the country”. In accordance with paragraph 13 of the previous concluding observations (CEDAW/C/SLE/CO/5), please update the Committee on specific action taken by the State party since 2008, after the report of the Constitutional Review Commission recommending the full repeal of section 27 (4) (d) of the Constitution was presented to the President. Given that section 27 can be amended only by way of referendum, please describe the steps envisaged by the State party to give full effect to the recommendations of the Commission. Is there a time frame for the organization of such a referendum? Please inform the Committee about the status of the national gender equality commission bill (para. 16)<sup>1</sup> and of the draft criminal procedure act. Please also describe the content and status of the envisaged amendments to the Registration of Customary Marriage and Divorce Act and to the Child Rights Act. Please provide updated information on the implementation of the National Strategic Roll-out Plan for the implementation of the three gender acts launched on 25 November 2008 (para. 13), including the challenges faced, and indicate whether any monitoring mechanisms have been established to determine the main achievements.

##### Access to justice

2. Please provide information on the achievements of the Justice Sector Reform Strategy (2008-2010), in particular measures taken to enhance women’s effective access to justice, especially for vulnerable groups of women such as illiterate women and women in rural areas, including through awareness-raising and outreach

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\* Adopted by the pre-sessional working group for the fifty-seventh session, meeting from 29 July to 2 August 2013.

<sup>1</sup> Unless otherwise indicated, paragraph numbers refer to the sixth periodic report of the State party.



campaigns. Given that local courts, which are part of the State party's judicial system, administer customary law in the chiefdoms, please indicate what measures have been taken to establish oversight mechanisms, other than the right to appeal to the district court, in order to ensure that women are not discriminated against in the delivery of justice. In this regard, has the State party undertaken capacity-building activities, training on new legislation and awareness-raising on women's rights in the local courts? Furthermore, given that existing legal aid services for women are mainly channelled through civil society organizations, please indicate whether measures have been taken to establish a legal aid system pursuant to the Legal Aid Act.

#### **National machinery for the advancement of women**

3. Given the chronic understaffing of the Gender Affairs Directorate of the Ministry of Social Welfare, Gender and Children's Affairs and its lack of budget, please provide updated information on the human and financial resources allocated to it and to its newly established statistical unit, as well as to the regional gender desk offices (para. 33). Please elaborate on the capacity of the Directorate to coordinate with the relevant ministries and with its decentralized offices, in particular with regard to the effective implementation of the National Gender Strategic Plan (2010-2013). Given that it is indicated in the report that the two national policies developed in 2000 (on gender mainstreaming and on the advancement of women) were not reviewed, please elaborate on the measures put in place to ensure gender mainstreaming (para. 38) and indicate whether a mechanism to monitor the implementation of the Strategic Plan has been established and how its evaluation will be ensured.

#### **Temporary special measures**

4. Please update the Committee on the status of the pending affirmative action bill. What priority is being accorded to its adoption, especially in the light of the public statement of the President on 8 March 2011 supporting the minimum quota of 30 per cent female representation at all levels of governance? Please indicate whether other temporary special measures are envisaged to accelerate de facto equality between women and men in other areas of the Convention, including education and employment, and to address the multiple discrimination faced by disadvantaged groups of women, including women in rural areas, refugee women, women with disabilities, widows and women affected by the war. Please also indicate whether the State party has taken any steps to establish a legislative basis for the use of temporary special measures, in accordance with article 4 (1) of the Convention, as recommended by the Committee in its previous concluding observations (CEDAW/C/SLE/CO/5, para. 19).

#### **Stereotypes and harmful practices**

5. As recommended by the Committee in its previous concluding observations (ibid., para. 21), please provide information on specific measures taken by the State party, including through collaboration with traditional and community leaders and women's organizations, to change the public attitude and social and cultural patterns that lead to gender stereotyping in relation to the roles of women and men in the family, the community and the society at large.

6. Please provide information on the enforcement of existing provisions of the Child Rights Act prohibiting and criminalizing early and forced marriages and describe the measures taken to ensure that such marriages are not registered. Furthermore, regarding the practice of female genital mutilation, which remains widespread, as acknowledged by the State party (para. 43), although some chiefdoms have legislated against it at the local level, the Committee notes that the Act contains no explicit provision prohibiting such practice (para. 48). Please indicate whether the State party envisages amending the Act to include a specific prohibition in this regard, as recommended by the Committee in its previous concluding observations (CEDAW/C/SLE/CO/5, para. 23). Please also elaborate on the memorandums of understanding concluded between paramount chiefs and initiators (*Sowei*), as referred to in paragraph 48 of the report, and provide information on the outcome of the nationwide consultation conducted with the initiators, on the progress in establishing a council for the initiators and on specific actions envisaged with that council to eliminate female genital mutilation. Besides the awareness-raising engagement with traditional leaders and initiators (para. 47), please indicate which educational measures and awareness-raising campaigns have been undertaken to combat this phenomenon.

