



HRCSL

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# Human Rights Monitor

## NEWSLETTER

### PRESENTATION OF THE STATE OF HUMAN RIGHTS REPORT 2020

On 1<sup>st</sup> December 2021, the Human Rights Commission of Sierra Leone (HRCSL) presented its 14<sup>th</sup> edition of its State of Human Rights Report in Sierra Leone for 2020 to HE President Julius Maada Bio at State House.

Pursuant to Section 24(1) of the HRCSL Act (No.9) 2004, Commission is charged with the responsibility to produce and submit the State of Human Rights Report to the president and subsequently to parliament.

The Chairperson, Madam Patricia Narsu Ndanema reported that complaints received increased from 326 in 2019 to 363 in 2020 including mobile complaints presented in groups but counted as one. She noted that the increase was mainly due to the Commission's robust awareness raising and the positive results coming out of its interventions. Furthermore, she stated that denial of the rights to property constituted the highest of all complaints received at 15% followed by denial of workers' rights to end of service benefits and other related matters.

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### HRCSL COMMEMORATES INTERNATIONAL HUMAN RIGHTS DAY

The Human Rights Commission of Sierra Leone (HRCSL) on Friday, December 10th 2021 joined



other national human rights institutions around the world to commemorate the International Human Rights Day which marks the celebration of the Universal Declaration of Human Rights (UDHR). The commemoration was hosted at ..

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### Popularisation of UPR Recommendations in the Regions

The United Nations Human Rights Council is made up of 47 member states which review the human rights records of its members after every five years. In 2021, Sierra Leone underwent its 3<sup>rd</sup> review in Geneva where it received several commendations from members for improving on its human rights record including the abolition of the death penalty, repeal of Part V of the 1965 Public Order Act, introduction of the Free Quality Education, ...

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**HRCSL: "MAKING RIGHTS REAL"**

**EDITORIAL****GENDER AND HUMAN RIGHTS**

Comm. Victor I.  
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Abu Bakarr



Millicent Kargbo

Human Rights and Gender are inter-related concepts that complement each other. Human Rights are basically the freedoms that belong to every person from first breath till death. These rights are given by law and also restricted by law. They cannot be tampered with without full justification under the law. Gender on the other hand comes with the identities given to men and women and the characteristics and roles they play in the economic, social, cultural and other aspects that come with being a man or woman.

Apparently, many human rights issues are gender-based issues because there is always one gender trying to dominate the other. In most cases, human rights violations and abuses are better explained when there is a gender issue. Naturally, human beings are assigned with sex roles and these roles cannot be changed, for instance childbearing, menstruation, etc. These roles are as a result of our physical make-up as human beings. On the other hand, there are fixed roles assigned to people for being women or men by society. For instance, cooking, laundering, paying

bride price, cleaning, etc. These are all gender roles and can be exchanged between genders. In the process of maintaining these stereotypes, human rights issues emanate. Prior to 2007 women were generally discriminated against whether in terms of inheriting properties from their husbands/fathers or indiscriminately being deprived of marriage. Similarly, in some parts of the country women were not allowed to vie for public offices and also suffered gender-based violence without any law protecting them. In 2007, the country enacted the three Gender justice laws (The Registration of Customary Marriage and Divorce Act, The Devolution of Estates Act and the Domestic Violence Act) with a view to addressing issues of gender-based violence and discrimination against women. Although these laws were meant to address discrimination and gender-based violence amongst others, their implementation over the years has faced huge challenges.

For society to thrive there should be respect for human rights practices or norms irrespective of the gender involved. Stereotype roles should be reviewed to make room for equality.

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# Presentation of the State of Human Rights Report 2020



The report also captured challenges posed by the Covid-19 pandemic on the enjoyment of several rights. Meanwhile, the Commission recognized the proactive steps taken by the government to protect the rights to health and life of its citizens even before Sierra Leone recorded its first case in March 2020.

The report noted both the highs and the lows of the year under review - the repeal of Part V of the Public Order Act of 1965 and the abolition of the death penalty etc. were welcoming news, while the incidents at Pademba Road Correctional Centre, Lunsar, Makeni and Tombo which led to the loss of lives and properties were disturbing moments that affected the enjoyment of human rights.

