



THE STATE OF HUMAN RIGHTS IN SIERRA LEONE 2020



2020 *Annual Report*



HRCSL: "Making Rights Real"



**The State of Human Rights in Sierra Leone 2020
14th Annual Report
of the Human Rights Commission of Sierra Leone
Presented to the President and Parliament
of The Republic of Sierra Leone
Pursuant to Sections 7 (2) (g) & 24 (1) of
The Human Rights Commission of Sierra Leone
Act (No. 9) 2004.**



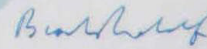
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Prof. Dr. Beate Rudolf
Chairperson
Global Alliance of National Human
Rights Institutions



H.E. Rtd. Brigadier Julius Maada Bio
President of the Republic of Sierra Leone
State House
Tower Hill
Freetown

31st March 2021.

Your Excellency,

**RE: HUMAN RIGHTS COMMISSION OF SIERRA LEONE 14TH
ANNUAL REPORT**

The Human Rights Commission of Sierra Leone (HRCSL) has the pleasure and honour to submit to you its 14th Annual Report in accordance with Sections 7 (2) (g) and 24 (1) of the Human Rights Commission of Sierra Leone Act (No. 9), 2004.

“The State of Human Rights in Sierra Leone” is a report that shows the state of human rights in the country and the activities of HRCSL, covering the period 1st January to 31st December, 2020. As required by the Act, the report includes the ways in which the fundamental rights and freedoms in the 1991 Constitution and International and Regional Agreements to which Sierra Leone is a party, have been observed or violated. It also includes steps taken by HRCSL to protect and promote human rights; individual complaints investigated, and the interventions and recommendations made by HRCSL in respect of matters brought before it.

HRCSL respectfully calls on the Executive, the Legislature, the Judiciary and all other State bodies to take necessary actions towards the implementation of the recommendations in this Report and all outstanding recommendations in its previous reports.

The HRCSL strongly believes that the protection and promotion of human rights, good governance and the consolidation of peace, are prerequisites for sustained democracy and development in Sierra Leone.

Yours faithfully,

Patricia Narsu Ndanema
Chairperson



The Rt. Honourable Speaker
Parliament of the Republic of Sierra Leone
Parliament Building
Tower Hill
Freetown

31st March 2021

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Acronyms

| | |
|-----------------|--|
| ACC | Anti-Corruption Commission |
| ACHPR | African Charter on Human and Peoples' Rights |
| ACJS | American Criminal Justice Sciences |
| ADR | Alternative Dispute Resolution |
| ADRA | Adventist Development and Relief Agency |
| AFTC | Armed Forces Training Centre |
| AIG | Assistant Inspector General |
| APC | All People's Congress |
| APRM | African Peer Review Mechanism |
| ASA | Academic Staff Association |
| ASC | American Society of Criminology |
| AU | African Union |
| AYV | Africa Young Voices |
| BECE | Basic Education Certificate Examination |
| BHC | British High Commission |
| BIAWE | Business Incubation for African Women Entrepreneurs |
| BRH | Bo Remand Home |
| CARL | Centre for Accountability and Rule of Law |
| CCC | Community Care Centre |
| CDIID | Complaints, Discipline and Internal Investigations Department |
| CEDAW | Convention on the Elimination of all forms of Discrimination Against Women |
| CHO | Community Health Officer |
| CID | Criminal Investigations Department |
| COI | Commissions of Inquiry |
| COMAHS | College of Medicine and Allied Health Sciences |
| COVID-19 | Corona Virus Disease 2019 |
| CRA | Child Rights Act |
| CRC | Convention on the Rights of the Child |
| CRPD | Convention on the Rights of Persons with Disability |
| CSE | Compagnie Sahelienne d'Entreprises |
| CSOs | Civil Society Organisations |
| CSWs | Commercial Sex Workers |
| CTC | Community Treatment Centre |
| CYCs | Chiefdom Youth Councils |
| DCILS | Directorate of Complaints, Investigations and Legal Services |
| DECT | Directorate of Education, Communication and Training |
| DFA | Directorate of Finance and Administration |
| DGCA | Directorate of Gender and Children's Affairs |

Acronyms

| | |
|-------------------|---|
| DHRC | District Human Rights Committees |
| DICOVERC | District COVID-19 Emergency Response Centre |
| DM&R | Directorate of Monitoring and Research |
| DPOs | Disabled Persons Organisations |
| DPP | Director of Public Prosecution |
| DPPM&E | Directorate of Programmes, Planning, Monitoring and Evaluation |
| DRS | Directorate of Regional Services |
| DYCs | District Youth Councils |
| EDSA | Electricity Distribution and Supply Authority |
| EOC | Emergency Operation Centre |
| ENA | Extra Natural Alcohol |
| EP | Eastern Polytechnic |
| EPA | Environmental Protection Agency |
| ER | Eastern Region |
| FBC | Fourah Bay College |
| FFCC | Freetown Female Correctional Centre |
| FGM | Female Genital Mutilation |
| FHC | Free Health Care |
| FMCC | Freetown Male Correctional Centre |
| FPIC | Free Prior and Informed Consent |
| FQSE | Free Quality School Education |
| FSU | Family Support Unit |
| GANHRI | Global Alliance of National Human Rights Institutions |
| GEWE | Gender Equality and Women's Empowerment |
| GPS | Global Positioning System |
| GVWC | Guma Valley Water Company |
| HQ | Headquarters |
| HRC | Human Rights Council |
| HRCSL | Human Rights Commission of Sierra Leone |
| IAMTECH | Institute of Advanced Management and Technology |
| ICC | International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights |
| ICCPR | International Covenant on Civil and Political Rights |
| ICESCR | International Covenant on Economic Social and Cultural Rights |
| ILO | International Labour Organisation |
| IPAM | Institute of Public Administration and Management |
| IPCB | Independent Police Complaints Board |
| IRC | International Rescue Committee |
| IWD | International Women's Day |

Acronyms

| | |
|-----------------|--|
| KRH | Kingdom Remand Home |
| LUC | Local Unit Commander |
| MBSSE | Ministry of Basic and Senior Secondary Education |
| MDAs | Ministries, Departments and Agencies |
| MICS | Multiple Indicator Cluster Survey |
| MLHCP | Ministry of Lands, Housing and Country Planning |
| MLSS | Ministry of Labour and Social Security |
| MMCET | Milton Margai College of Education and Technology |
| MMMR | Ministry of Mines and Mineral Resources |
| MoF | Ministry of Finance |
| MoFAIC | Ministry of Foreign Affairs and International Cooperation |
| MoGCA | Ministry of Gender and Children's Affairs |
| MoHS | Ministry of Health and Sanitation |
| MoU | Memorandum of Understanding |
| MoYA | Ministry of Youth Affairs |
| MSW | Ministry of Social Welfare |
| MWR | Ministry of Water Resources |
| NaCOVERC | National COVID-19 Emergency Response Centre |
| NANHRI | Network of National Human Rights Institutions |
| NCPD | National Commission of Persons with Disability |
| NEC | National Electoral Commission |
| NGOs | Non-Governmental Organisations |
| NHRIs | National Human Rights Institutions |
| NMTDP | National Medium-Term Development Plan |
| NPSE | National Primary School Examination |
| NR | Northern Region |
| NU | Njala University |
| NYS | National Youth Service |
| OP-ICCPR | Second Optional Protocol to the International Covenant on Civil and Political Rights |
| OSD | Operational Support Division |
| PAPs | Project Affected Persons |
| PERSIF | Post Ebola Recovery Social Investment Fund |
| PHU | Peripheral Health Unit |
| PMTC | Peace Mission Training Centre |
| PPE | Personal Protective Equipment |
| PPRC | Political Parties Registration Commission |
| ProSeC | Provincial Security Committee |
| PwD | Persons with Disability |

Acronyms

| | |
|----------------|--|
| RCRC | Raviera Children's Rehabilitation Centre |
| RSLAF | Republic of Sierra Leone Armed Forces |
| SALWACO | Sierra Leone Water Company |
| SCBUs | Special Care Baby Units |
| SDGs | Sustainable Development Goals |
| SGBV | Sexual and Gender Based Violence |
| SLAJ | Sierra Leone Association of Journalists |
| SLBC | Sierra Leone Broadcasting Corporation |
| SLCB | Sierra Leone Commercial Bank |
| SLCS | Sierra Leone Correctional Service |
| SLFA | Sierra Leone Football Association |
| SLP | Sierra Leone Police |
| SLPP | Sierra Leone People's Party |
| SOMC | Sexual Offenses Model Court |
| SOPs | Standard Operating Procedures |
| SR | Southern Region |
| TAT | Turn Around Time |
| TRC | Truth and Reconciliation Commission |
| TWG | Technical Working Group |
| UDHR | Universal Declaration of Human Rights |
| UK | United Kingdom |
| UNCAC | United Nations Convention Against Corruption |
| UNDP | United Nations Development Programme |
| UNGPs | United Nations Guiding Principles |
| UNICEF | United Nations Children's Fund |
| UNIMAK | University of Makeni |
| UPR | Universal Periodic Review |
| URPMICE | Union of Railway Plantation Minerals Industry and Construction Employees |
| USL | University of Sierra Leone |
| WA | Western Area |
| WAEC | West African Examinations Council |
| WASSCE | West Africa Senior Secondary Certificate Examination |
| WFP | World Food Programme |
| WHO | World Health Organization |



EXECUTIVE SUMMARY

The Human Rights Commission of Sierra Leone (HRCSL) in compliance with Sections 7(2) (g) and 24 (1) of HRCSL Act (No. 9) 2004, publishes its 14th report on “the state of human rights in Sierra Leone”.

Structure of the report

The 2020 report is divided into four parts.

Part 1 – gives a brief historical background on Sierra Leone and the establishment of HRCSL. It outlines HRCSL’s mandate, functions, mission, vision and core values and gives a brief insight into its administrative structure.

Part 2 – provides details on the state of human rights and assesses the efforts made by the state to protect, promote and fulfill its human rights obligations in the period under review.

Civil and Political Rights -

The outbreak of Corona Virus Disease (COVID-19) had its effect on the enjoyment of the right to life as it claimed the lives of 76 people within a period of nine months. Also, incidents/protests at the Freetown Male Correctional Centre on 29th April; in Lunsar on 30th April; in Tombo on 6th May and in Makeni on 17th and 18th July resulted to loss of lives.

Although the Second Optional Protocol to the International Covenant on Civil and Political Rights (OP-ICCPR) on the abolition of the death penalty has not been signed, and the number of people on death row increased by 41 in 2020, the moratorium on executions is still being observed. However, in December, His Excellency President Bio, made a commitment to HRCSL to repeal the death penalty.

Government of Sierra Leone (GoSL) took a laudable step to guarantee press freedom by repealing Part 5 of the Public Order Act of 1965. The new law, the Public Order (Amendment) Act of 2020, came into force in October. Cases that were in court which were being pursued under the old law were discontinued by the Attorney General and Minister of Justice. To further strengthen the Independent Media Commission (IMC) to function effectively, the IMC Act of 2000 was also replaced with the new IMC Act of 2020.

There were limitations to the enjoyment of the rights to Assembly, Association and Movement as a result of the the restrictions imposed by GoSL owing to the COVID-19 pandemic. This also affected the economic livelihoods of people particularly those in the informal sector.

Issues relating to acquisition and retention of property specifically land, were of concern to the HRCSL. The manner in which the Ministry of Lands, Housing and Country Planning (MLHCP) retrieved alleged state lands ended in violent confrontations particularly in communities in the Western Rural Area. In the provinces, boundary disputes such as those between the Niawa and Bo Chiefdoms, Gorama and Lower Bambara Chiefdoms deprived communities from engaging in meaningful economic activities such as farming.

Economic, Social and Cultural Rights

ECOSOC rights remained a major challenge to the enjoyment and fulfillment of human rights generally. However, some progress was made during the year under review by GoSL and its partners, to address the challenges.

GoSL maintained its 21% budget allocation to the education sector. Teaching and learning materials



were supplied to schools as part of the implementation of the Free Quality School Education (FQSE), which is GoSL's flagship programme. One hundred and sixty school (160) inspectors were recruited to monitor schools nationwide.

To boost girls' education in the north-west region, the first government-owned secondary school for girls - Dr. Kadi A. Sesay Junior Secondary School for Girls - was opened in the Port Loko District. Another remarkable stride to improve on girls' education was the lifting of the ban on pregnant girls from attending school and taking public examinations.

Despite these successes, challenges such as inadequate supply of teaching and learning materials in some schools, the outbreak of COVID-19 (which led to the early closure of schools), non-reassessment of some teachers for over ten (10) years, late disbursement of subsidy, poor hygiene and sanitation in some schools were observed as constraints in the implementation of the FQSE programme. Another challenge to the enjoyment of the right to education was the persistent strike actions by university lecturers.

GoSL's budget allocation of 11% to the health sector still falls short of the 15% requirement of the Abuja Declaration. However, notable efforts were made to improve the health sector in order to promote the enjoyment of the right to health, particularly in preventing the outbreak of COVID-19, and later curtailing its spread. The Emergency Operation Centre (EOC) which was re-established by GoSL was upgraded to a National Response Centre (National COVID-19 Emergency Response Centre NACOVERC), after the first case was registered on 31st March. Response centres were also set up at district levels to respond to the needs of patients as well as to heighten sensitization on prevention. Quarantine homes/holding centres and 23 treatment centres were set up nationwide. NACOVERC reported that by 31st December, there were 2,611 COVID-19 confirmed cases nationwide of which 2534 patients recovered and 77 died.

In the implementation of the Free Health Care Policy, a new Special Care Baby Unit (SCBU) was opened in the Kailahun District Hospital bringing the number of SCBU to 10, nationwide.

In the year under review, progress was made to improve on the fulfillment and enjoyment of labour rights, with the establishment of the NASSIT division of the High Court of Sierra Leone and the enactment of the Service Trade Group Negotiating Council Act 2020.

The operations of business enterprises were affected by the outbreak of COVID-19. Some businesses scaled down operations whilst some others closed down. This affected the livelihoods of workers, majority of whom were either sent on "Garden Leave" with half pay or had their services terminated. The GoSL took steps to ensure that water, particularly for drinking was not only available but was also clean and safe at all times. The Bottled and Sachet Water Production Regulation and the Water (Quality of supply) Regulation were helpful in ensuring that safe drinking water was made available as the production of water became fully regulated.

Water has been extremely important in the fight against the spread of COVID-19. To increase access to clean and safe water, the Guma Valley Water Company (GVWC) repaired 84 damaged water tanks in the Western Area, whilst the Sierra Leone Water Company (SALWACO) signed various contracts to rehabilitate the water supply system in the Bonthe Municipality, which had been without pipe borne water for over 40 years. Despite these efforts, there were persistent challenges in accessing clean and safe water particularly in rural communities.

Administration of justice

The Sierra Leone Police (SLP) continued to protect lives and property as well as maintain law and



order but still faced logistical challenges to effectively carry out their duties and upkeep police cells. Prolonged/ over-detention, overcrowding and poor hygiene condition were observed by HRCSL in police detention facilities.

To increase access to justice and expedite trials, the Judiciary published the Compulsory Sentencing Guidelines on the Sexual Offences (Amendment) Act No 8, 2019, which should be applied by the High Court for a sexual offence matter. It also launched the first-ever Sexual Offences Model Court in Sierra Leone. The Magistrate's Court in York Waterloo Judicial District was re-opened in April and 31 State Counsels were recruited in November. Furthermore, the Anti-Corruption Special Division in the High Court, which was set up in 2019 to deal with anti-corruption cases exclusively and expeditiously, became fully operational in January 2020. Nonetheless, there were delays in processing indictments which worsened the problems of over-crowding and over/prolonged detention in correctional centres nationwide.

There are still only two remand homes and one Approved School in the entire country, and most police stations have no separate holding cells for juvenile suspects while their matters are under investigations. In Freetown, the SLP keeps juveniles in open detention in the police station but in the regions they are kept in cells together with adult suspects in contravention of national and international standards. This situation remains a concern for the HRCSL.

As a result of the presidential pardons and the suspension of court sittings, overcrowding was not observed at the Kingtom Remand Home and the Approved School. However, persistent challenges of poor/no electricity supply, absence of medical facilities within the facilities, shortage of water during the dry season, inadequate beds and beddings and lack of formal education for inmates, infringed on the rights of the inmates in these facilities.

Despite the presidential pardons which led to the early release of over 500 inmates in correctional centres nationwide, overcrowding remained a problem in some of the centres. The problem was worsened by the suspension of court sittings, as one of the Judiciary's measures to stop the spread of COVID-19. Of special concern to the HRCSL was the riot at the Freetown Male Correctional Centre on 29th April, which resulted in the burning down of buildings and death of 30 inmates and one correctional officer.

Group rights

Efforts were made by the Ministry of Gender and Children's Affairs (MoGCA) to tackle Sexual and Gender-Based Violence (SGBV) as well as promote women's rights. The National Male Involvement Strategy for the Prevention of SGBV was launched on 8th March in Kambia District as part of the commemoration of International Women's Day. A toll-free line (116) was established to assist victims of sexual violence; 6 'One-Stop-Centres' were set up in government hospitals in Freetown, Moyamba, Kabala, Port Loko, Pujehun and Kailahun. The Gender Equality and Women's Empowerment (GEWE) Policy was reviewed and thereafter launched by His Excellency the President in December. Other efforts aimed at addressing SGBV included the setting up of a Presidential Task Force on Sexual and Gender-Based Violence. GoSL and partners reviewed the Child Justice Strategy 2014-2018 and the Child Rights Act 2007 with the aim of improving on the protection and promotion of children's rights. The Street Children Strategy was drafted to address the issues of street children in the country.

The socio-economic wellbeing of Persons with Disabilities (PwDs) and other vulnerable groups were challenging due to the COVID-19 outbreak. Although GoSL made efforts to cushion the economic effects, a good number of them did not benefit from the relief package. Commercial Sex Workers

(CSWs) faced serious challenges as their activities were affected by the declaration and imposition of night time curfew to curb the spread of COVID-19. Unlike other categories of vulnerable groups, CSWs did not benefit from any stimulus or relief packages from government or its partners.

The National Youth Commission (NaYCOM) and partners continued to promote youth employment by engaging youth in skills development programmes aimed at building their potentials and making them employable. Youths were trained in steel bending, engineering, driving heavy-duty machines [like tractors] with the aim of exposing them to the labor market.