#### **Violence against women**

7. Information available to the Committee refers to the recent adoption of the Sexual Offences Act. Please indicate whether mechanisms have been put in place to ensure the effective enforcement of new provisions relating to protection for victims and witnesses, victims' entitlement to free medical treatment and a free medical report, and victims' right to be compensated during the criminal proceedings. Please inform the Committee about the status of the National Action Plan on Gender-based Violence (para. 81) and indicate whether measures have been included to support the implementation of the new legislation, including through capacity-building and awareness-raising programmes on its content for all relevant professional groups, such as the police, lawyers, the judiciary, health and social workers and the public at large. Please provide updated and detailed data on the number of cases reported and investigated by the family support units, as well as on the number of convictions. Please also provide information on the work, functioning and activities of the special Saturday courts, which hear only cases relating to sexual and gender-based violence.

8. Please provide updated information on the number of protection orders issued under the Domestic Violence Act. Regarding the out-of-court settlement provided for in article 20 of the Act, please clarify which "alternative dispute resolution mechanisms" are available to women in case of referral and indicate how many cases have been referred to such mechanisms. Please provide detailed information on the activities of the National Centre for the Prosecution of Violence against Women, which was established by the Sierra Leone Bar Association to investigate and prosecute gender-based violence and domestic abuse (para. 73). Please inform the Committee about the functioning of the national referral protocol for child victims/survivors of sexual and gender-based violence and indicate whether the referral pathway referred to in paragraph 56 has been completed.

**Women in post-conflict situations**

9. Please provide updated information on specific measures taken by the State party to implement the recommendations of the Truth and Reconciliation Commission for the rehabilitation and social reintegration of women and girls who were victims of the war. To what extent does the reparations programme established in 2008 address the socioeconomic needs of women victims and is it sustainable and tailored to the economic context? Has the State party established any reparations fund to support reparations for victims of sexual violence? Please provide information on specific measures taken by the State party to ensure access by women victims to medical care and psychological counselling, in particular in rural areas. Please also provide information on measures taken by the State party to address the stigmatization of victims, which often generates revictimization in the aftermath of sexual violence and a second wave of harm, as a result of rejection by husbands and communities.

10. Reference is made in the report to a national action plan for the full implementation of Security Council resolution 1325 (2000) on women and peace and security (para. 65), which includes elements of Council resolution 1820 (2008). Please describe specific measures taken to enhance women's participation in all peacebuilding and reconstruction efforts and indicate whether adequate budgetary resources have been allocated for the implementation of the action plan. Please provide information on whether baseline data relating to the implementation of resolution 1325 (2000), including data on gender-based violence and women's participation in peacebuilding and reconstruction processes, are being collected and disseminated by the State party. Please also indicate whether women's organizations have been engaged in the security sector reform process.

**Trafficking and exploitation of prostitution**

11. Please indicate whether the State party has established procedures for victim identification and mechanisms for the investigation, prosecution and punishment of traffickers under the existing legislative framework, as recommended by the Committee in its previous concluding observations (CEDAW/C/SLE/CO/5, para. 29). Please also inform the Committee about the number of complaints, investigations, prosecutions, convictions and penalties imposed on the perpetrators of such crimes. Please indicate whether the State party has taken steps to provide training to the judiciary and to law enforcement officials on the Anti-Human Trafficking Act and whether it envisages developing a comprehensive national strategy to combat trafficking in women and girls. Please describe specific activities undertaken by the National Task Force on Human Trafficking (para. 89) and the anti-trafficking school clubs (para. 93).

12. In the light of the prevalence of prostitution of women and girls in the State party, in particular among female war victims, please describe the measures taken to provide educational and economic alternatives to prostitution, to introduce exit and rehabilitation programmes for women and girls who wish to leave prostitution and to discourage the demand for prostitution.

**Participation in public and political life**

13. Please provide updated disaggregated data on the number and percentage of women represented in Parliament and other branches of government, in local

councils as mayors/chairs and councillors, in ward committees and as paramount chiefs. Please also provide updated data on the participation of women in the civil service, including in decision-making positions, in the judiciary and in the diplomatic service. In the light of the Chieftaincy Act, which provides that women are eligible to become paramount chiefs “where tradition so specifies”, please indicate what measures have been taken or are envisaged to increase the number of women standing as candidates for paramount chieftaincy positions, in particular in regions where women continue to be customarily forbidden to hold such positions. Please indicate whether the State party has developed training programmes on leadership skills for current and future women leaders.