In her conclusion, the Chairperson urged the government to take deliberate steps to increase budgetary allocations to HRCSL consistent with Universal Periodic Review (UPR) recommendations and asked for the enactment of laws that address individual police accountability for violations of human rights and to provide funds through the Ministry of Finance for the development of a National Human Rights Action Plan.

Receiving the Report, President Bio thanked the Commission for putting together and presenting its 14th Annual State of Human Rights Report 2020. He said his government has noted the specific requests by the Commission and assured that they will favorably review those requests, especially the one that has to do



with the development of a National Action Plan on Human Rights.

"We acknowledge our constitutional, regional, and international commitments to protecting and promoting human rights and we are satisfied that your report is complimentary on our progress and efforts", President Bio said.

The President urged the HRCSL to add its voice to global calls to end vaccine inequality that continue to undermine economic recovery and inclusive development in worst-hit economies in sub-Saharan Africa.



## HRCSL Commemorates International Human Rights Day

the District Council Hall in Port Loko on the theme- *'Equality: Reducing Inequalities, Advancing Human Rights.'*

At the formal event, the Chairperson of HRCSL, Patricia Narsu Ndanema, stated that the IHRD was set aside for states to reflect on the conscious steps taken so far in meeting human rights obligations of respecting, protecting and fulfilling the human rights of citizens.

She said, "This year's theme brings to mind the principles of equality and non-discrimination and also focuses on the enjoyment of rights by all." Adding that, several other human rights instruments have been developed to protect the rights of all and others for specific groups of people.

Madam Ndanema noted that the Commission continues to pride itself as an equal opportunity institution, promoting equality and non-discrimination in the delivery of services.

She noted government efforts on steps taken so far in the number of reforms aimed at reducing inequalities and discrimination, citing the radical inclusion policy introduced by the Ministry of Basic and Senior Secondary Education and the Gender Equality and Women's Empowerment Bill 2021 recently tabled in Parliament.

The Chairperson expressed thanks and appreciation to President Bio for his support to the work of the Commission, following his positive response to the issues of finances, recruitment and mobility. She however, urged the government to remain committed to the implementation of the recommendations by the Human Rights Council, accepted and adopted by Sierra Leone at the recently concluded Universal Periodic Review (UPR) process in Geneva.

The representative of the Chief Justice of Sierra Leone, Court of Appeal Judge, Justice Tonia Barnett, reiterated the Judiciary's firm commitment to promoting and en-



suring equality, reducing inequalities and advancing human rights in the administration of justice as enshrined in the country's 1991 Constitution.

Deputy Resident Representative of UNDP, Sayed Sahibzada, said gender inequality remains a major barrier to human development, adding that the disadvantages faced by women and girls are a major source of inequalities. He said too often women and girls are discriminated against in health, education, political representation, labour and legal markets and access to resources with negative consequences for development.

The Irish Embassy's Deputy Ambassador Ms Emma McLoughlin said the protection and promotion of human rights is a key foreign policy issue for Ireland and expressed delight that the country accepted all the UPR recommendations on strengthening the human rights framework. She assured that they will continue to stand in solidarity with the government of Sierra Leone in the implementation of the 216 UPR recommendations and encouraged deep reflection on the 58 noted.



## Making Rights Real: HRCSL Mobile Complaints Hit Remote Communities

The Human Rights Commission of Sierra Leone (HRCSL) mobile complaints hearing which is spearheaded by the Directorate of Complaints, Investigation and Legal Services (DCILS) was introduced in 2017 with the objective to receive complaints of human rights violations from communities that cannot easily access the Commission's offices in Freetown and in the regions to speedily address them. It was also meant to increase the Commission's visibility in hard to reach communities in the country and to engage in public education on the Commission's mandate and on the rights and responsibilities of citizens.

In 2021, the Commission conducted four mobile complaints hearing in Mile 91 and Lunsar in the north, Mattru Jong in the south and Gbado Town in the east of the country with support from Irish Embassy and UNDP. A total of 28 complaints were received during these visits. In the north, most of the complaints received bothered on land disputes and gender-based violence. While this is not so different in the south-east, however, in Gbado the de-amalgamation of the town stood top among other complaints. Gbado is the chiefdom Headquarters Town of Kandulepuiyama Chiefdom. The town with a population of over a thousand is a cosmopolitan area as people from the south and east of the country converge to carry out mining activities.