Youth actively supported government in the fight against the spread of COVID-19 in several ways. They raised awareness on COVID-19 preventive measures and served as Contact Tracers, Surveillance Officers, and Managers of quarantine homes for NACOVERC and their respective DICOVERCs. However, youth violence and the manner in which youth expressed grievances remained a major concern as they have resulted in unrests, destruction of property and loss of lives.

GoSL fulfilled its international reporting obligation by submitting its first status report (2013-2018) on the CRPD to the United Nations Committee on the Rights of Persons with Disabilities in December. The government also completed its 3rd Cycle Universal Periodic Review (UPR) Report for submission to the United Nations Human Rights Council in January 2021.

Part 3 – outlines the activities undertaken by HRCSL in the protection and promotion of human rights in accordance with Section 7(2) of HRCSL Act (No. 9) 2004. These included receiving and investigating complaints, monitoring and documenting human rights violations, public education and engagements on human rights and celebration of human rights days. This section also gives details of funds received from GoSL and other funding agencies and how the funds were expended.

A total of 363 complaints were received at HRCSL's headquarters and regional offices and processed by the Directorate of Complaints Investigation and Legal Services. Of this number, only 93 (25.6%) were admissible, 270 (74.4%) were inadmissible. Inadmissible complaints were mediated by HRCSL or referred to the appropriate institutions and were monitored in order to ensure that complainants got redress. A Mobile Complaint Hearing was also conducted in Waterloo.

HRCSL monitored 17 correctional centres, 26 police stations and 3 juvenile detention facilities in the Western Area and the Regions at various times of the year, to assess the level of compliance with national and international standards for the treatment of persons deprived of their liberty.

HRCSL also undertook specific monitoring activities to ascertain the extent to which other rights were enjoyed by certain groups of people. Nineteen (19) schools (14 Secondary Schools and 5 Primary Schools)) which were randomly selected in the Western Area and the Regions were monitored to assess the successes and challenges in the implementation of the FQSE programme. Selected government hospitals (including children's hospitals and One Stop Centres) in Freetown and the regions were monitored to assess progress made in the implementation of the Free Health Care Policy and how victims of SGBV were treated.

The outbreak of COVID-19 prompted HRCSL to monitor holding centres and quarantine homes to ensure that patients were treated with dignity and human rights standards were complied with. Private quarantine facilities/homes were also visited. The lockdowns instituted by GoSL as part of the measures to halt the spread of COVID-19 were also monitored to ensure that key human rights standards were complied with during those periods and that non-derogable rights (right to life, safety and security of persons, freedom from torture, inhuman and degrading treatment) were respected.



HRCSL also monitored the Parliamentary re-run election in Constituency 110; conducted a fact-finding mission on the protest that occurred in Makeni on 17th and 18th July over the relocation of a 1.65 megawatts generator from Makeni to Freetown International Airport and a fact-finding mission to Bonthe District over an allegation of rape.

In promoting respect for human rights in the business sector, HRCSL monitored the Sunbird Bioenergy Company and SOCFIN Agricultural Company to assess compliance on business and human rights as well as labour rights standards.

Human rights education formed an integral part of HRCSL's activities. The HRCSL's staff, District Human Rights Committees (DHRCs) and the general public benefitted from trainings organized by HRCSL. Training programmes on international reporting and complaints handling and investigations were organized for DHRC members. Law enforcement officials, Companies and communities were also trained on Conflict Mitigation and Business and Human Rights jointly organized by HRCSL, SLP and the Office of the Vice President. HRCSL also trained 90 security personnel on COVID-19, the Standard Operating Procedures (SoPs) and Human Rights.

HRCSL conducted several public education and outreach programmes as part of human rights awareness raising: three communities in the eastern region were engaged on harmful traditional practices and on the Sexual Offences (Amendment) Act 2019, the Child Rights Act and the 3 Gender Justice Laws. Community programmes on COVID-19 preventive measures were also held.

HRCSL held strategic engagements with partners and heads of MDAs to strengthen collaboration either for funding or for joint implementation of activities. These included MoGCA, ACC, MoYA, NaYCOM, the Attorney General and Minister of Justice, and UNICEF. Through collaboration and partnership, HRCSL received six (6) Honda XL125 Motorbikes from Irish Aid & UNDP to support its work particularly in the regions. In collaboration with the Network of African National Human Rights Institutions (NANHRI), a Consultative Conference on Decriminalization of Petty Offences was held in November, to engage key state and non-state actors on the decriminalization of petty offences and to develop a roadmap and plan of action for its progressive realization.

Several efforts were made with the aim of improving on HRCSL's service delivery. A comprehensive assessment on HRCSL's work and capacity over the last five years was done in April and July. Review of HRCSL Act (No. 9) 2004 commenced in October and a new five year Strategic Plan (2021-2025) was developed and approved.

In fulfillment of its statutory obligation under Section 24 (1) (b) of its Act, HRCSL in December, presented its 12th and 13th annual reports on "The State of Human Rights in Sierra Leone", for the years 2018 and 2019 respectively to H.E Rtd. Dr. Brigadier Julius Maada Bio at State House.

HRCSL continued its media engagements using various forms of the media. Press releases were issued on various human rights issues. Jingles were developed and aired to sensitize and raise awareness on COVID-19 preventive measures.

The Library and Documentation Centres provided the research needs of HRCSL and the general public.

International human rights days were celebrated/commemorated to increase HRCSL's visibility as well as increase awareness on human rights particularly the rights of specific groups. HRCSL observed International Women's Day – (8th March) with the theme "Men and Boys are Standing Up for Women and Girls Rights". The Day of the African Child (16th June) was celebrated with the theme "Access to



Child Friendly Justice in Africa” .

International Day of the Girl Child (11th October), was commemorated on the 12th October, with the theme ‘My Voice our Equal Future’ which was localized as “Good parenting to prevent Sexual and Gender Based Violence”. The celebrations climaxed with International Human Rights Day -10th December with the theme “Recover Better – Stand Up for Human Rights” in Freetown and the regional headquarter towns. HRCSL organized nationwide, public education in selected schools with formal events (official ceremonies) held in Freetown, Bo, Makeni, Kenema and Port Loko. These were followed by live television and radio coverage in Freetown and radio engagements in Bo, Kenema, Makeni and Port Loko.

Government supported the Commission with Le17,353,185,769 (Seventeen Billion, Three Hundred and Fifty Three Million, One Hundred and Eighty Five Thousand, Seven Hundred and Sixty Nine Leones) for payment of salaries and other emoluments. Le2, 119,800,000 (Two Billion, One Hundred and Nineteen Million, Eight Hundred Thousand Leones) was also provided for operational costs and programmes.

Funding support of Le641, 066,769 (Six Hundred and Forty One Million, Sixty Six Thousand, Seven Hundred and Sixty Nine Leones) was received from UNDP/Irish Aid under the UNDP Access to Justice Projects for implementation of specific activities. The Network of African National Human Rights Institutions (NANHRI) provided funds for hosting the conference on the decriminalization of petty offences.

Part 4 – is a compilation of recommendations proffered to various Ministries, Departments and Agencies (MDAs) for improvement in service delivery that will lead to the enjoyment of human rights.

Methodology

This report was compiled using qualitative and quantitative data collected from both primary and secondary sources, which were then analyzed against national laws as well as regional and international frameworks.

Primary sources included: complaints received, investigations conducted, interviews held, monitoring activities conducted and strategic engagements held. Secondary sources were policies and legislative review, media reports, desk reviews. Data was analysed using both qualitative and quantitative techniques.



CHAIRPERSON'S FOREWORD

In 2007, the Human Rights Commission of Sierra Leone published its 1st annual report on the State of Human Rights in Sierra Leone in compliance with Sections 7 (2) (g) and 24 (1) of the Human Rights Commission of Sierra Leone Act (No. 9), 2004. This Report marks the 14th Edition of its annual report. This is a remarkable achievement demonstrating the dedication and commitment of the institution in the protection and promotion of human rights in Sierra Leone.

In the process of compiling this report, HRCSL faced numerous challenges including funding, logistical and institutional bureaucracies. HRCSL also experienced low cooperation from some state institutions to provide information needed for the compilation and production of this report. However, HRCSL was able to surmount these challenges through the persistent efforts made by its committed and dedicated staff. I wish to express sincere thanks and appreciation to my colleague Commissioners and staff for their dedication to duty.

This report catalogues strides taken by the government to fulfil its obligations under international, regional and local human rights instruments and also areas where the enjoyment of human rights presented challenges during the year under review

The spread of the Corona Virus Disease (COVID-19) around the world continues to have great impact on the enjoyment of human rights in Sierra Leone. The outbreak has affected the enjoyment of civil and political rights and economic, social and cultural rights. GoSL instituted several measures, including restrictions on movement within and outside the country; temporal closure of schools and other educational institutions; and the suspension of religious, cultural and reactionary activities. Many businesses scaled down while others closed down which resulted to the loss of jobs.

HRCSL recognizes and commends government for steps taken to control the spread of the virus before and after the country recorded its index case on 31st March. The Commission also wishes to recognize the efforts of frontline health workers, law enforcement officials, traditional and religious leaders, the media, civil society organisations, our development partners and the public in the fight to contain the spread of COVID-19.

HRCSL monitored the implementation of the regulations of the State of Emergency, declared on 25th March and noted that some law enforcement officials violated the rights of citizens in various parts of the country. HRCSL in its Press Releases urged government and in particular law enforcement officials to respect human rights in the implementation of the regulations of the state of public health emergency.

HRCSL welcomes the steps taken by the Government of Sierra Leone to repeal part 5 of the 1965 Public Order Act (POA) that criminalized libel and sedition. This is a fulfilment of the Commission's recommendations over the years for the repeal of the law in order to encourage press freedom.

HRCSL notes the commitment made on the 17th December by His Excellency President Bio to repeal the death penalty. HRCSL further notes that a Committee was set up to review the report of the Justice Cowan led Constitutional Review Committee and the subsequent Government White Paper published in 2017. HRCSL continues to urge Government to sign the Second Optional Protocol to the International Covenant on Civil and Political Rights (OP-ICCPR) on the abolition of the death penalty in order to fulfil its international obligation.

HRCSL appreciates government's continued support to enhance its operations. There is however,



the need to increase HRCSL's budgetary allocation in accordance with the Paris Principles and the recommendations of the Sub Committee on Accreditation (SCA) of the Global Alliance of National Human Rights Institutions (GANHRI) proffered during the reaccreditation of HRCSL in 2016.

HRCSL is urgently in need of the requisite financial, human and logistical support for it to expand its services to every district of the country and to deliver effectively on its mandate.

A handwritten signature in blue ink, reading 'Patricia Narsu Ndanema', is positioned above a dotted line.

Patricia Narsu Ndanema
Chairperson



ACKNOWLEDGEMENT

The year 2020 could best be described as challenging in light of the COVID-19 (Corona Virus) pandemic which caused unprecedented havoc throughout the world with debilitating ramifications on the protection, promotion, respect, fulfilment and general enjoyment of human rights.

In Sierra Leone, the outbreak of the COVID-19 pandemic interrupted the work of HRCSL, precipitating the repositioning of all its activities towards the fight against the COVID-19.

Notwithstanding the disturbing operational environment for human rights realization, the HRCSL did not relent with advancing its mandate of protecting and promoting the human rights of all in the country and in performing its function of producing an annual report on the 'State of Human Rights in Sierra Leone'. The effort to produce this current report was the result of great commitment and dedication to duty by Commissioners and staff on the one hand, and support from GoSL and critical partners including local and international on the other hand.

HRCSL acknowledges the support of Government of Sierra Leone (GoSL) to its operations. Importantly, Government's budgetary support despite being inadequate and far between in disbursements, has contributed immensely in enabling HRCSL to conduct its daily operations.

Also, HRCSL deeply appreciates the support both financial and technical from its international partners including the UNDP, the Irish Embassy, and the Chinese Embassy. The interface between HRCSL and these partners continue to strengthen the HRCSL's technical capacity as well as deepening the collaboration and partnership between and among these partners.

HRCSL wishes to express its deepest gratitude to its staff and particularly its editorial team led by the Directorate of Monitoring and Research. The continuous interaction between staff and the editorial team provided an opportunity for constant reviews and validation of information, which contributed tremendously in enriching this report.

HRCSL further acknowledges the research support of its critical local partners including Ministries, Departments and Agencies (MDAs), Civil Society Organizations (CSOs) and the media for their supportive role of whistle-blowing and disseminating information relating to human rights education, and HRCSL's mandate and functions to the wider community of Sierra Leone.

HRCSL expresses gratitude to the DHRCs, who represent the long arm of the Commission with far reaching, in depth understanding and continuous engagements with various communities.

Finally, special thanks to the editorial board comprising the Chairperson, Mrs Patricia Narsu Ndanema, Vice Chairperson, Victor Idrissa Lansana, Esq, Commissioner Simitie Laval, Esq, Commissioner Hassan Samba Yarjah and Commissioner Dr Gassan Abess. Also included in the editorial board is the Executive Secretary, Joseph Kamara Deputy Executive Secretary Frederick Kamara, Director Josephine Thompson-Shaw, Deputy Directors' Kelson Sesay and Mohamed Tiamieu Fofanah and the Principal Public Relations Officer, Millicent Kargbo. The policy directive of the Commissioners and their insightful scrutiny have contributed significantly in influencing and shaping the final report.

Joseph B.M. Kamara
Executive Secretary

COMMISSIONERS' PROFILES



Commissioner Patricia Narsu Ndanema was amongst the first set of staff recruited by the Human Rights Commission of Sierra Leone (HRCSL) in 2008 when the HRCSL took up effective operations in 2007. She has a joint post graduate degree in Development Planning and Management from the University of Dortmund, Germany and the Kwame Nkrumah University of Science and Technology (KNUST), Kumasi Ghana. She also has a BA degree from Fourah Bay College, University of Sierra Leone. Over the years, she has had several professional training on various human rights thematics and currently pursues International Human Rights Law at Nottingham University UK.

Her twelve years' hands on experience in various human rights (HR) interventions are not only limited to; human rights observation, investigations, public inquiries, community awareness raising, follow up on judicial processes, research, reporting and documentation but is also well experienced in collaborating and engaging CSOs, government officials and other partners intervening in the field of human rights. She has a vast knowledge on local, regional and international human rights instruments, which are critical tools for human rights interventions. In addition, her work experiences gained in many institutions she has worked such as the African Union in Mali and Burundi, United Nations World Food Programme (WFP), Special Court Sierra Leone, National Ebola Response Center (Situation Room), lecturing and as a former teacher span in many other fields.

Over the years, she has distinguished herself in the field of human rights through various fields of interventions specifically on women and children's rights and access to justice for prisoners. She has also made tremendous contributions to the production of regional and international treaty body reports, notably being her sole contribution to a chapter in Sierra Leone's first country report to the African Peer Review Mechanism (APRM).

In 2013, Commissioner Ndanema left the HRCSL as Senior Human Rights Officer in the Directorate of Education, Communication and Training following her nomination by the HRCSL to be amongst the first set of African Human Rights Observers to be deployed in Mali, following requests from the African Union, the Network of National Human Rights Institution and ECOWAS and was charged with the responsibility to observe, monitor, document, engage appropriate authorities on human rights violations and report to the African Union and other partners intervening in the field of human rights. In 2015, she was recruited as a consultant by the African Union to perform similar tasks in Burundi and was the Gender Team Lead for the African Union Human Rights Observation Mission where she stayed until her appointment as the Chairperson of the Human Rights Commission of Sierra Leone. She is a Board member of the Independent Police Complaints Board (IPCB), and holds an executive position in the Network of National Human Rights Institutions (NNHRI)-West Africa. She is also a member of many women's groups promoting the rights of women and children.

Commissioner Patricia Narsu Ndanema is the oversight for the Directorates of Administration and Finance, Programming, and Gender and Children's Affairs.

She brings to the HRCSL wealth of experience from various institutions and countries she had worked.



Commissioner Victor I. Lansana is a Barrister & Solicitor of the Superior Courts of Judicature of Sierra Leone and is the Vice Chairman of the Human Rights Commission of Sierra Leone. He is an Associate Partner in the Law Firm of Kanu & Associates where he practices law.

He attended the Albert Academy Secondary School from whence he proceeded to Fourah Bay College, University of Sierra Leone where he graduated with a Bachelor of Arts (Hons.) in English and later an LLB (Hons.) Degree. He also holds the Utter Barrister (Barrister-at-Law) Degree from the Sierra Leone Law School and Master in Public Administration, IPAM, USL. He was appointed to serve as a lecturer in Communication skills / Foundation Studies at Fourah Bay College University of Sierra Leone from 2010 to 2016. He also

taught at the Lebanese International School and the Government Model Senior Secondary School while serving as Examiner in English for the West African Examinations Council (WAEC).

Commissioner Lansana is the Founder of the human right organization called Legal Aid for Consumers & Employees (LACE), which he established in 2015 to help address economic and labour injustices in the country. As a lawyer, he has rendered several *pro bono* legal services to vulnerable and indigent compatriots. He is quite interested in public interest litigations and has been involved in a number of them in courts. He valuably contributed to the preparation of the Legal Aid Board Handbook and has attended trainings and acquired relevant knowledge in both legal and human rights advocacies. He has also severally served as a facilitator at human rights trainings impacting knowledge in the field of human rights. Mr. Lansana is a social commentator who has authored several newspaper and social media articles on contemporary socio-political issues.

The Vice Chairman is someone with passion for the human rights work. He is a team player, accommodating but very discipline with a forward-looking mentality to succeed.

He is the Oversight Commissioner for the Directorate of Education, Communication and Training.



Commissioner Simitie Lavalley Esq. is a qualified Barrister and Solicitor with a background in criminal law and human rights. She is a graduate in Law and Economics from the School of Oriental & African Studies (SOAS), University of London and was called to the Sierra Leone Bar in 2008. She also possesses a postgraduate diploma in legal practice from the University of the West of England (UWE), Bristol.

After leaving UWE in 2004, Ms Lavalley gained a broad perspective of the legal industry through working as a Caseworker for The Law Society, wherein she investigated complaints made against solicitors practising in England & Wales. In 2008, after being called to the Sierra Leone Bar, she took up a position as a Legal Intern at the Special Court for Sierra Leone in The Hague – the tribunal mandated to try those who bear the greatest responsibility for serious violations of international humanitarian law and Sierra Leonean law committed in Sierra Leone since 30 November 1996. During that time, she provided support for senior trial lawyers in the Charles Taylor Trial.