### **Nationality**

14. Please indicate whether the State party intends to take steps to repeal the remaining discriminatory provisions of the Citizenship Act, which was amended in 2006, and according to which women who give birth outside the State party can pass on their nationality only if their child did not acquire another nationality; women cannot pass on their nationality to their spouses of foreign nationality; and children who are not of “negro African descent” lack access to citizenship by birth or naturalization. Please also describe specific steps taken to improve birth registration in the State party, especially in rural areas where women give birth to children assisted by traditional birth attendants.

### **Education**

15. Please provide updated and detailed data, disaggregated by sex, on enrolment rates at all levels of education, including non-formal, technical and vocational education. Please provide updated information on the implementation of the policy to support the education of girls (para. 137) and the Sierra Leone Gender and Education Network (para. 138). In the light of the high rate of illiteracy, especially in rural areas and among adult women, please inform the Committee about efforts being made to retain girls in school and to encourage them to complete their education. Please also provide information on the measures taken or envisaged to reduce the high dropout rates of girls, including in cases of early marriage and pregnancy, and to tackle violence against girls in school and corporal punishment.

### **Employment**

16. Please indicate the status of the draft employment bill and whether it includes the principle of equal pay for work of equal value, in addition to a definition and prohibition of sexual harassment in the workplace. Please indicate whether progress has been made towards undertaking a nationwide labour survey and developing a corresponding policy, as referred to in the report (para. 146). As recommended by the Committee in its previous concluding observations ([CEDAW/C/SLE/CO/5](#), para. 33), please provide information on the protection and the types of legal, social or other services available to, or envisaged for, women in the informal sector, in addition to measures taken to ensure their integration into the formal labour force. Please also indicate whether labour inspections have been established to monitor the working conditions of women and girls engaged in the mining and agricultural sector, in “petty” trading and in domestic work, in order to avoid exploitative labour.

**Health**

17. Please inform the Committee about progress in the implementation of the Health Sector Strategic Plan (2010-2015), in particular on measures taken to reduce maternal and infant mortality rates; to improve women's access to prenatal and postnatal care; to increase the number of trained health-care personnel; to address the prevalence of fistula; to raise the awareness of women and girls of sexual and reproductive health and rights; and to enhance the use and availability of contraceptives and family planning information, especially in rural areas. Please also indicate what measures have been put in place to meet the increased demand in clinic attendance since the declaration in 2010 of free services for all pregnant and lactating women and children under 5 years of age (para. 172). Furthermore, in the light of paragraph 178 of the report, on the prevalence of HIV/AIDS, please indicate whether the State party has taken steps to tackle the feminization of HIV/AIDS and reduce women's vulnerability to the disease, in particular in rural areas.

**Economic empowerment of women**

18. It is indicated in the report that there are very limited economic and social services targeting women in the informal sector (para. 179). Please provide information on specific efforts to assist the large percentage of women in the informal sector, such as women engaged in "petty" trading, in establishing sustainable enterprises. Please provide information on the extent to which the national microfinance policy deals with the vulnerable situation of women in the informal sector, most of whom have to resort to informal savings schemes. Please also inform the Committee about the progress in the establishment of a national coordinating and supervisory framework for ensuring data collection and guaranteed savings and loan schemes (para. 187).

**Rural women**

19. Please inform the Committee about the status of the draft land policy and its content with regard to women's access to and management of land in rural areas, in addition to providing a time frame for its adoption. Please provide information on any strategy or programme carried out by the State party to improve the situation of women and girls in rural areas, including their access to health, education, employment and credit and their participation in decision-making. Please also provide information on the impact of the second poverty reduction strategy on the social inclusion of women in rural areas, and on their access to sanitation, housing, water, electricity, transportation and communication, and indicate whether any educational programmes, including in areas of functional literacy, enterprise development, skills training and microfinance, have been undertaken or are envisaged in the third strategy being developed, as a means of alleviating poverty.

**Marriage and family relations**

20. Please inform the Committee about the current status and content of the matrimonial causes bill (para. 240), which has been pending since 2005, including with regard to the custody of children and provision of financial support to a spouse and children in case of divorce or separation, and provide a time frame for its adoption. Please also indicate whether relevant officers in local councils, especially in rural areas, have received systematic training on the Registration of Customary

Marriage and Divorce Act and on the Devolution of Estates Act. Please also clarify the status of polygamous marriages concluded before the entry into force of the Registration of Customary Marriage Act. Please describe the measures taken to ensure the strict enforcement of the Devolution of Estates Act. Furthermore, given that the Act does not apply to family property, chieftaincy property or community property held under customary law (art. 1 (3)), please indicate how the State party is addressing the prevalent customary practices that continue to preclude women from inheriting or owning property and land in rural areas where property is governed by customary law.

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