Before 1955, Lepuiyama and Kandulepuiyama were two separate entities, existing as chiefdoms but as a result of colonial convenience, these two chiefdoms were amalgamated in 2017, the people of Lepuiyama began to mount a campaign for separation. The complainants claimed that Lepuiyama had been deprived for decades from getting the Chiefdom



Development Funds. Both the Women's Representative, Kadiatu Bockarie and Youth Leader, Amara Ndorijie, thanked the Commission for taking the complaints hearing to their doorstep.

# LOOKING BACK INTO



As part of support to the Human Rights Commission of Sierra Leone (HRCSL), UNDP and Irish Embassy presented a brand-new Toyota Hilux to the Commission. The support is to enhance the movement of its staff in a bid to carry out their work in promoting and protecting human rights in the hard to reach area in Sierra Leone.



Darul Salam Islamic Secondary School in Waterloo emerged winners of the Human Rights Commission of Sierra Leone (HRCSL) Freetown Inter-Secondary Schools Debate Competition 2021. The debate was part of the Commission's pre-activities in commemoration of International Human Rights Day on 10th December 2021.



A team from the Commission led by the Vice-Chairperson, Victor I. Lansana Esq. had a strategic engagement with the Chinese Ambassador to Sierra Leone and his team at the Chinese Embassy in Freetown on 18th November. In the end, the Ambassador, H. E. Wu Peng promised to enhance the Commission's work with three motor bikes, three desktops and a cheque of Le 50M for the purchase of generators all of which were handed over to the Commission about three weeks after.



HRCSL attended a 3 day (7th-9th December) Treaty Body-Focused Review Pilot of Sierra Leone at the Hub Hotel in Freetown. The Pilot Review brings together Heads and former Heads of 4 Treaty Body Committees, members of the Geneva Human Rights Platform, MDAs and CSOs



The United Nations Development Programme and Irish Aid, through its continuous support to HRCSL provided funds for the review and validation of existing administrative policies and strategies. The two days training held at the New Brookfields Hotel in Freetown was for core staff members of the Commission including regional heads to familiarise themselves with the new policies and strategies to effectively carry out the work of the Commission.

# OUR WORK IN 2021



In commemoration of International Day of the Girl Child HRCSL hosted one day training for girls from selected primary and secondary schools in Freetown. The participants and facilitators at the Sierra Leone Library Board discussed the 'Promotion of Girls Digital Literacy.' Commissioner Hassan Samba Yarjah stated that this year's theme: Digital Generation. Our Generation resonates with the need to address the technological gap between boys and girls on access to the internet and other forms of technology and focuses on bridging the gender digital divide in the society.



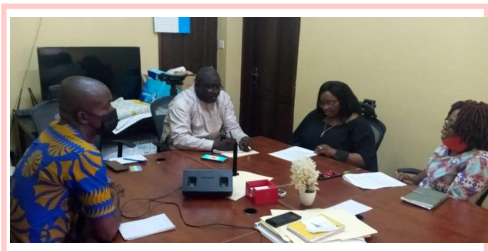
For 16 days of Activism, Gender Directorate engaged vocational institutes within the Western Area. The Theme was "Orange the World: End Violence against Women now". At the Young Women Christian Association (YWCA) Institute over 300 students were reached as the team discussed provisions in the Sexual Offences Act as amended in 2019.



Commissioners and senior management staff of HRCSL received a two-week intensive training course on Leadership, Project Management and Monitoring and Evaluation. The training at the Institute of Public Administration and Management (IPAM) main campus was part of the United Nations Development Programme (UNDP) and Irish Aid capacity-building support to the commissioners and staff of the Commission.



Eighty (80) participants from selected companies and host communities in Pujehun and Moyamba districts benefited from a training on Business and Human Rights through a partnership between HRCSL and the Vice President's Office. The selected companies were— Sierra Tropical, CSE, Natural Habitat, Socfin Agricultural Company, Miro Forestry Company, Sierramin Bauxite, Vimetco and Sierra Rutile.