Later Ms Lavalley commenced working for AdvocAid, a female-led human rights legal aid organisation and rose from a legal officer to become Executive Director in 2014. During her time at AdvocAid, she represented women and men on death row, advocated for better conditions for women in detention and engaged stakeholders in the criminal justice system. She also helped develop and disseminate preventative legal education messages through AdvocAid's flagship drama Police Case. Before leaving AdvocAid, she instituted the campaign for the decriminalisation and declassification of petty (summary or minor) offences in Sierra Leone and also a police accountability project. In her volunteer capacity, she also became the President of the female lawyer's association, Legal Access through Women Yearning for Equality Rights and Social justice (L.A.W.Y.E.R.S). During her tenure as Project co-ordinator and later L.A.W.Y.E.R.S President, she was instrumental in the establishment and strengthening of regional offices for L.A.W.Y.E.R.S in Kenema and Kono, trained paralegals to provide support services to volunteer lawyers and created a website and Facebook page for the organisation. As a result of her advocacy and influencing work on behalf of women and children, in 2016 she was the Human Rights and Social justice award winner of the Illuminescence National Women's Award (INWA). In 2017 she was the winner of Legal Practitioner of the Year award of the Sierra Leone National Achievement Awards ceremony hosted by AWOL.

Ms. Lavalley has practised as a legal practitioner and has successfully represented on appeal more than 8 women and men on death row or serving high prison sentences. She is an advocate for the abolition of the death penalty. She is also an experienced trainer and has developed training manuals for child justice actors, including the judiciary, so that children who come in contact or in conflict with the law are treated fairly and are protected from harm. She is regularly consulted on legal issues pertaining to criminal justice and women's rights and in 2019 took a key role in reviewing the Sexual Offences Act 2012.

She currently oversees the Directorate of Complaints, Investigations and Legal Services, but also supports the Southern regional office and the Directorate of Gender & Children's Affairs.



Commissioner Dr. Gassan Abess holds a Doctorate Degree in Criminal Justice and Criminology from Washington State University, USA; a Master's Degree in Criminal Justice from Washington State University USA; a Master's Degree in Sociology from the University of Toledo, USA; a Bachelor of Social Sciences Honors Degree in Sociology, and a Diploma in Adult Education from Fourah Bay College, University of Sierra Leone.

Dr. Abess has taught in three American Universities. At John Carroll University, USA he was a Visiting Assistant Professor for one year and also as an Online Instructor from Sierra Leone for two academic years. At Washington State University for two and half years as a Teaching Assistant, and at the University of Toledo for one year as a Teaching Assistant. In Sierra Leone Dr. Abess has worked in two different colleges, the Eastern Polytechnic (EP) in Kenema for eight years, and the Milton Margai College of Education and Technology (MMCET) for nine years where he served as Head of Department for Community Development Studies and Social Work, and rose to the rank of a Principal Lecturer and a Tenured Professor.

Dr. Abess also has a wealth of experience working with several NGOs and Civil Society Organizations promoting human rights. Dr. Abess has also served as consultant for several NGOs and Civil Society Organizations (CSOs) undertaking evaluation and baseline research work. At the "Centre for Accountability and Rule of Law" (CARL-SL), Dr. Abess was the "Human Rights, Criminal Justice and Research Advisor".

Commissioner Abess has a Media Background, and was one of the Founding Members of the Eastern Radio, Kenema and was a Member of Sierra Leone Association of Journalists (SLAJ).

Dr. Abess is also a member of the American Criminal Justice Sciences (ACJS) and the American Society of Criminology (ASC). He has attended several Local and International Conferences organized on Human Rights. He has several Peer Reviewed Publications: First amongst these is the "International Journal of Offender Therapy and Comparative Criminology" and the title of the journal article is "Transgender Inmates in Prisons: A Review of Applicable Statutes and Policies". The second was in the "Asian Journal of Criminology" and the title of the Journal Article is "Analyzing Citizens' reported levels of confidence in the police: a cross-national study of public attitudes toward the police in the United States and South Korea" while the third is titled "Police Integrity in China" published in the Journal: Policing: An International Journal of Police Strategies and Management. The fourth is titled "Victims Role in the Criminal Justice System: A Statutory Analysis of Victims' Rights in U.S": International Journal of Police Science and Management. Speaking Out: Officers Speaking about Police Misconduct in Ghana" The Police Journal: Theory, Practice and Principles.

Commissioner Dr. Gassan Abess is a recipient of two prestigious awards; the University of Toledo Awards, and as a Fulbright Scholar from the Department of State. He is currently the Oversight Commissioner for the Directorate of Monitoring and Research.



Commissioner Hassan Samba Yarjah holds a Bachelor of Science with Honour (BSc. Hons.) degree in Business Administration from the Institute of Public Management and Administration (University of Sierra Leone) and a post-graduate degree in Peace and Development Studies from Njala University. He was among the first set of Human Rights Officers recruited by the Human Rights Commission of Sierra Leone (HRCSL) in 2008.

Commissioner Yarjah, being an astute human rights defender, championed the Commission's first Public Inquiry in 2011 in respect of a complaint received from 235 military ex-servicemen that had been deprived of benefits which their counterparts had received because they were categorized as: 'chronically ill and mentally imbalanced' by the Republic of Sierra Leone Armed Forces (RSLAF) authorities.

Commissioner Yarjah has served in several capacities within the Commission. He was a Senior Human Rights Officer in the Directorate of Complaints, Investigations and Legal Services. He then became the Regional Senior Human Rights Officer for the Eastern Region and later Head of Treaty Body Unit in the Directorate of Monitoring and Research.

In the protection and promotion of the human rights of all in Sierra Leone, Commissioner Hassan Samba Yarjah faced some challenges in his line of duty. In April 2015, he was arrested and detained by the Sierra Leone Police (SLP) in Kenema and charged to court on 11 counts of conspiracy, riotous conduct and incitement. After three years of trial, he was acquitted and discharged of all charges in 2018 for lack of evidence.

Before his appointment as a Commissioner of the Human Rights Commission of Sierra Leone, he was the Complaints Manager at the Commission. He was also President of the Staff Welfare Association of the Commission from 2016 to 2019. He has undertaken several local and international trainings on Human Rights Monitoring and Documentation, Complaints Handling and Investigations, Public Education and Advocacy and Conflict Negotiation: The Harvard Method for Problem-Solving.

Commissioner Hassan Samba Yarjah is the Oversight Commissioner for Regional Services.

PART 1: BACKGROUND AND HISTORICAL CONTEXT

1.1 Context

Sierra Leone experienced a violent and devastating civil war spanning a period of eleven years (from 1991 to 2002). The war wreaked havoc on the country's economy and its entire social fabric, exposing the populace to untold hardship and vulnerability. It destroyed communities, social infrastructure and institutions. People were maimed and an estimated 50,000 people were killed. During that period, lawlessness and gross violations of human rights occurred.

As a way to resolving the conflict, a Lomé Peace Agreement was signed in Togo in 1999. The Lomé Peace Agreement and the recommendations of the 2004 Truth and Reconciliation Commission (TRC) Report led to the enactment of the Human Rights Commission of Sierra Leone Act (No.9), 2004, which established the Human Rights Commission of Sierra Leone (HRCSL/the Commission). HRCSL became operational in December 2006, with the appointment of five Commissioners.

In recognition of its outstanding work as a credible and independent National Human Rights Institution (NHRI) and for being in compliance with the Paris Principles, HRCSL was accredited an "A Status" in 2011 by the UN International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC). HRCSL was re-accredited 'A' Status in October 2016 by the Global Alliance of National Human Rights Institutions (GANHRI), formerly known as ICC.

1.2 Mandate of the HRCSL

Section 7 of the Human Rights Commission of Sierra Leone Act (No.9) 2004 stipulates that the main objective for the establishment of the HRCSL is to 'protect and promote human rights in Sierra Leone', and it states the following as the functions of the HRCSL:

- *Investigate or inquire into complaints of human rights violations.*
- *Promote respect for human rights through public awareness and education programmes.*
- *Publish guidelines, manuals and other materials explaining the human rights obligations of public officials and others.*
- *Cooperate with institutions including public interest bodies, Non-Governmental Organisations (NGOs) and international organisations working in the field of human rights.*
- *Review existing legislation and advise the Government concerning their compliance with international obligations.*
- *Monitor draft legislation, policies, programmes and administrative practices to ensure human rights compliance.*
- *Advise and support government in the preparation of reports under international human rights instruments or treaties.*
- *Monitor and document violations of human rights in Sierra Leone.*
- *Publish an annual report on the State of Human Rights in Sierra Leone.*

Independence of the Commission

Section 14 of HRCSL Act guarantees the independence of HRCSL and states that "except as otherwise provided in the Act, the Commission shall not be subject to the control or direction of any person or authority", even if such a person or authority provides financial or material support to HRCSL.

Jurisdiction

Under Sections 1 and 7 of the 2004 Act, HRCSL has the mandate to address all rights guaranteed by the Constitution of Sierra Leone 1991, or embodied in all international and regional agreements to which Sierra Leone is a party. This can be done by way of complaints investigations, inquiries or tribunal hearings. However, Section 16 of the Act stipulates that HRCSL cannot investigate any matter pending, or already decided by a court of competent jurisdiction or any human rights violation that occurred before 26th August 2004.

1.3 Vision, Mission and Core Values

Vision: “A Sierra Leone where the culture of human rights prevails and the people respect the rule of law and live in peace and dignity”.

Mission: “HRCSL exists to take the lead role in building a culture of human rights (including observance of 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”.

Core Values

As an Independent Human Rights Institution, the HRCSL is committed to upholding these core values:

- *Professionalism encompassing discipline, competence, dependability, integrity, expertise, team spirit, tactfulness*
- *Service with humility*
- *Independence including fairness, objectivity, impartiality*
- *Inclusiveness ensuring diversity*
- *Accessibility covering empathy, tolerance, understanding*
- *Accountability embracing honesty*
- *Collaboration with other human rights organisations, stakeholders and development partners”.*

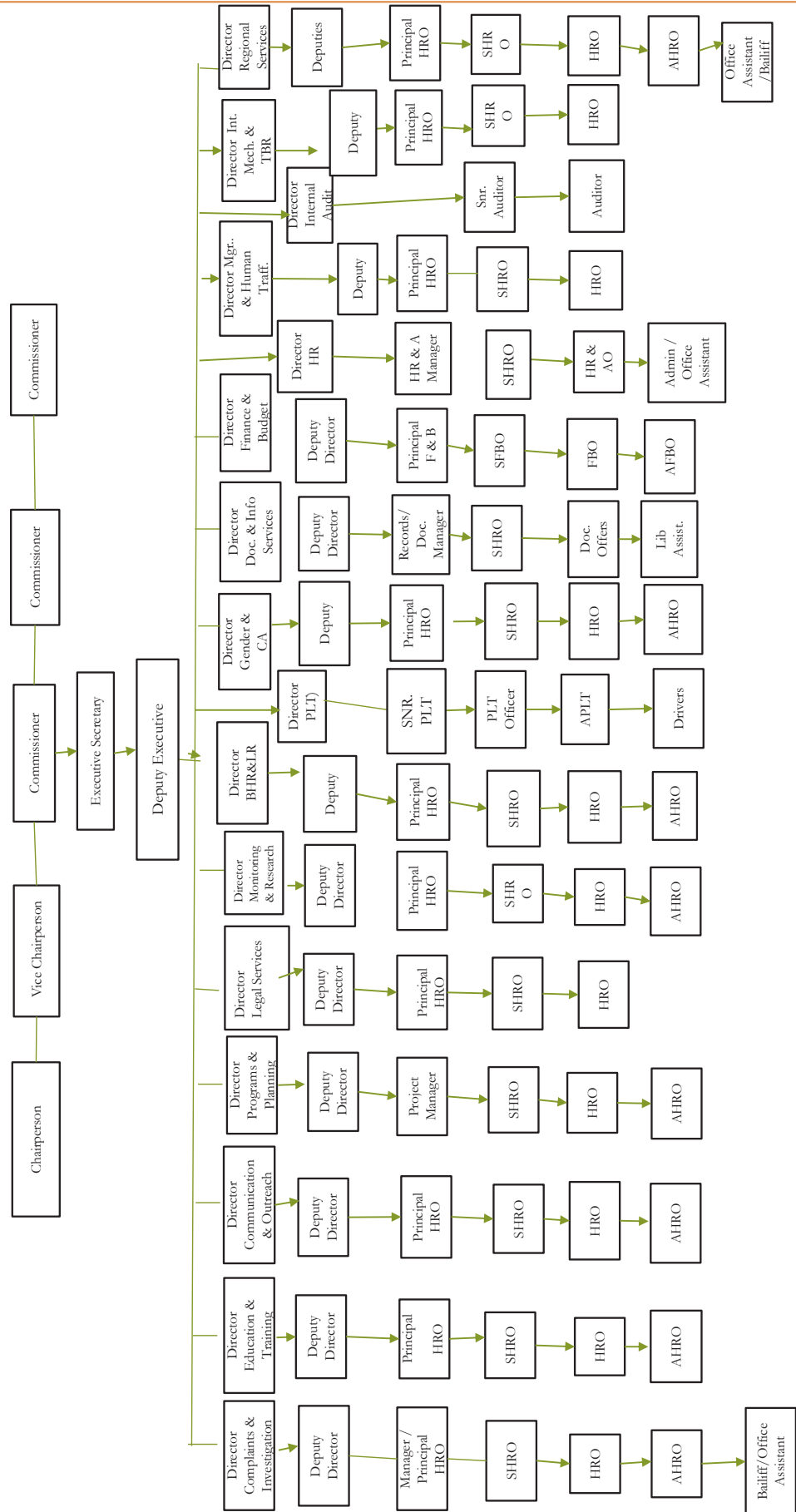
Relationship with the Courts

HRCSL does not serve as a substitute for the courts. While a matter is before any competent court of law, HRCSL can only monitor the proceedings. However, HRCSL has powers to intervene in legal proceedings involving any human rights issue by issuing amicus curiae briefs.

HRCSL being a corporate body can sue and be sued in a Court of law.

HRCSL can refer to the High Court for contempt, any person who refuses, without justifiable cause, to comply with its decision, direction, or order within a specified time. Any person aggrieved by any decision of HRCSL may appeal to the Supreme Court [Section 8 (3)] of the HRCSL Act 2004.

HRCSL NEW ORGANOGRAM



1.5 DIRECTORATES OF HRCSL



COMPLAINTS, INVESTIGATIONS AND LEGAL SERVICES (DCILS)

DCILS is responsible for carrying out the function of the HRCSL as enshrined in Section 7(2)(a) of the HRCSL Act (No.9), 2004 which is to “investigate or inquire into on its own or on complaint by any person any allegations of human rights violations and to report thereon in writing.”

The directorate is also tasked with the responsibility to review existing or draft legislation, which may affect human rights and advise Government on same. It supports the HRCSL in effectively collaborating with governmental and non-governmental organisations and other public interest bodies engaged in human rights through its Referral Partnership Forum. The Directorate also advises the HRCSL on legal and human rights issues.

MONITORING AND RESEARCH (DM&R)

DM&R is responsible for monitoring, researching, documenting and reporting on the human rights situation in the country. It comprises three units; Monitoring and Research, Treaty Bodies and Other Mechanisms; and Business and Human Rights and Labor Relations.

EDUCATION, COMMUNICATION AND TRAINING (DECT)

DECT is responsible for designing and developing training and educational programmes geared towards awareness raising with a view to creating the culture of human rights nationwide. The Directorate coordinates public information and media engagements, manages HRCSL’s website and the Library and Documentation Centres as well as the Truth and Reconciliation Commission’s (TRC) Archives.

FINANCE AND ADMINISTRATION (DFA)

DFA manages and supervises the finances and provides the logistical support required for HRCSL’s operations. It ensures the timely submission of financial reports to government and donor partners and further provides support for the development and implementation of projects and fundraising activities of HRCSL.

Directorate comprises the Internal Audit, Procurement, Finance and Administrative Department

GENDER AND CHILDREN’S AFFAIRS (DGCA)

This Directorate is responsible for engaging on human rights issues in relation to women, children, and other vulnerable groups. It monitors the implementation of provisions highlighted in national, regional and international standards in relation to women, children, persons with disability and other vulnerable groups.

PROGRAMMES, PLANNING, MONITORING AND EVALUATION (DPPM&E)

This Directorate is charged with the responsibility of mobilizing resources through development of project proposals and engagement with donor partners. It monitors and evaluates the implementation of programmes in line with the HRCSL’s Strategic Plan and coordinates the development of the HRCSL’s consolidated annual work plans.

REGIONAL SERVICES (DRS)

This Directorate replicates the functions of HRCSL at the regional level. It has five (5) regional offices in the South, East, North, North-West and Western Area Rural. The new North-West regional office was formally opened in December in line with country’s new geographical divide.

Plans are underway to establish two (2) new directorates: Business & Human Rights and Migration & Human Trafficking.

PART 2: THE STATE OF HUMAN RIGHTS IN SIERRA LEONE

The current state of human rights in Sierra Leone could best be described as satisfactory, although there remains serious challenges particularly with economic. This assessment was arrived at through HRCSL's monitoring activities, public education and community outreach programmes, stakeholders' engagements and legislative reviews.

The advent of COVID-19 only worsened the situation as it affected the enjoyment of economic, social, cultural, civil and political rights including freedom of movement and assembly as well as the rights to education, health and work.

Sierra Leone is a post-conflict nation that still grapples with the aftermath of the 11 years civil war which claimed thousands of lives and destroyed millions of property both private and public. However, since the end of the war in the year 2002, the country has made tremendous progress in maintaining peace, building good governance institutions and has held five democratic elections with peaceful transfer of power from one political party in power to opposition party on two different occasions.

While HRCSL noted such progress, it also observed that "the winner takes all" continues to pose a serious constitutional challenge and this normally leads to political tensions during and immediately after elections. HRCSL also noted the need for the realization of ECOSOC rights which if substantially addressed will drastically reduce political tension.

As a national human rights institution, HRCSL was established through the recommendations of the TRC and the Lome Peace Accord as the lead agency for the promotion and protection of human rights, and a peace consolidation entity.

HRCSL calls on citizens to abide by the provision contained in Section 13 of the Constitution of Sierra Leone 1991 which provides mandatory ***"Duties of the Citizen"*** which includes but not limited to: ***"a sense of nationalism and patriotism so that loyalty to the State shall override sectional, ethnic, tribal or other loyalties; protect and preserve public property...; ensure the proper control and upbringing of his children and wards; render assistance to appropriate and lawful agencies in the maintenance of law and order."***

In a similar vein, HRCSL draws the attention of everyone to the provisions contained in Article 29 (3) & (4) of the African Charter on Human and People's Rights (ACHPR) thus: (3) "not to compromise the Security of the State whose national or Resident he is;" and (4) "to preserve and strengthen social and national solidarity particularly when the latter is threatened".

This Section therefore explains "the ways in which the fundamental rights and freedoms contained in the Constitution of Sierra Leone, 1991 and in the International and Regional Human Rights Instruments to which Sierra Leone is a state party, were observed or violated".

Civil and political rights include but are not limited to the following; the rights to life, liberty and the security of persons, freedom of expression and the press, freedom of assembly, association and movement and protection from deprivation of property.

2.1 Civil and Political Rights

2.1.1 Right to Life, Liberty and Security of the Person

The right to life, liberty and security of person is guaranteed under Sections 15, 16 and 17 of the Constitution of Sierra Leone 1991, Articles 4 and 6 of the ACHPR, Articles 6 and 9 of the International Covenant on Civil and Political Rights (ICCPR) and Article 3 of the Universal Declaration of Human Rights (UDHR). These instruments guarantee individuals entitlements to the enjoyment of the right to life, liberty and security of person for all in Sierra Leone.

On 31st March, the country recorded its first case of a person infected with the Corona Virus Disease (COVID-19) and within the period under review, the virus claimed the lives of 76 people. HRCSL applauds government for initial measures put in place to slow the spread of the virus such as the temporary closure of schools, the airport, border crossing points, places of worship and restrictions on public gathering. HRCSL however notes concerns raised by some people in some quarantine facilities about the uninhabitable conditions of some of those facilities and the inadequate and late supply of essential food and basic sanitary items which affected their rights to live in dignity.

On 29th April, violent confrontation between correction officers and inmates occurred at the Freetown Male Correctional Centre which resulted in loss of lives and injuries as reported in a Correctional Service Press Briefing as follows:

- *31 fatalities, including 1 Corrections Officer*
- *12 inmates died from gunshot wounds*
- *16 inmates died from blunt force*
- *2 inmates died of illnesses*
- *21 inmates sustained injuries*
- *32 Corrections Officers sustained injuries*

The press briefing further states that inmates damaged workshop doors and set stores and some other buildings on fire.

According to the Press Briefing, overcrowding, staff shortage and drastic COVID-19 measures that restricted movement within the Facility were said to be the causes of the incident among others. HRCSL noted with grave concern the huge number of lives that were lost as a result of this incident and that security personnel who responded to quell the unrest used live fire arms within the Correctional Centre precinct which houses over one thousand inmates. An official investigation was launched by the Government of Sierra Leone (GoSL) but to date no official report has been released to the public.

On 30th April, following the arrest of a youth leader, youth in Lunsar damaged the Lunsar Police Station, the houses of the Local Unit Commander (LUC) and Paramount Chief and burnt down cars. One person was injured and later died from his injuries. HRCSL noted with concern the loss of life and the manner in which the security forces responded to quell the incident. HRCSL equally condemned this action by the youth in destroying property and taking the law into their hands.

On 6th May, youth of the Western Rural Community of Tombo protested against the limitation of fishing boats that were allowed by authorities to be at sea at a given point in time. The limitation was to prevent the spread of the COVID-19 pandemic. The protest resulted in the death of one person, vandalism of the Tombo Police Station together with its Family Support Unit (FSU) and the burning down of the

maternity wing of the Tombo Peripheral Health Unit (PHU). HRCSL condemned the use of live rounds by the police in responding to the protest as this posed a threat to the safety of all those living within that community. HRCSL equally condemned the destruction of public property by some individuals during the protest.

On 17th and 18th July, a protest occurred in the Northern City of Makeni over a decision by the Ministry of Energy to relocate a standby generator from Makeni to Lungi. Six people lost their lives as a result of gunshot wounds they sustained. HRCSL observed the vandalism of the Sierra Leone Commercial Bank and the Sierra Leone People's Party Office. HRCSL noted with concern the unprofessional handling of the protest by security forces and the repeated use of live rounds to quell protests which in many cases resulted in the loss of lives. HRCSL further pinpointed the repeated calls it has made over the years in its SOHR Reports for security forces especially the police to refrain from using unreasonable and excessive force when responding to incidents of protest.

Recommendations

1. *GoSL should conduct independent investigations into the incidents that occurred at the Freetown Male Correctional Centre (FMCC) and in Makeni and officers found wanting of discharging live rounds which resulted in loss of lives in both incidents should be held accountable.*
2. *GoSL should review existing guidelines for security personnel on maintaining public order and regularly train them on those guidelines and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.*
3. *GoSL should adequately equip the SLP with anti-riot gears to enable it respond to public disorder and violent protests in an appropriate and professional manner.*
4. *Protesters should conduct themselves in a peaceful and lawful manner and should desist from taking the law into their hands.*

2.1.2 The Death Penalty

GoSL continues to observe the moratorium on the death penalty from the law books. HRCSL commends His Excellency President Dr. Julius Maada Bio for the commitment of his government to repeal the death penalty. This pronouncement was made at State House on 17th December during HRCSL's presentation of its 13th Annual report on the State of Human Rights in Sierra Leone.

However, HRCSL is concerned that the Government has still not signed the Second Optional Protocol to the International Covenant on Civil and Political Rights (OP-ICCPR) on the abolition of the death penalty, despite several calls in its successive SOHR, and the recommendations of the TRC and UPR reports. As a result, the courts have continued to hand down death sentence verdicts in murder convictions and the number of inmates on death row increased from 64 (2019) to 105 (103 males and 2 females) in 2020.

Recommendations

1. *HRCSL urges the GoSL to implement the TRC and UPR recommendations for the abolition of the death penalty.*
2. *HRCSL calls on GoSL to sign the Second Optional Protocol to the International Covenant on Civil and Political Rights on the abolition of the death penalty.*

Disappearance of Persons

HRCSL did not receive complaints or reports of enforced disappearance of persons by the government or done by other persons on behalf of government during the period under review.

2.1.3 Cruel, Inhuman and Degrading Treatment

Section 20 (1) of the Constitution of Sierra Leone 1991, Article 5 of the African Charter on Human and Peoples Rights (ACHPR) and Article 7 of the International Covenant of Civil and Political Rights (ICCPR) prohibit cruel, inhuman and degrading treatment.

HRCSL observed degrading treatment meted against suspects in most police stations visited. Suspects were found sleeping on the bare floor with tattered and torn cardboards serving as beds. Some police cells were found in very appalling conditions not befitting human existence.

HRCSL also received complaints of cruel treatment meted against children by family members.

During the first COVID-19 lockdown period, police and military personnel beat up people who breached the lockdown regulations either in search of food and water. . However, with the prompt intervention of HRCSL, the situation was no longer the same during the second and third lockdowns.

On 5th April, the Station Manager of Wusum Radio 88.5 FM in Makeni was arrested by the SLP on an allegation of theft. Unfortunately, while making his report about a breaking into his radio station at the Mena Police Station, an argument ensued between him and some of the police officers, which resulted to his beating and seizure of his phone. The matter was resolved out of court on a mutual settlement.

2.1.4 Freedom of Expression and the Press

Freedom of Expression is guaranteed by Section 25 of the Constitution of Sierra Leone 1991, Article 9 of the ACHPR, Article 19 of the ICCPR and the UDHR.

HRCSL observed that radios, televisions and print media houses operated freely in the country. During the year under review HRCSL neither received nor observed complaints of restriction of registration of a media house.

Section 34 of the IMC Act 2000 empowers the IMC to suspend or cancel the registration of a newspaper or magazine that is found wanting of three contraventions of the said Act. HRCSL did not observe the suspension or cancellation of any newspaper or magazine but noted that a total of 20 complaints were forwarded to the IMC in 2020 by individuals and institutions on publication of false information against their persons. Nineteen (19) were arbitrated and penalty levied on the individuals and institutions and one withdrawn. HRCSL therefore acknowledged the steps taken by the IMC to instill discipline in the field of journalism. On that note, HRCSL strongly encourages journalists to practice professional journalism by cross checking information before publication.

A significant step was taken to guarantee freedom of expression and the press. Part V of the Public Order Act of 1965 that criminalized libel and sedition was repealed by the House of Parliament on 23rd July. H.E. President Dr. Julius Maada Bio gave his assent to the Public Order (Amendment) Act of 2020 on the 28th October. The repeal was widely welcomed by the public and the International Community. This was in fulfilment of HRCSL's repeated calls for successive governments to repeal this 55 year old draconian law. Similar calls had also been made by SLAJ and other interest groups.

HRCSL noted that this law stifled press freedom and subjected a good number of journalists to arbitrary arrests, detention and prosecution. The repeal would therefore provide the space for journalists to carry out their work in an environment that is free from fear and intimidation. It will also encourage investment and growth in the media.

Following the repeal, the Attorney-General and Minister of Justice had course to *nolle prosequi* ongoing cases related to sedition and libel that were before the courts.

The Independent Media Commission (IMC) Act of 2000 was replaced with the new IMC Act of 2020 on the same day Part V of the Public Order Act of 1965 was repealed. The primary purport of the new IMC Act is to promote a free and pluralistic media industry throughout Sierra Leone. HRCSL believes that the new Act would promote press freedom and ensure professionalism in the media.

In order to enhance the operations of SLAJ, government in December 2020 for the first time started disbursing subvention to this body. HRCSL acknowledge this intervention by the government as it would help SLAJ expand its reach across the country.

Recommendations

1. *The IMC should fully implement the provisions contained in the new IMC Act to ensure professional journalism and safeguard the reputation of people.*
2. *Journalists and media houses themselves should embrace self-regulation and become much more professional in carrying out their practice.*

2.1.5 Freedom of Assembly, Association and Movement

Freedom of Assembly, Association and Movement is provided for in Sections 18 and 26 of the Constitution of Sierra Leone 1991, Articles 10, 11 and 12 of the ACHPR, Articles 12 and 22 of the ICCPR and Articles 13 and 20 of the UDHR.

However, Sections 26 (2) and 18 (3a) of the Constitution of Sierra Leone 1991, Article 12 (2) of ACHPR, Article 12 (3) and 22 (3) of the ICCPR give exceptions under which the enjoyment of these rights can be restricted. This can be done in the interest of public safety, public defence, public health, public morality and public order. It can also be restricted under a State of Emergency declared under Section 29 of the Constitution of Sierra Leone 1991.

Generally, the enjoyment of these rights was affected due to the COVID -19 outbreak which also affected Sierra Leone.

On 11th March, the World Health Organization (WHO) declared that the Coronavirus (COVID-19) first identified in December 2019 in Wuhan, China had reached the level of a global pandemic. In an effort to prevent the outbreak of the virus from entering the country, GoSL instituted several measures, including restrictions on movement within and outside the country.

Prior to the index case which was recorded on 31st March, several proactive strategies were implemented: declaration of state of emergency, closure of international land borders for 30 days, except for the transportation of essential items; commercial flights to and from the Freetown International Airport were temporarily suspended.

Additionally, all schools, entertainment centres and places of worship were closed. Other public functions were limited to gatherings of not more than 100 people. Public markets in Freetown were allowed to open from 7:00 a.m. to 7:00 p.m. .

Following the outbreak, additional measures were instituted to curb the spread:

- A nationwide three days lockdown was declared by the President from 6th to 8th April.
- A partial lockdown restricting the movement of persons at inter-district levels with effect from midnight Saturday 11th April, for a period of fourteen (14) days,
- Night curfew was also imposed from 9:00 p.m. to 6:00 a.m.
- A readjustment of official working hours for all public and private sector workers from 9:00 a.m. to 4:00 p.m.

- A second three days nationwide lockdown that spanned from 3rd to 5th May.

HRCSL notes that although these measures were positive steps to ensure protection from the virus, they however affected economic and social livelihoods. These restrictions further prevented people from freely moving about or assembling, as the case may be, and in many cases resulted in many inconveniences.

Recommendations:

GoSL should always embark on robust public education when putting restrictive measures in place so that citizens are made to understand the importance of the measures.

2.1.6 Protection from Deprivation of Property

The freedom from deprivation of property is provided for in Section 21 of the Constitution of Sierra Leone 1991. Article 14 of the ACHPR and Article 17 of the UDHR. Further to the Constitution of Sierra Leone there are statutes and policies in place geared towards the protection from deprivation of property particularly for women. Amongst these are the Devolution of Estate Act (2007), the Registration of Customary Marriage & Divorce Act (2009) and the National Land Policy of Sierra Leone (2015).

HRCSL acknowledges GoSL's efforts to address the acquisition of land by "non-natives" in the provinces by the drafting of the Customary Land Rights Bill. The Bill is expected to be laid before Parliament in due course. When it becomes law it will then accord legal entitlement of non-natives (Creoles) to acquire property in the provinces like any other Sierra Leonean. In order to achieve and address many other land rights issues in the country, the Ministry of Lands Housing and Country Planning (MLHCP) embarked on a nationwide consultation where HRCSL was one of the key stakeholders. These consultations culminated in the drafting of the twin Bills entitled "*The National Land Commission*" and "*The Customary Land Rights Bill*".

Recommendations:

1. GoSL should expedite the process of reviewing existing land Laws, enact the Land Rights Act and establish the National Lands Commission.
2. MLHCP should identify and conduct a Global Positioning System (GPS) survey and to establish a database of all state lands in order to avoid unlawful dispossession and conflict within communities.

2.2 Economic, Social and Cultural Rights

These rights are related but not limited to the rights to education, right to health, just and favorable conditions of work, and right to access clean and safe drinking water.

2.2.1 Right to Education

Section 9 of the Constitution of Sierra Leone 1991, Article 12 of the MAPUTO Protocol, Article 17 of the ACHPR, Article 13 of the ICESCR, Articles 28 & 29 of the Convention on the Rights of the Child (CRC) Article 10 of the Convention on the Elimination of All forms of Discrimination against Women (CEDAW), Goal 4 of the Sustainable Development Goals (National Medium Term Development Plan) guarantee the rights of everyone to education.

Additionally, the 2004 Education Act also provides for the right to basic education defined as six years of free compulsory primary schooling and three years of junior secondary education.

HRCSL continues to acknowledge the effort and commitment of GoSL to human capital development. The government has maintained its 21% budgetary allocation to the education sector generally.

Basic Education

The ongoing implementation of the Free Quality School Education (FQSE) programme continues to increase access to the enjoyment of this right by pupils of government and government-assisted schools. The Ministry of Basic and Senior Secondary Education (MBSSE) reported that since 2018 over two million (2,000,000) children have enrolled into schools.

During its monitoring of 21 schools in 12 districts across the country in November, HRCSL noted progressive increase in the enrollment rate of pupils in government and government-assisted schools. For example, enrollment rate at the Kabala Senior Secondary School in Koinadugu District increased from 1500 in 2018/19 academic year to 1822 in the 2019/20 academic year while the Methodist Junior Secondary School in Kailahun District had 810 in 2018/19 and 916 in 2019/20 academic year. HRCSL noted that the increase in enrolment in the schools monitored caused additional strains on existing infrastructure and therefore overcrowding in some classes. The water and sanitation facilities were also over-burdened by the increase in enrolment.

GoSL and Mercury International (a private business entity) constructed and launched the first government owned secondary school for girls in the Port Loko district. The Dr. Kadi A. Sesay Junior Secondary School for Girls was commissioned on 20th October in Port Loko town and has a capacity to accommodate three hundred (300) pupils. The academic year commenced with fifty (50) pupils. HRCSL notes that this has created an opportunity to increase access for girls' enrollment in Port Loko, in line with its commitment to promoting girls education.

GoSL continued to provide teaching and learning materials to schools as part of the FQSE package. HRCSL was informed by the representatives in the twenty-one (21) randomly selected schools monitored in Kabala, Kenema, Kamakwei and in the Western Area that adequate teaching materials for the 2019/2020 academic year were supplied. These included lesson planning manuals, blackboard renovators, registers, chalk, bells, compasses, rulers, teaching manuals for JSS I, II and III as well as Teaching Guides for Mathematics and English. According to the FQSE package, each primary and junior secondary school pupil should be provided with four core textbooks per academic year. However, HRCSL noted that out of the five primary schools monitored in November, four schools were supplied only two sets of the core text books (English and Mathematics). Similarly, three out of the seven junior secondary schools monitored within the same period did not receive the full supply. (See Table 4 in Part 3 under Section 3.2).

HRCSL also noted that the continued availability of school buses in the district headquarter towns facilitated and increased attendance of pupils in schools, as noted by teachers interviewed. The one thousand Leones (Le 1,000.00) bus fare per pupil, irrespective of the distance, encouraged regular attendance in schools particularly in the regions. In contrast, there were few schools especially in rural communities where buses were not provided, which led pupils to walk long distances away from their villages or towns to access the few schools available in order to benefit from the FQSE.

On 30th March, the MBSSE lifted the ban imposed by the GoSL in 2010 that deprived pregnant girls from attending school and taking public examinations. The ban was replaced with two policies focused on the 'Radical Inclusion' and 'Comprehensive Safety' of all school children. HRCSL welcomes the lifting of the ban which affected the enjoyment of the right to education of young girls who were prevented from schooling due to pregnancy. The lifting of the ban has given an opportunity to pregnant girls to continue their education thereby limiting the possibility of them dropping out of school. In light of this, HRCSL noted that pregnant girls sat to the West Africa Senior Secondary Certificate Examination (WASSCE) in May unhindered.

HRCSL also noted the launching of the US\$66 million Education Multi-Donor Trust Fund by His Excellency President Dr. Julius Maada Bio through the MBSSE on 5th October. The project is intended to last for five years, catering for primary and secondary schools nationwide thereby improving the FQSE programme. The broad aim of the project is to improve the management of the education system, teaching and learning conditions.