Fulfilling one of its functions of monitoring, HRCSL engaged the Director-General of the National Civil Registration Authority (NCRA) on the findings of a monitoring exercise conducted on the national civil registration/verification exercise in the Western Area Urban. Following several national concerns raised

## Education and Disability

**By Abu Bakarr Kamara**

Human Rights Officer - Disability and Non-

The 2015 Population Housing Census recorded 93,129 persons with disabilities in Sierra Leone, representing a prevalence of 1.3 per cent in the general population. Because of misconceptions around disability in the country, children with disabilities have been often left behind and considered not worthy of being educated. As a result, much effort has not been put into establishing special needs schools across the country to cater for this category of the population. Majority of disabled children who are fortunate to go to school, often face a lack of accessibility to learning materials, toilets and hygiene assistance. The Right to Education is provided for in article 24 of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and section 14 of the Sierra Leone Persons with Disability Act 2011. This Act provides a more comprehensive legal framework for the protection of their rights. In particular, Part 5 is dedicated to the right to free education and specifies that the government is responsible for providing access to educational institutions and, in turn, schools must take into account special educational needs and provide adequate learning opportunities.

The 2007 Child Rights Act lays down the right to special care, education and training of persons with disabilities whenever possible. The Radical inclusion policy also commits to ensuring that children with disabilities enjoy equal educational opportunities as other children. The Policy will improve the learning environment for children with disabilities by eliminating barriers to full inclusion, starting with physical barriers, as many schools remain inaccessible to students with disabilities.

The Different Abilities and Non-Discrimination Unit (DANDU) within the Directorate of Gender and Children Affairs handles issues bothering on Persons with Disabilities.

The Commission has noted government's effort through the implementation of some of these provisions like the provision of teaching and learning materials for some special needs schools but also noted key challenges during its monitoring of the special needs schools

The Milton Margai School for the blind for instance has been affected by two fire incidents in the past two years with the recent one leading to the hospitalization of four visually impaired school girls. The Commission paid a monitoring visit to the school and noted the strides made by the Ministry of Social Welfare, MBSE, MoH and other NGO's and cooperate entities through the provision of new mattresses, teaching and learning materials, toiletries and food items.

By virtue of the Commission's mandate to promote and protect the rights of all, the Commission has on several occasions intervened in situations where their attentions has been drawn, or inquire into areas necessary. Recently the Commission's attention was drawn to an incident involving the non-attendance of classes of a physically challenged student at the College of Medicine and Allied Health Sciences (COMAHS) due to inaccessibility to the class venues and with the intervention of the Commission, the university readjusted the venue and now that particular student is attending classes with ease.

Through monitoring of the rights of PWDs to education, the Commission noted that Issues of accessibility to learning environments, unavailability or inadequate teaching and learning materials, delay in disbursement of school subsidies amongst others, account for some of the key challenges facing the education of PWDs as well as the institution protecting them.





## POPULARIZATION OF UPR RECOMMENDATIONS

which is why it creates partnerships with other organisations to support its work. He said the role of stakeholders in the popularisation of the UPR recommendations is very important and encouraged them to make sure they help in the process to ensure that government meets those recommendations before the next review cycle.

In Port Loko, participants pledged to help popularize the UPR recommendations through various platforms, including radio and community meetings in their respective communities so that people would understand them better.

Various Commissioners headed the process at the regions— Commissioner Patricia Narsu Ndanema (North), Commissioner Victor I. Lansana (East), Commissioner Dr. Gassan Abess (Northwest), Commissioner Hassan Samba Yarjah (South) and Commissioner Simitie Lavaley (Western area).

lifting of the ban on pregnant girls, the Hands Off Our Girls Campaign etc. During the review the Council proffered 274 recommendations for Sierra Leone and after consultation back home, the country accepted 216 and noted 58.

In a bid to popularise these recommendations, the Human Rights Commission of Sierra Leone (HRCSL) held simultaneous engagements in the five regions with District Human Rights Committees, Security Forces, Ministries Departments and Agencies, Civil Society Organisations and other rights-based groups in November, 2021.

In Kenema, the Vice-Chairperson of the Commission Victor I. Lansana Esq. emphasized that the Commission was created to protect and promote human rights of all in Sierra Leone. He also made it clear that the Commission cannot be in every part of the country,



STAFF RETREAT 2021



The end of each year offers an organisation the opportunity to review its work in the past year and plan for the ensuing year. On 16th December 2021, the Human Rights Commission of Sierra Leone (HRCSL) held its staff retreat in the conference room of Occasions Hotel in Lakka to look back at 2021 and plan for 2022 with its core aim to protect and promote human rights of all in the country and also to look at staff needs.

Bringing all the staff together in one room was on one hand an exciting moment to interact and reflect on work. Victor Idrissa Lansana Vice-Chairperson said: “Gathering of this nature is not just about the work that we do but also about improving the relationship between staff and the Commissioners.”

In addition, the Executive Secretary, Joseph B. M. Kamara, stated that the essence of the retreat was to plan for the coming year (2022), craft new approaches and strategies and evaluate the work done in terms of the performance for the year under review.

But what was 2021 like for the Commission? The Chairperson Madam Patricia Narsu Ndanema gave a summary— the presentation of the Status of Human Rights Report in Sierra Leone 2020 to President Julius Maada Bio, a key role in the popularization of the Universal Period Review (UPR) recommendations, the establishment of a regional office in Port Loko for the North-West Region, reactivating the operations of District Human Rights Committees, extending referral partnership forum to the eastern region in Kenema and building a strategic partnership with key players in human rights work. Madam Ndanema also stated that HRCSL was able to maintain its traditional partners; the United Nations Development Programme (UNDP) Irish Aid and the Chinese Embassy who have been providing financial and logistical support to the Commission to enhance its work. “We established 25 Human Rights and Peace Clubs in schools across the country and hosted six mobile complaints in the provinces in a bid to develop the culture of human rights”, she added. With a new Directorate of Gender and Children’s Affairs, Business and Human Rights and Migration and Human Trafficking, Treaty Body Reporting and Other International Mechanisms, the Commission now

caters for specific human rights needs within its fold. While the Commission noted several successes, there were also challenges including limited number of staff. As of 2021, the Commission had only 48 professional staff to serve the whole country with a population of about seven million people. 2022 was envisioned with great hope and energy to do more work and make the Commission more proactive but this is contingent on changes in both the financial and logistical challenges. “We want to see a united Commission where everyone will be thinking as one, devoid of inconsistencies and compromises and one that is guided by the Human Resource Manual. We have to be robust in resource mobilization,” Madam Ndanema added.

All eight directorates made presentations of their work plan for 2022 with the overall vision to improve services to the public. In 2022, the Commission looks forward to reaching more remote communities with its mobile complaints hearing, improving on its public awareness and establishing more structures within universities and schools to promote the culture of human rights, monitor, research and document human rights abuses and capacity building of its staff for the professional conduct of their work.

At the climax of the retreat, the Vice-Chairperson used the opportunity to make the following grand breaking pronouncements:

- That the Commission has received funding from Open Society Initiative for West Africa (OSIWA) to conduct public inquiry into the conduct of law enforcement officers
- That the Commission received a brand-new vehicle from UNDP and a fairly used one from GoSL
- That after several engagements from government, 29 new staff were approved for recruitment

25% increment will be made to staff salary effective January 2022  
The day ended with a friendly football match between the Human Rights Commission of Sierra Leone and the Anti-Corruption Com-

## "Abolition of Corporal Punishment in Schools: A Human Right Lens"

**By: Alimatu Bangura from the Annie Walsh Memorial School, Freetown** <alimatubangura79@gmail.com>

In recent times, the campaign to abolish Corporal Punishment in schools has created awareness among pupils, teachers, as well as the general public.