HRCSL noted the recruitment of 160 school inspectors by the MBSSE, as required by the education Act, in November to monitor the services of schools nationwide. The recruitment of these inspectors is expected to help in the effective monitoring of schools which will enhance quality education for pupils.

HRCSL further noted that the declaration of the State of Emergency by the President and the subsequent closure of all learning institutions on 31st March up till the 1st July due to the outbreak of the COVID-19 pandemic affected the smooth running of the academic calendar. Some schools and university structures were used as treatment/holding/quarantine centres. The three months break disrupted the academic calendar leaving thousands of pupils and students at home. However, MBSSE re-introduced the Radio Teaching Programme to enable pupils continue their studies while at home. To ensure that rural communities benefited from the radio-teaching programme, MBSSE distributed transistor radios to pupils in some of these communities. However, accessibility to the frequency channel and the unavailability of transistor radios to pupils in other communities were challenges for pupils in remote areas.

HRCSL noted in its macro monitoring of schools in November 2020 that despite GoSL's effort, there were challenges in the implementation of the FQSE programme. Inadequate supply of learning materials, inadequate number of teachers, non-reassessment of teachers for over ten (10) years, late disbursement of subsidy and poor hygiene conditions in some schools were observed as key factors limiting the smooth implementation of the programme.

The moratorium on the recruitment of teachers over the years had had its impact on the number of teachers in schools. HRCSL noted that GoSL recruited five thousand teachers in 2020. However this number is still inadequate to offset the existing gaps. In addition some staff were not on government payroll because they either had not received a government pin-code or lacked the requisite professional qualification. Others had received pin codes but were not receiving salaries. HRCSL considers the non-payment of salaries to pin-coded teachers as a contravention of Article 23 (2) of the UDHR which states that "Everyone without any discrimination, has the right to equal pay for equal work."

In all the schools monitored, particularly at the secondary school level, HRCSL observed that there was a shortage of trained and qualified teachers in specialized subjects such as Mathematics, Integrated Science, Physics, Chemistry and French. In addition, HRCSL was also informed that there was a shortage of Laboratory Technicians. Some heads of schools and pupils informed HRCSL that this was a concern to them and it is likely to affect the quality of results and the implementation of the FQSE programme.

Adult Literacy

HRCSL acknowledges the effort of the MBSSE and the National Commission for UNESCO, in launching two hundred and two (202) adult education centres in chiefdom headquarter towns on International Literacy Day, 8th September. These centres would help promote adult literacy in those towns where they are located.

Tertiary Education

HRCSL is concerned about circumstances and situations that continue to hinder or limit the enjoyment of the right to education.

The persistent strike actions especially in the two largest universities – University of Sierra Leone (USL) and Njala University (NU) – continued to pose a challenge in the smooth operations of the university system. On 29th January, HRCSL noted the strike action of students at FBC (USL) over the reopening of the hostels and for the reduction in tuition fees amongst others. The road leading to Leicester and Gloucester was barricaded thereby undermining the rights to movement of other citizens. The strike which lasted for a day was resolved by a negotiation between the college administration and the student government in which 10% reduction was made on fees. The administration further promised the reopening of the hostels.

On 30th January, the Academic Staff Association (ASA) of NU went on strike regarding the appointments of the Deputy Vice Chancellors of their two campuses i.e. Bo and Mokonde, which they felt were unprocedural. This action interrupted lectures and on the 4th February, students called on the government to intervene. This issue was resolved on the 10th February after government agreed to the terms of ASA by advertising the positions.

These frequent strike actions/protests have the tendency of not only obstructing the academic calendar, but also undermining the quality of education considering the limited time to cover the course structure.

On 5th March, students of a private university, Limkokwing College of Technology, protested over the refusal of the Ministry of Finance to continue paying the Sierra Leone Government Grant-in-Aid (SLG) for government sponsored students; this scholarship scheme had been in existence since 2018. Forty-two (42) students were arrested and detained at the CID for unlawful procession and riotous conduct but released in the evening of the same day. HRCSL noted that the delay by the GoSL to timely intervene and address the plight of the students of the said university ignited the tension. HRCSL is concerned that if nothing is done to address the plight of the students, they will be greatly disadvantaged.

Recommendations:

Basic Education

1. MBSSE should increase the supply of core textbooks (at all levels) and other teaching and learning materials especially in remote areas.
2. Government through the MBSSE should increase the recruitment of more teachers to match up the increasing number of pupils.
3. GoSL should construct or rehabilitate more schools to match the growing enrollment rate because of the Free Quality Education.
4. Government through the MBSSE should increase the recruitment of more teachers and ensure that pin-coded teachers receive their salaries to address the issue of inadequate teachers
5. MBSSE should endeavor to disburse subsidies on time which will facilitate effective management of schools.
6. The MBSSE should ensure that the Adult Literacy Centres established are sustained and functional.
7. GoSL and law enforcement agencies should develop and publish clear guidelines on protests and demonstrations so that these rights can be enjoyed by all.
8. Citizens should at all times observe police procedures and modus operandi when staging a public protest.
9. GoSL should put a policy in place that would attract the training and retention of specialized teachers for specialized subjects.

Tertiary Education

1. GoSL should review the relationship with the Limkokwing authorities with a view to addressing the plight of students whose fees have not been paid.
2. The Ministry of Tertiary and Higher Education should be prompt in handling issues of concern from the universities thereby limiting the frequency of strike actions.

2.2.2 Right to Health

The right to health is provided for in Chapter II Section 8 (3) (d) of the Constitution of Sierra Leone, 1991, Sections 17 and 18 of the Persons with Disability Act 2011, Article 16 of the ACHPR, Article 25 of the UDHR, Article 12 of the ICESCR, Articles 12 and 14 of CEDAW. Article 25 of CRPD calls on state parties to ensure the enjoyment of the highest and best attainable standards of physical and mental health. Goal 3 of the SDGs encourages states to ensure healthy lives and promote well-being for all at all ages.

Government allocation to the health sector remained at 11% since the increase was made in 2019. GoSL is yet to accomplish the Abuja Declaration of 2001 which calls for at least 15 % allocation of the GDP of every state into the health sector.

However, the outbreak of the COVID-19 brought challenges to the enjoyment of the right to health and other related rights. HRCSL commends government for steps taken to prevent the spread of the virus and protect its citizens. These steps helped to reduce infection and death rates to a minimum.

As a first step towards preventing the outbreak in the country GoSL re-activated the Emergency Operation Centre (EOC). Measures put in place included declaration of a State of Emergency on 24th March, closure of places of worship, mandatory washing of hands at the entrance of public places, social distancing, closure of entertainment spot and of learning institutions before the expiration of the school term. Air, land and sea borders were closed except for transporting food and essential items. For patients with underlying health conditions, closure of borders and inter-district lockdowns undermined their health and wellbeing as they could not travel to continue their treatment overseas and within the country.

Despite these measures the first case was registered on 31st March and the second case on 1st April. This prompted a change of strategy from prevention to response. EOC was then transformed into National COVID-19 Emergency Response Centre (NaCOVERC) in order to effectively respond to the changing levels of COVID-19 infections in the country.

Over one thousand beds were distributed to the twenty-three treatment centers operated by NaCOVERC nationwide. Sixteen (16) of these were to treat severe cases and the remaining seven (7) for asymptomatic cases.

NaCOVERC also established a treatment Centre for the Correctional Service at the Special Court premise to help inmates to be speedily tested and treated for the COVID-19 symptoms. Furthermore, HRCSL also commends government's collaboration with the Chinese, Lebanese and Cuban governments for sending some doctors and other medical personnel to Sierra Leone to address the outbreak.

As of 31st December, records from NaCOVERC indicated that there were 2,611 COVID-19 confirmed cases nationwide of which 2,534 patients recovered and 77 died.

NaCOVERC set up District COVID-19 Emergency Response Centres (DiCOVERC) in fourteen districts, recruited Contact Tracers and Surveillance Officers. Schools, Colleges and hotels were utilized as treatment or holding centres in the fourteen districts to isolate and treat persons who tested positive for the virus.

COVID-19

Quarantine Homes

HRCSL noted that while the GoSL made tremendous efforts to prevent and later curtail the spread, numerous challenges were encountered by NaCOVERC, some quarantined persons and those managing quarantine facilities.

In its monitoring exercises, HRCSL noted the following:

- Timely provision of safe drinking water, adequate and quality food particularly for children, toiletries were challenges at some quarantine places visited.
- Delays in releasing results of persons tested for alleged Coronavirus by the NaCOVERC
- Neglect and abandonment of patients/victims was noted at some quarantine facilities
- Social distancing and wearing of face masks were poorly respected by the patients/victims as observed at the FBC Asymptomatic Centre.
- Staff at most of the quarantine homes complained of poor conditions of service and non-payment of allowances.

Lockdowns

HRCSL also observed that while implementing measures to contain the spread of the virus, right to health was threatened as pharmacies were closed in most places during the two phase three days lock down from 6th to 8th April 2020 and 3rd to 5th May 2020. Even when in the second lockdown pharmacies were opened, the lack of transportation facilities impeded accessibility.

Other Right to Health Matters

HRCSL also noted that government and the Ministry of Health and Sanitation (MoHS) on 27th August declared Sierra Leone Polio free after the World Health Organization declared Africa free from polio at the 70th Regional Committee for Africa. This was as a result of the MoHS' committed efforts in fighting the polio disease. The country reported its last confirmed wild polio case in 2010 and has since built improved national structures, tools and capacity to strengthen surveillance of the disease including at community levels.

HRCSL acknowledges that the African Development Bank (ADB) has provided assistance to the GoSL and the Government of the Republic of Guinea to the tune of US \$12.4million for Post Ebola Recovery Social Investment Fund (PERSIF) with a view to support the socio-economic recovery of the Ebola affected communities

The Directorate of Laboratory Diagnostic and Blood Service with support from the World Health Organization in conjunction with the MoHS on 27th August, trained and certificated thirty (30) Laboratory Molecular Scientists to improve on the Turn Around Time (TAT) by increasing testing capacity. Prior to the Ebola outbreak in 2014, there were only four laboratories nationwide which were Lakka, Kenema, P3 Jui and Connaught, with less than ten (10) Laboratory Molecular Scientists to do almost all of the tests in the country. Before this training, only a maximum of 400 tests were done per day but the additional number of Laboratory Technicians increased the number of tests per day to 1000.

On 17th September, MoHS continued its rehabilitation of Peripheral Health Units as a strategy to reduce maternal and child mortality. Five PHUs were rehabilitated in Bonthe District (Mattru, Tihun, Mogbwemo, Moriba Town and Gbangbama in Jong, Imperi and Sogboni chiefdoms). This will help to mitigate the high rate of maternal and child mortality in these communities.

Other efforts aimed at improving maternal and child health included the opening of a new Special Care Baby Unit (SCBU) in April in the Kailahun District Hospital with funding from the government of China and UNICEF. It is designed to provide expert care for sick new-borns (from birth up to 28 days old babies), who require specialized equipment to save their lives. The facility is equipped with lifesaving medical items such as incubators, oxygen concentrators, radiant warmers, phototherapy machines, monitors, pulse, oximeters, bilirubin meter, infusion and syringe pumps, and hemoglobin meter and glucometers.

Recommendations

1. *The National Disaster Management Agency should take the lead to promptly respond to future outbreaks.*
2. *GoSL should train additional molecular scientists in order to speed up testing and issuance of test results.*
3. *GoSL should increase the number of SCBU to cover all districts which will help reduce infant mortality rates.*
4. *NaCOVERC should provide timely and sufficient supplies for quarantine homes in order to avoid the challenges quarantine homes faced during the course of the outbreak.*

2.2.3 Right to Just and Favourable Conditions of Work

Sierra Leone continued to progressively adhere to its international and regional human rights obligations relating to the enjoyment of the right to just and favourable conditions of work. These rights resonate with the provisions of Articles 23 of the UDHR, 6 & 7 of the ESCR and 15 of the ACHPR as well as the eight (8) core ILO Conventions ratified by the GoSL. At the domestic level, Section 8 (3) of the Constitution of Sierra Leone 1991 specifically places government policy directives to address employment rights issues, as well as the protection provided by the numerous labour laws enacted by the Sierra Leone Parliament.

During the year under review, HRCSL observed some progress in the enjoyment of labour rights. The NASSIT division of the High Court of Sierra Leone which was established in December 2019 commenced sittings in January in Freetown to adjudicate on matters related to pensioners/NASSIT beneficiaries. The 2020 Annual Budget approved by Parliament in November 2019, increased the Minimum Wage from Le 500,000 to Le 600,000 monthly; teachers' salaries were increased by 30% effective April 2020. In spite of the increase in the minimum wage across all sectors, HRCSL is concerned that it is inadequate to meet present day living standards.

The 2020 budget made provision for recruitment of five thousand (5,000) teachers, three thousand (3,000) health sector workers and one thousand (1,000) police personnel. However, information from the Teaching Service Commission (TSC) and the Sierra Leone Police (SLP) indicate that no additional recruitment of teachers and police personnel took place in 2020 as a result of the COVID-19 outbreak in the country.

With the enactment of the new IMC Act, media owners/employers are now required to pay staff salaries in line with the minimum wage, payment of NASSIT contributions and other Statutory obligations.

In September, the MLSS issued Government Notice No. 161 which provides for the revised terms and conditions of service agreed between employers in the Service Trade Group Negotiating Council in the Republic of Sierra Leone and trade unions representing workers.

Employees in the private sector were affected by COVID-19 restrictions as there were instances of mass redundancies and terminations of contracts. At Kings Production in Kissy, Freetown, over 100 workers lost their jobs, compelling the company to pay over Le1,000,000,000.00 (One Billion Leones) as end-of-service benefit to the affected workers. A similar situation also occurred at the Sunbird Bioenergy Company, where the contracts of 454 workers were terminated and benefits paid. 102 of these workers continued to express dissatisfaction over the action of the company for placing them on 'termination' other than 'redundancy', which they preferred. In some other work places, employees were placed on 'Garden Leave' and paid half salary.

HRCSL observed during its monitoring of the Sunbird Bioenergy Company in August that the Company is progressively adhering to HRCSL's recommendations proffered in 2019 for compliance with labor/human rights standards in their operations. For instance, the company together with workers above supervisory level (who were hitherto not entitled to end of service benefit) developed a service level agreement titled, "Terms and Conditions of Service for Employees in Grade C1 and Above", which addresses discrimination in the enjoyment of end-of-service benefits for all employees. This action will eventually put an end to the discriminatory practice and provide equal opportunities for all employees. As a result of HRCSL's engagement, the company began supplying farm workers with Personal Protective Equipment (PPEs) to address the lack of safety gears for workers.

During its monitoring of the Sunbird Bioenergy Company, HRCSL observed that in order to promote the right to freedom of choice of unions, the company created the space to accommodate other trade unions thereby giving opportunity to workers to have alternative choices. The Company also drafted its Human Resource Manual, which it promised to finalise and submit to the Ministry of Labor and Social Security (MLSS) for approval within three months of HRCSL's visit. However, this was not done. Another issue that remained unaddressed was provision of shelter to prevent farm workers from undue exposure to rain or sun heat by October 2020.

The COVID-19 outbreak also limited the enjoyment of other rights at work such as movements and association which was in compliance with the Public Health Emergency and other COVID-19 preventive measures imposed by GoSL through MoHS/HRCSL noted that despite steps taken in 2016 by the MLSS and partners to review all domestic labour laws which are at variance with the country's international human/labour rights commitments, the process is yet to be completed.

HRCSL noted that the withdrawal of operational license (No. 'ML 01/2017) from S.L. Mining Company by the Ministry of Mines and Mineral Resources in October 2019, led to loss of jobs for approximately 2000 workers (formal and non-formal) and thus undermining the enjoyment of their right to work and livelihood.

Recommendations:

1. *MLSS should fully implement the provisions of Government Notice No. 161 that relates to the terms and conditions of workers below supervisory level.*
2. *MLSS should ensure that employing authorities fully comply with new minimum wage approved in the 2020 budget.*
3. *MLSS should work expeditiously to complete the review of all outstanding domestic labour laws.*

4. *HRCSL calls on MLSS to increase its supervision and monitoring activities of companies to improve their compliance on Labor related rights in the country.*
5. *HRCSL calls on MLSS and the Sierra Leone Labor Congress (SLLC) to supervise and monitor the activities of trade unions in a bid to promote accountability and improve service delivery to their membership.*
6. *HRCSL calls on the MLSS and SLLC to closely monitor and ensure the implementation of the provisions of the Service Trade Group Negotiation Council Act 2020.*

2.2.4 Business and Human Rights

Within the year, HRCSL observed the business and human rights situation in the country and noted that the outbreak of COVID-19 slowed down operations of businesses generally and closure of others. Some companies were unable to have market/sales of their products, as in the case of Sunbird Bioenergy which had over eleven million litres of Extra Natural Alcohol (ENA) in stock as they could not export their product because there was no market for it. This situation forced them to terminate contracts of some of the employees while others were retrenched.

In late January and early February, MLCP organized series of stakeholder/regional consultations with a view to developing Customary Land Rights and Lands Commission Bills which intend to have a new law that harmonizes existing land laws and to establish an institution responsible for land governance in the country. HRCSL played an active role in these consultations as it is part of its mandate to address land right issues. The rationale for these consultations was meant to have broad stakeholder views as to what they want to see in the new law. Such new law would boost investment in the country thereby providing the platform for due diligence to be applied by companies in accessing lands in the provinces without much difficulties. It would also compel companies to fully make use of the principles of Free, Prior and Informed Consent (FPIC) and the Voluntary Guidelines for the Governance Land, Forests and Fisheries (VGGT) in the context of national food security. The new law would address discrimination in the acquisition of land by persons of Krio descent who are by law not entitled to acquire land in the Provinces.

HRCSL observed during its monitoring of the Sunbird Bioenergy Company in August that the Company is progressively adhering to HRCSL's recommendations proffered in 2019 for compliance with labor/human rights standards in their operations. For instance, the company together with workers above supervisory level (who were hitherto not entitled to end of service benefit) developed a service level agreement titled, "Terms and Conditions of Service for Employees in Grade C1 and Above", which addresses discrimination in the enjoyment of end-of-service benefits for all employees. This action will eventually put an end to the discriminatory practice and provide equal opportunities for all employees.