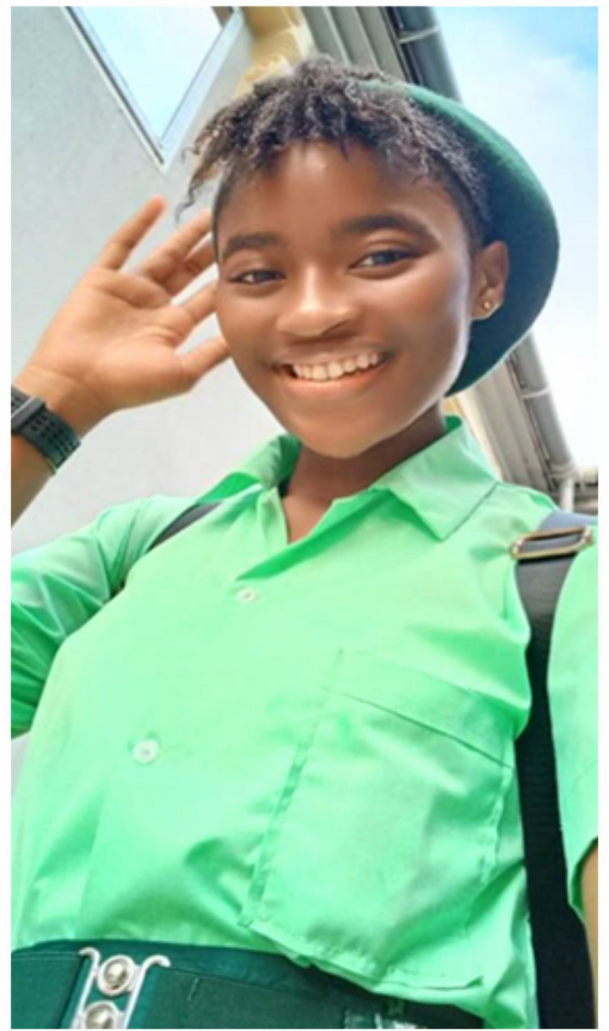
Corporal Punishment of children breaches the rights, respect and the human dignity of the child and undermines the child's physical integrity and equal protection before the law. There is growing progress now across all regions in challenging this very common form of "violence" against children.

The implementation of Corporal Punishment on children has had a major effect in their mental state of being as it is associated with physical punishment that increases child aggression, antisocial behavior, lower intellectual achievement, poorer quality of parent-child relationship, as well as "depression" which is the most common life-traps that will affect the child for the rest of his or her life. Therefore, the application or physical punishment otherwise known as corporal punishment should be abolished in schools.

Corporal punishment of students by teachers or school administrators, has been banned in many countries, including Canada, Kenya, South Africa, New Zealand, all of Europe and quite recently Sierra Leone.

In many countries, medical and human rights organizations oppose corporal punishment of children. Campaigns against Corporal Punishment have aimed to bring about legal reforms in order to ban/abolish the use of Corporal Punishment against children in schools.

Corporal Punishment usually involves spanking with an object such as stick, rod, footwear, cables, etc. Slapping in the face or hand is most common, as well as pinching anywhere on the body. Those who abhor the use of Corporal Punishment believe that it has no place in the educational system. Many studies have shown that physical punishment including spanking, hitting and other means that cause pain can result to mental health problems for children. The effect of Corporal Punishment may appear in different forms and has far reaching consequences.



Firstly, Spanking/Beating slows cognitive development and increases risk of criminal behavior. There are those who believe that spanking or flogging corrects misbehavior. However, it has also been shown that spanking/beating does not work better than other modes of correction such as timeout, explaining and being grounded.

Secondly, corporal punishment leads to adverse negative outcomes including increased aggressive and destructive behavior, increased disruptive behavior in the classroom, vandalism, dropout rate, and school phobia.

In conclusion, children in a school that uses corporal punishment perform significantly worse in tasks involving "executive functioning", whereas those in schools where there are mild disciplinary measures like timeout, being grounded, delaying gratification etc. do better in "executive functioning".

## Our Mission Statement

The Human Rights Commission of Sierra Leone exists to take the lead role in building a culture of human rights (including respect for individual responsibilities) which maintains human dignity for all in Sierra Leone in full compliance with the constitution, laws, international and regional instruments, through effective partnership and collaboration.

## Our Vision Statement

A Sierra Leone where a culture of Human Rights prevails and the People respect the rule of law and live in peace and dignity.

## HRCSL Functions

- Investigate or enquire into any allegation of human rights violations
- Promote respect for human rights through public education and awareness raising Programs
- Publish guidelines, manuals, and other materials on the human rights obligations of public officials and others;
- Cooperate with institutions working in the field of human rights;
- Review existing legislation and advise government on its compliance with international obligations
- Monitor draft legislations, policies, programmes and administrative practices to ensure they comply with human rights principles, standards and obligation;
- Advice and support government in the preparation of treaty body reporting.
- Visit correctional centres and other places of detention to inspect and report on conditions;

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