At the SOCFIN Agricultural Company HRCSL observed the following in November:

- 1) The nature of the work in the farm is labour intensive especially for women who were concerned about the extended working hours that prevents them from attending to their household services including timely preparation of family food and care for their kids;
- 2) Inadequate safety gears for workers at the plantation and oil mill;
- 3) In spite of MLSS' directive, only a single labour union (Union of Railway Plantation Minerals Industry and Construction Employees or URPICE) operated within the company and thereby preventing workers from having alternative choice of unions. Furthermore, HRCSL noted that a group of workers who were dissatisfied with the services were seeking to

withdraw their membership accusing members of URPMICE of fraudulent actions. If this move succeeds, it will lead to the dissolution of the only labour union that operates within the company, which might expose workers to abuse of their labour rights.

2.2.5 Access to Clean and Safe Water

The right to access clean and safe drinking water is provided for in Parts III and IV of the Sierra Leone Water Company Act (SALWACO) 2017, Parts III and IV of the Guma Valley Water Company (GVWC) Act 2017, Cluster 3 of Sierra Leone's Medium Term National Development Plan 2019-2023, ACHPR Resolution 300, and Goal 6 of the SDGs. The UN Resolution 64/292 and UN Resolution 18/1 adopted by the UN General Assembly in 2010 and 2011 respectively, recognize the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights.

In order to better regulate the provision of water services and to give effect to provisions contained in the Sierra Leone Electricity and Water Regulatory Commission Act of 2011, GoSL passed into law the Bottled and Sachet Water Production Regulation 2019 and the Water (Quality of supply) Regulation 2019 in order for consumers to have access to clean and safe drinking water.

HRCSL also notes efforts made by GVWC, SALWACO, MSW and non-state actors to supply water to strategic areas during the second day of the three days lock down in April that was instituted to prevent the spread of the Corona Virus. The move by these institutions was precipitated by the serious water challenge encountered by people especially vulnerable groups during the first day of the lock down. As a result of their intervention, people (especially vulnerable groups) were able to access clean and safe water during this period.

Frequent and proper hand washing was one of the preventive measures put in place by medical personnel in order to reduce the spread of COVID-19. With the lack of water in most communities, a lot of institutions were without water for the hand washing facilities thereby risking the spread of COVID-19 and also derailing the aspiration of the SDGs

With increased deforestation especially around the water catchment areas, HRCSL noted government's strides in addressing the situation by establishing an Inter-Ministerial Inter-Agency Committee that looks into catchment protection and management. This Committee comprises representatives from:

- Ministry of Lands and Country Planning
- Ministry of Planning and Economic Development
- Ministry of Agriculture and Food security;
- Ministry of Internal Affairs,
- Ministry of Defense
- Ministry of Tourism and Cultural Affairs
- Guma Valley Water Company,
- National Water Resources Management Agency,
- Environmental Protection Agency
- National Protected Property Agency

HRCSL noted the repair of 84 damaged water tanks by the GVWC in the Western Rural and Urban Districts. Forty (40) of the eighty-four (84) tanks were rehabilitated and connected directly to the GVWC network in Freetown, while the remaining forty-four (44) were being filled by GVWC bowsers. This has greatly increased access to water for people in those locations where these tanks were installed. The GVWC and SALWACO, responsible for providing water throughout the country have devised means of addressing the problem by rationing the supply of water to communities to ensure

that people get access to water (however small) at specific times and also cut on wastage.

In July, SALWACO signed contracts with various contractors to rehabilitate the existing Bonthe Municipality water supply, construct a perimeter fence around the water works, design and build a desalination plant for Bonthe Island. This would provide access to clean and safe pipe-borne water for people living in the Bonthe municipality which had gone without pipe borne water for over 40 years. The project is expected to be completed in 2021.

GoSL also completed the three towns water project in the district headquarter towns of Bo, Kenema and Makeni, providing greater access to water to residents in those headquarter towns.

In spite of efforts made by GoSL to ensure access to clean and safe drinking water, the provision of clean and safe drinking water has always been a challenge as highlighted in HRCSL's successive SOHR reports. Communities such as Kaningo, Sumaila Town, Rokel, Jui and Allen Town among others in the Western Area continue to lack access to pipe borne water; this is due to the fact that the size of the Guma Valley Dam remains the same in spite of the growing population and expansion of settlements in the Western Area. For communities with stand pipes, the taps were almost always without water. Furthermore, the community water tanks installed by GoSL to mitigate the problem of access were not regularly refilled by GVWC even when the custodians of those tanks pay for the service. Most of the solar bore-holes installed in the Wilberforce community in 2019 were not operational because of lack of maintenance. In addition, the problem of wastage was caused by damage to the GVWC pipes by people scouting for water. On a daily basis, children and women with jerry cans and buckets can be seen scouting for water in Freetown. This has a corresponding impact on rest and leisure as well as on children's education as study time is used to scout for water.

Rural communities dependent on streams and rivers as their sources of water face serious challenges as these sources are being polluted by activities of mining companies. For example, inhabitants along the Taia, Pampana and Sewafe rivers reported that their rivers were being polluted by wastes from the mining activities deposited into the rivers and streams making them not only unsafe for domestic use but posing a threat to the enjoyments of other rights such as the rights to health and life.

Recommendations:

1. *The GoSL should find ways for people to access water easily in times of emergencies such as lockdowns especially noting that access to clean and safe drinking water is a fundamental human rights that should be enjoyed by all.*
2. *The MWR should try as best as possible to install at least one stand pipe or hand pump in every community for people to access clean and safe drinking water.*
3. *GoSL and the MWR should endeavor to construct more dams and reservoirs to reduce the water crisis in the country.*
4. *GoSL, MWR in collaboration with the Ministry of Finance (MoF) should work together to plant fast growing trees around the water catchment areas.*
5. *SALWACO should expedite the completion of the Bonthe municipality water project.*
6. *MMMR & EPA should regulate the activities of artisanal miners in order to avoid the pollution of streams and rivers used for domestic purposes.*

2.3 Human Rights in the Administration of Justice

2.3.1 The Sierra Leone Police

The Sierra Leone Police (SLP) is the legal entity created by Section 155 of the Constitution of Sierra Leone 1991 with the primary duty to protect lives and property. Section 5 (2) (b) places the security of the state and of the people on the shoulders of the police, the army and public officers.

HRCSL acknowledges the critical role played by the Sierra Leone Police in the maintenance of law and order and the protection of lives and property across the country. The SLP continues to contribute significantly in international peace and security with a presence in Somalia, Darfur and South Sudan. Nevertheless, administrative, financial, logistical and human resource constraints continue to serve as serious challenges to the police force in the execution of their duties.

HRCSL noted that the SLP was the major force in implementing the State of Emergency that was pronounced to curb the spread of COVID-19. Suspects who flouted curfew orders were arrested and taken to the nearest Police Station. Sometimes people who flouted curfews were cautioned and immediately released while vehicles, tricycles and bikes were detained until the following morning and released. No charges were proffered as court sittings had been suspended by the Chief Justice due to the threat of COVID-19.

HRCSL is still concerned about the highhandedness of the police in handling protests. Students of Limkokwing University were manhandled by the police while trying to quell the demonstration against the non-payment of their fees.

Lives were lost when police and the military intervened to quell the unrests at the Freetown Male Correctional Centre, and Makeni. In Tombo and Lunsar lives were also lost when the SLP intervened. During the year under review HRCSL observed that Police Stations in the Moyamba Division and Bo West Police Division did not have enough logistics to provide services to the districts they cover. Most of the time, the Divisions had to rely on the goodwill of the complainants or the relatives of victims to hire vehicles or motorbikes to apprehend suspects. This has security implications for the police and the likelihood of alleged perpetrators to escape justice. In other stations such as Eastern Police station the limited space was not conducive for work. Investigators of both the CID and the FSU clustered together making use of worn-out furniture and outdated office appliances. The interior walls and pillars were cracked, roof was leaky with damaged electrical cables. It had only one operational vehicle. In the Western Area Urban the Ross Road Police station and the Kissy Police Division were noted to be the most ideal in terms of building space with ongoing construction works in progress. HRCSL observed that all the police stations had challenges of inadequate number of personnel, inadequate resources and logistical support to perform their constitutional functions.

According to the Complaints Discipline and Internal Investigation Department (CDIID) statistics, there were 464 incidences of police misconduct for the six regions:

- SLP headquarters (Police Headquarters 121
- Freetown West 51:
- Freetown East 46
- North-East 34
- North-West 130;
- East 28
- South 54

The Independent Police Complaints Board (IPCB) received 58 complaints from members of the public. The highest number of complaints documented was unfair treatment and unfair handling of complaints. This is followed by shooting incidences; misconduct by senior police officers; physical assaults; trespasses on land; arbitrary arrests and detentions; and intimidation and harassment by police personnel. The IPCB also noted that they are not aware of any death in custody or fatal road accidents caused by the action or inactions of police officers.

POLICE DETENTION FACILITIES

In the exercise of its function contained in Section 7(2)(g) of HRCSL Act (No. 9) 2004, seventeen (17) police detention facilities were monitored during the year under review. The objectives of was to assess compliance with relevant national and international laws which prohibit cruel, inhuman and degrading treatment of suspects. HRCSL observed that the problem of over-detention of suspects, overcrowding and poor hygiene and sanitation increased as a result of the COVID-19 measures put in place at police stations monitored.

Prolonged or Over-detention

Out of 17 police detention facilities monitored, 5 facilities had over detained suspects contravening Section 17(3) of the Constitution of Sierra Leone 1991. On 19th May HRCSL observed that 31 out of the 39 suspects at the Bo West Police Division were over detained. On 2nd June, HRCSL found 11 suspects who had been in detention since 8th May at the Sierra Rutile Police Division for misdemeanors. On 10th November, HRCSL noted that all 19 suspects held for misdemeanors and felonious offences at the Regional Police Division in Kenema had been in detention beyond the constitutional time limit of three and ten days. On 11th November, HRCSL noted that 31 suspects at the Bo West Police station were over detained. On 12th November, HRCSL observed that there were 15 suspects at the Moyamba Police station and eleven (11) of them had been held beyond the constitutional time limit.

HRCSL is still concerned about delays in submission of files for advice and return of files between the Office of the DPP and the SLP which continue to negatively affect the right to speedy trial of suspects.

Overcrowding

HRCSL noted that 7 out of the 17 police stations monitored were overcrowded as follows: Bo West Police station, Eastern Police station, Ross Road Police station, Kissy Police Division, Mena Police station, Kabala Police station and the Moyamba Police station. On 19th May, at the Bo West Police Station, HRCSL noted that there were 37 male suspects in two cells meant for between 5 and 6 suspects each and similarly on 11th November, there were 15 and 16 suspects in the two cells respectively at the same police station. On 28th July, at the Eastern Police Station, 12 male suspects were detained in a cell with the holding capacity of not more than 6. On 28th July, the HRCSL found 15 male suspects in one cell at the Ross Road Police Division. On the same day, HRCSL observed that there were 28 suspects in detention at the Kissy Police Division: 6 detained for either sexual penetration or rape and 22 on allegations of larceny, assault, wounding and fraudulent conversion amongst others.

On 4th November, HRCSL also noted that there were 24 male suspects in detention, including a 13 year old juvenile offender in two cells at the Kabala Police station. On 12th November, HRCSL monitored the Moyamba Police Division and noted that there were 14 males placed in the same cell meant for 8 people.

HRCSL continues to note that delays in investigation processes: The criminalization of petty (minor) offences, the refusal to grant bail and lack of sureties to fulfill police bail conditions when bail is granted, were some of the contributing factors for overcrowding and prolonged/over detentions. Additionally, in the period under review, the problem worsened following the suspension of all court sittings by the Chief Justice from 28th April to 10th June because of the COVID-19 regulations. Section 25(a) of the

Luanda Guidelines encourages states to take measures to reduce overcrowding in police custody and pre-trial detention, through the use of alternatives to detention ***“including the use of measures that do not require resort to judicial proceedings, providing that these measures are consistent with international law and standards”***.

Feeding

HRCSL remains concerned about the recurring challenges of feeding suspects in police custody in spite of its several recommendations to address the problem. In the regional headquarter towns, inmates complained to HRCSL about the inadequacy of food provided, whilst in the Western Area, transportation of the food from FMCC to police stations in the Western Area does not take place. As a result, suspects were provided food either through the humanitarian gestures of police officers or families, friends and complainants. Article 4(e) of the Luanda Guidelines provides for suspects’ “rights to humane and hygienic conditions during the arrest period, including adequate water, food... as appropriate considering the time spent in police custody”.

Hygiene and Sanitation

Majority of the police cells monitored were noted to be in unhygienic conditions, releasing overpowering smell of faeces, urine and sweat. On 3rd June, the two male cells as well as the corridors leading to the cells at the Kenema Police Division were drenched in pools of urine and the squat holes to deposit excreta blocked with paper. A follow up visit conducted on 18th July, revealed that there was no improvement in the sanitary conditions in spite of assurances given to HRCSL during the previous visit. In November, at the Bo West Police Station, HRCSL observed that a plastic bucket containing human excrement that should have been emptied the previous night was not done because suspects were not permitted to do so.

Availability of water pose serious challenges at the Port Loko, Kabala, Bo West, Kenema, Kailahun, Pendembu, Daru and Moyamba Police Stations. Suspects at the Bo West Police Station informed HRCSL that the water supplied to them daily was unsafe. On 19th May, at the Bo West Police station 24 suspects complained to HRCSL that they had spent over 20 days in custody and not provided with water for taking bath. Suspects at the Port Loko, Kailahun, Pendembu and Daru Police Stations, could only bathe upon request outside the cells. Also, in Kenema, only suspects for minor crimes were permitted to bathe. There are no bathing facilities for suspects at the Moyamba and Kamakwie Police Stations.

HRCSL observed that the Daru Police Station did not have a functional toilet facility. Suspects used pit latrines in the neighborhood under police escort. On 12th November, HRCSL observed that the toilet used by suspects at the Moyamba Police station was located outside the station and poorly ventilated. Toilet facilities at the Eastern Police and the Kissy Divisional Headquarters were filthy. However, at the Kamakwie Police Station, HRCSL noted that the toilets were in good condition but there was no bathing facility for suspects.

The cells at the Port Loko and Kailahun police stations were also noted to be clean but poorly ventilated, while those in the Kenema Police Station were noted to be poorly ventilated. The Bo West and Moyamba Police cells were found to be dirty and poorly ventilated and reeking of a combination of sweat, urine and faeces.

HRCSL is concerned that placing suspects in unhygienic conditions and not according them access to bathe amounts to cruel, inhuman and degrading treatment, and it is contrary to provisions contained in Article 7 of the ICCPR, Article 5 of the UDHR and Article 5 of the ACHPR.

Sleeping Facilities

With the exception of the female cell at the Bo West Police Station that had a mattress supplied by

AdvocAid, suspects at all the police stations monitored during the period under review, slept on worn-out cloths and cardboards on the bare floor. HRCSL is concerned that sleeping on the bare floor could affect the health and wellbeing of the suspects.

Recommendations:

1. *GoSL should construct separate detention facilities in the regions to accommodate juvenile offenders.*
2. *GoSL should consider expanding the cells in police stations and where necessary build more police detention facilities and equip them appropriately.*
3. *GoSL should allocate funds to the SLP so that they can cater and provide adequate food for suspects under police detention.*
4. *The SLP should provide the requisite logistical and administrative support to the police to enable them carry out their duties effectively and efficiently.*
5. *The SLP should recruit more police personnel and improve on the conditions of service of all police personnel.*
6. *HRCSL calls on the Office of the DPP and the SLP to collaborate in the review of case files and speedily charge cases to court with a view to addressing overcrowding and over detention and enhance suspects' rights to speedy trial.*

2.3.2 The Judiciary/Court System

Section 120 (1) of the Constitution of Sierra Leone 1991 vests judicial powers in the Judiciary. The right to secure protection before the law is guaranteed in Section 23 of the said Constitution. This right is also enshrined in Article 7 of the ACHPR, Article 7 of the UDHR and Article 14 of the ICCPR.

HRCSL notes that by a memorandum dated 6th January 2020, a Sexual Offences (Amendment) Act No 8, 2019 Compulsory Sentencing Guidelines was issued by the Honourable Chief Justice. These guidelines shall govern the practice and are to be applied by the High Court in all cases where an offender is being sentenced for a sexual offence. This was followed by the launch of the country's first-ever Sexual Offences Model Court in Sierra Leone by His Excellency President Dr. Julius Maada Bio on July 24. According to the Judiciary, this specialized court is aimed at preventing and eliminating the menace of gender-based violence.

HRCSL commends the Judiciary for re-opening the Magistrate's Court in York village in the Waterloo Judicial District in April. The court is empowered to hear cases coming from the Western Area Rural District thereby increasing access to justice in the Community. HRCSL further noted that the Judiciary of Sierra Leone on 9th December 2019 established the Anti-Corruption Special Division in the High Court to deal with corruption cases exclusively and expeditiously.

In April, an inmate at the Pademba Road Correctional Centre tested positive for COVID-19 and in lieu of that, the Chief Justice in consultation with the Inspector-General of Police and the Director-General of the Sierra Leone Correctional Service took measures to curb the spread of the virus. Amongst the measures taken were the cessation of all Magistrates courts activities nationwide for a period of one month and the postponement of the civil division in the High Court also for a period of one month. In March, the Commissions of Inquiry (COI) concluded its investigations into allegations of widespread corruption, abuse of office, stolen public funds and State assets of former government officials. The reports of the three COI Judges were presented to H.E. President Dr. Julius Maada Bio for his government's attention and action in accordance with Section 149 (2). Amongst the 127 former

government officials that were investigated, adverse findings were made against 84 of them leaving the 26 with no case against them.

Delays in Processing Indictments

HRCSL observed that despite efforts by the Judiciary in 2019 to decongest the correctional centres and address the problem of detaining inmates for long periods without indictment via its mobile court sittings, challenges remain in addressing the profferment of indictment. For instance, HRCSL observed that 250 inmates had been in detention in various correctional centres across the country for between one and three years without receiving indictment. This delay in processing indictments between the Judiciary and Law Officers Department, results in over-detention and a contributing factor to the overcrowding in correctional centres across the country.

HRCSL reminds the Judiciary and the Law Officers Department of the right of persons arrested on criminal charges, to a fair and expeditious trial as provided for in Section 23 (1) of the Constitution of Sierra Leone, 1991, which states that, ***“Whenever any person is charged with a criminal offence he shall unless the charge is withdrawn be afforded a fair hearing within a reasonable time by an independent and impartial court established by law.”*** Similarly, Article 13 (a) of the Luanda Guidelines also states that ***“Anyone arrested or detained on a criminal charge shall be entitled to trial within a reasonable time”***.

HRCSL notes the election of Justice Miatta Samba JA. as a judge of the International Criminal Court (ICC) in December 2020. This election was done during the 19th Session of the Assembly of States Parties to the Rome Statute of the ICC for a tenure of ten years effective March 2021 to 2030. Justice Miatta Samba, the first Sierra Leonean ever to be elected as an ICC Judge, was nominated by H.E. President Dr. Julius Maada Bio on the recommendation of the Judicial and Legal Service Commission. Justices Komba Kamanda and Alhaji Momjah Stevens were also appointed to the Court of Appeal of Sierra Leone in June.

HRCSL applauds the Office of the Attorney General and Minister of Justice for recruiting 31 State Counsel in November. These State Counsel will be deployed across the country to assist the Courts in the swift and timely dispensation of justice.

Recommendations:

1. *The Judiciary should open additional High Courts in the remaining districts to enhance speedy trial*
2. *The Judiciary and Law Officers Department should collaborate to expedite the issuance of indictments to ensure speedy trial.*
3. *The Ministry of Justice should appoint more State Counsel to expedite trials in the districts.*

2.3.3 Juvenile Justice

The rights of juveniles in conflict with the law are provided for in the Children and Young Persons Act (Chapter 44 of the Laws of Sierra Leone 1960), the Child Justice Strategy 2014-2018 and the UN Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules).

The Child Justice Working Group (CJWG) and partners discussed the challenges faced by various institutions working on child justice as a result of the inadequacies in the Child Rights Act (CRA), 2007 and called for a review of the Act. MGCA accordingly hired a consultant to review the Act.

HRCSL during its monitoring exercise observed and noted the following:

1. Cap 44 of the laws of Sierra Leone 1960 requires juvenile courts constituted by a Magistrate and 2 Justices of the Peace (JPs). In most juvenile courts across the country, there are no JPs to preside over juvenile matters. Furthermore, there are insufficient defence lawyers to represent juvenile offenders appearing in magistrates courts or high courts.
2. Prolonged trial in juvenile proceedings because prosecution witnesses do not show up in court when matters are mentioned.
3. For juveniles on remand, the remand homes lack assigned vehicles or fuel to carry offenders to court.
4. There is no forensic lab to determine the age of children in conflict/contact with the law, when there is doubt about their ages. The police medical doctor at Connaught hospital determines their ages.
5. As a result of the passage of the Sexual Offences (Amendment) Act 2019, all juveniles who are charged with sexual penetration or rape cases are now being tried in the new Model Sexual Offences Court, instead of the juvenile court.

Recommendation

1. *MSW should procure a forensic machine to assist the courts to verify the ages of juveniles in conflict with the law.*
2. *GoSL should provide vehicles for remand homes to ensure that juveniles in conflict with the law are conveyed to court.*

2.3.4 Juvenile Detention Facilities

Sierra Leone continues to have just 1 Approved School and 2 remand homes in the country. However, the FSU attached to the Central Police Station had designated a detention cell for the custody of children in conflict with the law. In police stations where there are no cells for juveniles they are placed in open detention while investigation into their offences are being carried out. In some cases, they are handed over to the probation officer for care and supervision.

The absence of juvenile detention facilities in the regions is a continuing concern for HRCSL. At the Kabala Police Station, during an inspection of the cells in November, the HRCSL found a juvenile (13 years old) in detention with adult suspects. HRCSL immediately engaged the Resident Magistrate on the matter and the juvenile was released on bail to the Ministry of Social Welfare's Social Worker in Kabala. The wrongful placement of these juveniles with adults is in contravention of Article 13 (4) of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules) which provides that ***"juveniles under detention shall be kept separate from adults and shall be detained in separate institutions"***.

Equally so, HRCSL is concerned that there continues to be only one Approved School in the country. The absence of Approved schools in other districts has often led to juveniles being incarcerated with adults in the regions or sometimes transferred to Freetown to serve their sentences. As a result, they are often deprived of family visits due to the distance from their homes as revealed by some inmates interviewed. This is a violation of Rules 26 (5) of the Beijing Rules and 58 (1) (b) of the United Nations Standard Minimum Rules for the Treatment of Prisoners (SMR)

HRCSL monitored the only Approved School in Sierra Leone and the Remand Home in Kingtom in January, April, June, and September while the Bo Remand Home was monitored in April, June and November. HRCSL made the following findings:

Health and Hygiene

The COVID-19 outbreak, preventive measures such as restriction on visitations, hand washing facilities

and isolation units were put in place in juvenile detention facilities. However, the centres lacked non-contact thermometers to check the temperatures of incoming inmates and workers.

HRCSL continues to note that juvenile detention centres lack medical facilities to treat inmates within the centres. Furthermore, there are no assigned medical personnel to work in the centres. Rule 24 (1) of the SMR states that ***“The provision of health care for prisoners is a State responsibility. Prisoners should enjoy the same standard of health care that are available in the community, and should have access to necessary health-care services free of charge without discrimination on the ground of their legal status”***.

Despite the absence of medical units and medical personnel within the centres, the Don Bosco and the Raviera Children’s Rehabilitation Centre (RCRC), both Non-Governmental Organizations, provided first-aid kits/treatment and drugs for treating inmates at the Kingtom Remand Home (KRH) and the Approved School. For Bo Remand Home (BRH), AdvocAid and the RCRC provided basic drugs for the facility. In June, through the help of AdvocAid, the BRH was able to control the outbreak of skin diseases such as scabies within the facility. The inability of government to have such facility has undermined the rights to health of inmates especially when they are prone to infectious diseases. Inmates were taken to government referral hospitals for serious ailments and this has the potential of exposing them to stigmatization and delay in accessing medical treatment.

Availability of clean and safe drinking water was a challenge at the BRH and the Approved School during the dry season. This perennial problem of water shortage that is yet to be addressed, poses a security risk to inmates and correctional officers who escort them to fetch water outside of the facilities. This contravenes Rule 21(2) of the SMR, which states, ***“Drinking water shall be available to every prisoner whenever he or she needs it”***.

Accommodation

Apart from the BRH which had between 31 and 32 inmates at various times throughout the year exceeding its holding capacity, the KRH and Approved School had no issue of overcrowding. In January, at the Approved School, there were 20 inmates (19 male and 1 Female) but following the Presidential pardon in January, this number dropped to 3 as 17 of the inmates benefited from the Presidential clemency. By the end of the year, the number of inmates in the centre was still small due to the corona outbreak as there were no court sittings for a good part of the year. HRCSL also observed that at the KRH, the number of inmates within the facility in the year under review did not exceed its holding capacity. In January there were 40 male and 1 female inmate, in June there were 34 inmates in the home and in September there were 31 males and 1 female.

HRCSL observed that no action had been taken to increase the supply of mattresses and mosquito nets at the KRH and the BRH centres. At the Approved School, the male dormitory has enough beddings, but a few of these mattresses were worn-out and needed to be replaced. This contravenes Rule 21 of the SMR, which states, ***“Every prisoner shall, in accordance with local or national standards, be provided with a separate bed and with separate and sufficient bedding which shall be clean when issued, kept in good order and changed enough to ensure its cleanliness.”***

Feeding

HRCSL observed that food and non-food items were now available and in sufficient supply in the Approved School and Remand Homes throughout the year. This was after several engagements made by HRCSL with the relevant authorities.

Education and Recreation

At the BRH, HRCSL observed that formal education is a serious challenge.

There is an educational centre at the Approved School, which caters for Secondary school inmates. Four (4) male inmates at the Approved School sat to the National Primary School Examination (NPSE) and five (5) male inmates that sat to the Basic Education Certificate Examination (BECE) and were all successful.

The BRH has no formal educational facility. HRCSL was informed that Prison Watch-SL and AdvocAid that were helping out with non-formal education at these centres have discontinued their services. The non-availability of non-formal education at these centres contravenes Rule 13.5 of the Beijing Rules which states ***“while in custody, juvenile shall receive care, protection and all necessary individual assistant – social, education, vocational, psychological, medical and physical- that they may require in view of their age, sex and personality”***.

At the Bo and Kingtom Remand Homes, these facilities have sufficient space for outdoor games like football, table tennis and basketball. At the BRH, inmates were not allowed to play in the compound because the perimeter fence is too low. Volunteer teachers in all of these centres (Approved School, KRH and the BRH) are not on payroll. There were no vehicles at the BRH to transport inmates for court sittings in Kenema.

Security

HRCSL observed that the height of the perimeter fences at the KRH and BRH remain low and continues to pose a security threat. In November, HRCSL was informed at the BRH that, the low height of the fence was the main reason inmates' movement were restricted within the building.

HRCSL is concerned about the implication of this restriction on the inmates' enjoyment of the rights to health and the rights to play which contravenes Article 31 (1) of the CRC that ***“State parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts”***.

At the Approved School, KRH and the BRH, HRCSL observed challenges with electricity which further poses a security threat.

Recommendations:

1. *The SLP and MSW should establish Juvenile holding cells in other police stations across the country.*
2. *MSW should provide adequate beds and beddings in all juvenile detention facilities.*
3. *MSW should ensure that the centres have functional medical units and qualified personnel within the facilities.*
4. *MSW should endeavour to improve the quality of education and recreation for juveniles in conflict with the law.*
5. *Also MSW should liaise with the Teaching Service Commission to assign trained and qualified teachers to the juvenile centres.*
6. *MSW should construct boreholes within the juvenile detention centres to ensure sustainable supply of water.*
7. *MSW should, without further delay, increase the height of the perimeter fence at the KRH and the BRM to address the security risk.*
8. *MSW should ensure that each district has a Remand Home and at least one Approved School in every region.*

2.3.5 The Sierra Leone Correctional Service

The Sierra Leone Correctional Service Act 2014 established the Sierra Leone Correctional Service (SLCS) pursuant to Section 3.

At correctional centres national wide, HRCSL observed that authorities displayed laws governing the centres as well as those relating to inmates rights in various parts within the facilities. Television sets were installed in every block in the Freetown Male Correctional Centre (FMCC) in the promotion of inmates' right to access information.

HRCSL noted that the outbreak of Covid-19 in March affected inmates' right to speedy trial as a result of the suspension of court sittings. In addition visitation rights were suspended and inmates could not have direct contact with their relatives and lawyers. According to the SLCS these were contributing factors to the unrest on 29th April at the Freetown Male Correctional Centre (FMCC).

Presidential Pardons

On 1st January, H.E. President Julius Maada Bio, in the exercise of his duty of Prerogative of Mercy under Chapter V, Section 63 of the Constitution of Sierra Leone 1991, pardoned 534 inmates within all correctional centres across the country; of this number, 27 were females and 11 were juveniles from the Approved School in Wellington. Similarly, on 27th April, H.E. the President granted clemency to 235 inmates including 4 females. However, due to the violence that erupted within the FMCC on 29th April, the release of the 235 inmates was not effected until 21st July. HRCSL commends this action by H.E. President Julius Maada Bio as it helped to decongest the correctional centres and gives the released inmates the opportunity to reintegrate into the society earlier than expected and to live productive lives.

During the year under review, HRCSL monitored correctional centres across the country and made the following findings:

Food and Water

HRCSL commends the SLCS for ensuring that the enjoyment of the right to food in all correctional centres was not affected during the COVID-19 Pandemic. In the FMCC for instance, inmates confirmed that there was no break in their food supplies even after the 29th April riot when the food store containing millions of Leones worth of food supplies was completely burnt down by the inmates. What has not changed though is that the third meal is subsumed in the second meal provided during lunch but substantial enough to take inmates through to the next day. The SLCS authorities have cited security concerns for this adjustment but HRCSL continues to remind the authorities of the provision in Rule 22 (1) of the SMR which states that ***"Every prisoner shall be provided by the prison administration at the usual hours with food..."***. There are also special dietary considerations for inmates with medical conditions.

Rule 22(2) of the SMR states "Drinking water shall be available to every prisoner whenever he or she needs it". At the FMCC additional water tanks were installed to increase the supply of water to inmates. HRCSL commends the FMCC for ensuring the continuous flow of water in the Centre. This has ultimately improved the sanitation in this facility.

In the regions, the Port Loko, Kenema and Kailahun Correctional Centres, had boreholes with hand pumps. However, the provision of water at the Bo Correctional Centre was a challenge for the correctional centre authorities until November when the water situation improved with the construction of a borehole by the UNDP.

Overcrowding:

In spite of the President's efforts at decongesting the correctional centres, most remained overcrowded as seen in Table 1 of Part 3.

Overcrowding has been attributed to lack of willingness of the courts to impose non-custodial measures as opposed to incarceration, which should be used as a last resort. Magistrates often impose long sentences for minor crimes. This was compounded by the President's declaration of a State of Emergency, which compelled the Judiciary to reduce the number of court sittings across the country as part of the restrictive measures to stem the spread of COVID-19.

During the monitoring exercises conducted by HRCSL in May, July and November, the Freetown, Bo and Kenema correctional centres were observed to be holding three times their original holding capacities. At the FMCC for instance, a cell that was originally meant for one inmate had between 5 and 6 inmates. This situation might impact on the full enjoyment of inmates' right to health.

Overcrowding in correctional centres poses a challenge for the SLCS to comply with the provision of Rule 11 (b) of the SMR which states that ***"untried prisoners shall be kept separate from convicted prisoners"***. This was attributed to the fact that the spaces were inadequate to allow for such correctional centre requirement. As a result, untried inmates live together with convicts, distinguished only by their clothing. The Rule 11 requirement is necessary because it protects would-be inmate victims from other potentially violent inmates as well as those who may want to influence others negatively. It also places a strain on the limited number of personnel as the correction officer/inmate ratio stands at 8:1 (i.e. eight inmates to one officer), as opposed to the standard ratio of 3:1. Recruitment of additional correction officers has not corresponded with the growing number of inmates admitted into the facilities. This limits the ability of the SLCS to quell the violence within its facilities as seen with the incident of 29th April at the FMCC. It could also pose a challenge for correction officers to protect themselves and inmates from being attacked or abused by violent inmates.

Social Relations and After-Care

HRCSL observed that between March and November, visits to inmates were suspended in correctional centres as a way of preventing the outbreak of COVID-19 within the centres. HRCSL commends the SLCS and the UNDP for introducing the use of mobile phone by inmates and its accompanying policy in order to mitigate the inconveniences of the deprivation of visits from family and friends, in keeping with Section 58 (1) (a) of the SMR. Visitations however, resumed around mid-November but with strict observance of COVID-19 prevention guidelines.

Health

HRCSL applauds the proactive steps taken by the FMCC to contain the spread of COVID-19 within its facility after a confirmed case was recorded in April. HRCSL further applauds the efforts made by the SLCS to prevent an outbreak in other correctional centres in the country. This success has been attributed to proactive measures instituted by the correctional centre authorities such as suspending visits to inmates and quarantining new inmates in special isolation units for 14 days before their integration into the mainstream detention facility.

However, the incident of 29th April which resulted in the burning down of the health unit at the FMCC posed some challenges to the enjoyment of the right to health of inmates and putting additional strains on the limited number of personnel at the centre as inmates needing serious medical attention were escorted outside the facility for medical treatment.

HRCSL is concerned about an outbreak of chicken-pox at the Bo Correctional Centre in October. Although it was quickly put under control, over 30 inmates were affected. At the Mafanta Correctional

Centre, two inmates who had become visually impaired while serving their jail terms lacked assistive devices. One of them had spent 3 years at the Mafanta Correctional Centre when he became blind while the other experienced blindness while in detention in Makeni.

Education and Skills training

Access to formal education has always been a challenge for inmates wanting to continue their education while serving jail terms. Rule 104 (2) of the SMR states, ***“so far as practicable the education of prisoners shall be integrated with the educational system of the country so that after their release they may continue their education without difficulty”***.

HRCSL continued to observe that only basic English Language and Numeracy Skills are taught in the correctional centres. Furthermore, while the Kenema, Kono, Kailahun, Port Loko, Kambia, Mafanta Correctional Centres had limited facilities for skills training, others like the Kabala, Bo, Pujehun, Bonthe Correctional Centres and most recently the FMCC (following the burning of its facilities on 29th April) were without skills training facilities. Skills training in correctional centres help inmates to be actively involved in activities that take their minds away from the trauma of incarceration as well as prepare them for life after prisons. In short, it helps in the rehabilitation and reintegration of inmates into their communities.

Beds and Beddings

HRCSL noted with concern that some Correctional Centres were without beds: mattresses were placed on bare floors with insufficient beddings and without mosquito nets thus increasing the likelihood for inmates to fall ill. In the Bo and Port Loko Correctional Centres, the foam mattresses were found to be insufficient, thin and worn out while the beddings were torn out and some thread bare. In the Bo Correctional Centre for instance, in 7 of the cells monitored, inmates only used blankets on the bare floor to sleep on. This inadequacy contravenes Rule 13 of the SMR which states that “all accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health...”

Child Care Facilities in Correction Centres

HRCSL notes that while the SLCS made strides in improving the welfare of children living with their mothers in detention by means of establishing a child friendly centre at the Freetown Female Correctional Centre (FFCC), such centre does not exist in the regions. HRCSL is concerned that the absence of a child-friendly centre in these facilities contravenes Section 35 of the SLCS Act of 2014 which prohibits the admission of children in correctional centres ***“unless there are adequate facilities and provision within the correctional centre for the care and maintenance of infant children of female inmates”***. Despite the absence of a child friendly centre at the Kenema Female Correctional Centre, HRCSL observed an inmate tending to her 5-month-old baby which was said to have been done in the best interest of the child as correction officers had no alternative.

Conditions of Service of Correction Officers

HRCSL was informed that the conditions of service of corrections officers were unsatisfactory when compared to their counterparts in the RSLAF and SLP. Their salaries are among the lowest in the country and they lack risk and health allowances, in spite of the fact that they are charged with the responsibility of looking after criminals of diverse backgrounds. This limits their enjoyment of the right to just and favourable conditions of work and adequate standard of living.

RECOMMENDATIONS

1. GoSL should take additional measures such as expanding the correctional centres as it impacts adversely on the enjoyment of the inmates right to health as well as their security

2. *The SLCS should endeavor to separate untried inmates from those convicted because it is not only an important element of correction centre best practice, but it also protects would-be victims from the influence and control of potential predatory inmates.*
3. *SLCS should take steps to provide inmates with disabilities assistive devices to reduce their dependence on fellow inmates or allow them to be observed and treated in specialized facilities as provided for in Rule 109 (2) of the SMR.*
4. *The SLCS should take urgent measures to introduce formal education in all correctional centres for non-literate inmates and those who were going to school before their incarceration {Rule 104 (1) of SMR} as well as skills training centres that will not only prepare them for life after release but also aid in their rehabilitation.*
5. *GoSL should supply correctional centres with sufficient foam mattresses and beddings in order to protect the health of inmates.*
6. *SLCS should roll out the creation of a child-friendly centre to other female correctional centres to enable children who are taken in with their mothers grow up in a child-friendly environment.*
7. *GoSL should recruit additional correction personnel to match the increasing number of inmates to enable them undertake proper rehabilitation of inmates as well as improve the conditions of service of the officers to keep them motivated.*

2.4 Accountability and Human Rights

2.4.1 Anti-Corruption Commission

Corruption is defined by Transparency International as the abuse of entrusted power for private gain. The World Bank defines corruption as a form of dishonesty or criminal offense undertaken by a person or organization entrusted with a position of power or authority, to acquire illicit benefit or abuse power for one's private gain.

In 2000, the GoSL established the Anti-Corruption Commission by the promulgation of the Anti-Corruption Act 2000, with the mandate to investigate alleged instances of corruption and to prevent corrupt practices. The findings in the Truth and Reconciliation Commission (TRC) Report (Chapter 2, Vol. 2) clearly catalogue the extent to which corruption accounted for the eleven year civil war (1991-2002) in the country. Paragraph 264, page 159 of the TRC Report (Vol 2) states ***“The Commission has found that endemic corruption was a central factor that produced the dire condition that made civil war inevitable”***. This is the principal reason why the TRC recommended for the establishment of an independent Anti-Corruption Commission.

The Anti-Corruption Act 2000 was repealed by the enactment of the Anti-Corruption Act 2008, with the aim of strengthening the ACC to effectively execute its functions by giving it prosecutorial powers. Following concerns and existing gaps in the Anti-Corruption Act 2008, in 2019, GoSL reviewed and repealed the Anti-Corruption Act (2008) with the enactment of the Anti-Corruption Act (2019) which has provided a robust approach to the fight against corruption.

The Anti-Corruption Act (2008) defines corruption as any conduct whereby in return for an advantage, a person performs or abstains from performing` any act in his capacity as a public officer; the offer, promise, soliciting or receipt of an advantage as an inducement or reward to a person to expedite, delay, hinder or prevent the performance of an act by himself or by any other public officer in his capacity as a public officer; the abuse of a public office for personal or private gain; the corrupt acquisition of

wealth; the possession and control of unexplained wealth; the misappropriation of public funds or property; and the misappropriation of donor funds or property among others.

At the global level, Sierra Leone has signed the United Nations Convention Against Corruption (UNCAC), the African Union Convention on Prevention and Combating Corruption and the ECOWAS Protocol on Combating Corruption.

HRCSL noted the positive strides made by the ACC in the year under review in fighting corruption, especially in prosecutions, fines and recovery of monies through mediation. The ACC prosecuted several cases and secured 9 convictions. With regards to recovery efforts Le 7,008, 330, 847, 00 (Seven billion and eight million three hundred and thirty thousand eight hundred and forty-seven Leones) was recovered while fines following convictions amounted to Le 340,000,000 (three hundred and forty million Leones).

The efforts at fighting corruption have helped to re-brand Sierra Leone's image internationally. Sierra Leone's scorecard under the Millennium Challenge Corporation (MCC) increased consistently for three consecutive years from 49% in 2018 to 79% in 2019 and to 81% in 2020. In the 2019 Global Corruption Survey on "government's effectiveness in fighting corruption, Sierra Leone ranked 3rd out of 35 African countries. The Afro-barometer Report of 2020 reveals that corruption declined from 70% in 2015 to 40% in 2020.

Due to the increase in corruption cases, the Judiciary in collaboration with the ACC established a special Anti-Corruption Division of the High Court with assigned Judges on 9th December 2019. Following the establishment of this new court, corruption matters have been tremendously expedited and backlog cases cleared up.

Despite these gains made by the State, HRCSL observed that corruption remains a serious challenge to national development and affects the enjoyment of human rights, including health, education, and food among others.

Recommendations

1. *ACC should work closely with HRCSL to prevent corruption by undertaking joint public education and outreach programmes on issues of human rights and corruption.*
2. *The ACC should continue to robustly fight against corruption. GoSL should provide more resources (both financial and human resources) to the ACC for its effective and efficient functioning in the fight against corruption.*

2.5 Women's Rights

Women's rights are guaranteed in the Constitution of Sierra Leone 1991, the Domestic Violence Act 2007, the Devolution of Estate Act 2007, the Registration of Customary Marriage and Divorce Act 2009 and the Sexual Offences Amendment Act 2019. At the regional and international levels, the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa 2003 (Maputo Protocol), the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW-1979) and the Beijing Declaration of 1995 also provide for the rights of women.

The creation of the MoGCA in 2019 led to another review and expansion of the Gender Equality and Women's Empowerment (GEWE) Policy, to update its information and to include emerging issues and new developments. The reviewed policy was launched on 3rd December by H.E. President Dr. Julius Maada Bio. The GEWE Policy reflects government's continued commitment to strengthening established legal and strategic mechanisms for addressing political and socio-economic obstacles to

women's empowerment thereby promoting gender equality. The policy aims at mainstreaming gender into all development and political processes, ensuring that women, girls, men, and boys profit equally from all sectors and that all forms of disparity and discrimination are eliminated at the national and local levels.

In November, 200 women in Bo District benefitted from the New Partnership for Africa's Development/ Spanish Cooperation funded Business Incubation for African Women Entrepreneurs (BIAWE) Project. This project which has micro credit as a key component is being implemented by ECOWAS through MoGCA. It provides women with access to credit, savings and income sources, business opportunities and social safety nets.

In spite of these efforts and interventions by GoSL and its partners, the fulfilment and enjoyment of human rights by women continue to pose a challenge in the country.

2.5.1 Sexual and Gender Based Violence (SGBV)

As part of the MoGCA's continued commitment to prevent SGBV against women and girls, the National Male Involvement Strategy for the Prevention of SGBV was launched on 8th March in Kambia District as part of the commemoration of International Women's Day. The objective of the strategy was to actively involve men and boys in the prevention of SGBV and to establish a well-coordinated and organized system for involving men and boys as SGBV prevention agents, champions, and advocates. HRCSL participated in dissemination of this strategy

On 14th April, GoSL and MoGCA in collaboration with partners established a 24-hour toll-free hotline (116) in Freetown to enable victims to seek counselling and referral services. According to the MoGCA, from April to December 2020, the 116 hotline received 53,504 calls, which were routed to service providers such as the One Stop Centres, Rainbo Initiative, Aberdeen Women's Centre, Government Hospitals, FSUs, or NGO partners for further actions. Many of the victims who were referred to these centres were examined and treated while others had their situations referred and resolved.

Six "One Stop Centres" were established in government hospitals in Freetown, Moyamba, Kabala, Port Loko, Pujehun and Kailahun by the MoGCA and partners. The official launch was done in Freetown on 9th July by the MoGCA. These centres were established to provide psycho-social counselling, free medical treatment, legal support and access to other referral pathways for victims of sexual violence and to ensure confidentiality.

HRCSL applauds the MoGCA for setting up these Centres as they will expedite handling of SGBV cases. However, HRCSL noted during its monitoring of One Stop Centres that they had inadequate transportation facilities to effectively carry out operations, especially in hard-to-reach communities as well as inadequate financial resources for their day to day management of the Centres.

Statistics of services (direct and indirect) provided by MoGCA's six "One Stop Centres" in the year under review:

| Offences | Total |
|-------------------------------------|-------|
| Sexual penetration | 557 |
| Rape | 39 |
| Domestic violence | 120 |
| Meeting a child for sexual purposes | 6 |
| Sexual touching | 2 |

| | |
|--|------------|
| Sexual harassment | 1 |
| Others (child marriage, child labour, and other forms of violence) | 11 |
| GRAND TOTAL | 736 |

Source: Ministry of Gender and Children's Affairs.

The Sexual Offences Model Court (SOMC) was also launched on July 24 at the Law Court Building in Freetown. The aim of the court's establishment is to strengthen the country's handling of sexual offense cases. The specialized court is to address the backlog of sexual offence cases and to expedite the adjudication of same.

HRCSL commends H.E. the President for establishing a Presidential Task Force on SGBV as a follow-up to the pronouncement of the State of Emergency on sexual assault and rape in February 2019. This Task Force, which is coordinated by the Office of the First Lady was established in order to find meaningful and practical solutions to SGBV.

HRCSL commends the SLP for their involvement in a massive community outreach and sensitization on SGBV. This stride was geared towards ensuring that all communities including schools located close to all police posts and stations understand the need to stay off sexual offences and report offences of such nature.

SLP General Annual Crime Statistics Report 2020

| No. | Offences | Freetown West | Freetown East | North-East | North-West | Southern Region | Eastern Region | Total |
|-------------|-------------------------------|---------------|---------------|------------|------------|-----------------|----------------|--------|
| 1 | Sexual Penetration of a child | 416 | 829 | 281 | 159 | 703 | 703 | 3,091 |
| 2 | Rape | 19 | 18 | 21 | 8 | 32 | 41 | 139 |
| 3 | Domestic Violence | 1,331 | 3,597 | 974 | 517 | 1,378 | 1,803 | 9,600 |
| Grand total | | 1,766 | 4,444 | 1,276 | 684 | 2,113 | 2,547 | 12,830 |

Source: Sierra Leone Police General Annual Crime Statistics Report 2020 (Page 9, table 7)

The table above shows that Freetown-East recorded the highest number of offences against women and children and also accounted for the highest number of sexual penetration and domestic violence cases. The Eastern Region accounted for the highest number of rape cases. In 2019, 12,314 cases were recorded. This shows an increase by 516 (4.02%) in the total number of cases reported in 2020 as compared to 2019.

HRCSL continues to note the several challenges faced by the FSU in investigating sexual offences and other related matters effectively. According to the SLP, the prolonged delay of files at the Office of the DPP and other sectors, inadequate logistical support, lack of safe homes and juvenile detention facilities in twelve districts, were among the challenges facing the FSU.

Recommendations

1. *MoGCA should fully equip existing “One Stop Centres” and establish new ones in the other districts for the expeditious handling of SGBV cases.*
2. *GoSL should provide additional logistics to address the challenges faced by the FSUs to enable them to promptly and effectively respond to SGBV matters.*
3. *MoGCA should expand its women’s economic empowerment programme (micro credit) to other districts.*

2.6 Children’s Rights

Children’s rights are guaranteed under the Constitution of Sierra Leone 1991; the Child Rights Act 2007; the African Charter on the Rights and Welfare of the Child (ACRWC) 1990 and the Convention on the Rights of the Child (CRC) 1989.

According to the Sierra Leone 2015 Population and Housing Census, children 0-4 and 5-9 years constitute 13.3%, 15.7 % respectively and Adolescents aged 10-19 constitute 24.4 % of the national population. Child protection is one of GoSL’s priorities as indicated in Cluster 5 of the National Medium- Term Development Plan (NMTDP) 2019-2023. The strategic objective of this cluster is to ensure a “Children first” approach for survival, protection and development of children, including those disabled and vulnerable. It also prioritizes the best interest of children at all times, with a special focus on addressing sexual violence, teenage pregnancy, child marriage, the plight of orphans and other vulnerable children, child trafficking, child labour and juvenile justice.

Goals 2, 3, 4 and 5 of the SDGs also provide a guide for state parties in the protection of children’s rights.

2.6.1 Teenage pregnancy

In order to promote the reintegration of teenage mothers into the formal education system, a study entitled “The Reintegration of Teenage Mothers into the Formal School Learning System” was conducted from 2016 to 2019 by the National Commission for Children (NCC). The study revealed that of 200 teenage mothers who participated in the survey, 71% of the 100 who received direct financial assistance and closely monitored during the entire project were reintegrated fully into the educational system. The other 100 teenage mothers who did not receive any assistance steadily dropped out of school since they could not be tracked in any of the schools by the end of the project.

HRCSL notes that the outcome of the survey demonstrates the need for teenage mothers to be fully supported to continue their education in order to reduce the dropout rate among school-going girls and promote the full enjoyment of the right to education for girls without discrimination.

2.6.2 Lifting of the Discriminatory “Ban on Pregnant School Girls”

HRCSL recognizes the effort of the GoSL and the MBSSE to overturn the 2010 policy that barred pregnant school girls from attending schools and taking public examinations. The ban was lifted on 30th March as a first step towards implementation of the Radical Inclusion Policy.

The 2010 policy was replaced with the Radical Inclusion and Comprehensive Safety Policies. The Radical Inclusion Policy focuses on key marginalized group of children such as: pregnant girls, girls who are parent learners, children with disabilities, children from low-income families and rural areas in particular, so that they can realize their constitutional rights as children to have access to quality education and also to close the gender gap at the primary and junior secondary levels.

HRCSL commends the MBSSE for this action noting that the ban was discriminatory and also contravened Section 9 of the Constitution of Sierra Leone 1991, Section 26(2) of the Child Rights Act 2007, Section 3(2) of the Education Act 2004, Article 11 (1) (6) of the African Charter on the Rights and Welfare of the Child, Article 12 (1) of the Protocol to the African Charter on Human and Peoples' Right on the Rights of Women in Africa, Article 28 of the United Nations Convention on the Rights of the Child (1989) and Article 17 (1) of the African Charter on Human and Peoples' Rights.

As a follow up to the lifting of the ban, on 9th August, the MBSSE officially launched the Zero Schoolgirl Pregnancy Campaign in Sahn Malen, Pujehun District, with the Radical Inclusion and Comprehensive Safety Policies. The aim of Zero Schoolgirl Pregnancy is to reduce maternal teenage pregnancy, increase girls' school completion/transition rates, and improve their overall well-being. According to the MBSSE, it will also demonstrate the government's commitment to improving girl child education and supporting girls to reach their full potential through education.

2.6.3 Law Reform and Policy Development

- **Child Justice Strategy**

In order to assess the overall progress and impact of the 2014-2018 Child Justice Strategy as well as identify problems and gaps MoGCA and partners commenced the review of the document. This review will aid the formulation of a new strategy that will further ensure that children who come in conflict with the law have access to a child-friendly justice system.

- **Street Children Strategy**

HRCSL noted that there is no policy to address the issue of street children in the country. In 2019, a survey that was conducted by Street Child Sierra Leone in partnership with GoSL, UNICEF and its partners revealed that the total number of street children living in Sierra Leone was more than 76,000.

HRCSL therefore commends the MoGCA for the initiative to commence the drafting of the Street Children Strategy in July which seeks to strengthen child protection system and mechanisms in a bid to effectively address the issues of street children. HRCSL however notes the efforts of organizations like Don Bosco for providing safe homes, child care centres, psycho-social counseling and skills training for street children.

- **Child Rights Act of 2007**

In July, MoGCA commenced the review of the Child Rights Act of 2007 in order to resolve the shortcomings in the Act. According to the MoGCA, the review will include harmonization of other laws that conflict with the Child Rights Act, such as the Matrimonial Causes Rules, Registration of Customary Marriage and Divorce Act, Civil, Christian Marriage and Muslim Marriage Acts specifically on the age of consent. It will also provide measures to end underage initiation (with a focus on FGM/C) and early marriage.

HRCSL also participated in the process by submitting its Position Paper on areas and gaps identified in the Child Rights Act 2007.

Recommendations

1. *MoGCA should speed up the review of the Child Rights Act and other policies and strategies that will properly address the rights of children in Sierra Leone especially on child marriage and FGM/C.*
2. *MoGCA should review the draft National Strategy on FGM/C 2015-2020 for effective implementation in order to address the issue of especially underage initiation and non-consenting adults.*

2.7 Vulnerable Groups

Vulnerable groups include women and children living in poverty, Commercial Sex Workers, the aged, little people, Persons living with HIV/AIDs, the Lesbians, Gays, Bisexual, Transgender and Intersex (LGBTI) society, Internally Displaced Persons, Refugees and Stateless Persons.

2.7.1 Persons with Disabilities (PwDs)

The rights of PwDs are provided for in the Persons with Disability Act 2011, Article 18 (4) of the ACHPR and the Convention on the Rights of Persons with Disability (CRPD). According to the Sierra Leone Integrated Survey 2018, there are 310,973 persons with disability in Sierra Leone accounting for 4.3% of the population.

The situation of PwDs and other vulnerable groups became more challenging in the year under review due to the COVID-19 outbreak. HRCSL recognizes the nationwide effort of government in the disbursement of cash transfers (Le. 250,000) and a bag of rice to PwDs and other vulnerable persons during the first and second three days lockdowns (5-7 April and May 3-5) respectively, to cushion the economic effects on them and curtail the spread of the virus. HRCSL noted that some PwDs did not benefit from the disbursement of the cash transfers due to irregularities in their personal details and difficulties in locating appropriate centres. However, HRCSL continues to commend government's efforts noting the importance such incentives have in promoting the enjoyment of the rights to food and health at a time when the country was in the health crisis.

HRCSL monitored the fire incident at the staff quarter of the Milton Margai School for the Blind which burnt down teaching and learning materials, beddings and domestic utensils including some monies of staff. HRCSL is concerned that this will impact the output and lives of the affected teachers and some ex-pupils of the school who reside permanently in these quarters.

HRCSL also notes the very many challenges faced by the NCPD in executing their full mandate of ensuring the wellbeing of PwDs in the country. These included inadequate and the subsequent delay in disbursement of GoSL funds, limited number of staff, inadequate capacity building programs and poor conditions of service for staff.

Recommendation:

The GoSL should provide financial and logistical support to the NCPD to effectively carry out its mandate.

2.7.2 Commercial Sex Workers

Commercial Sex Workers (CSWs) continue to face serious challenges. The declaration of the curfew as one of the measures to forestall the spread of the virus affected their source of income/livelihood as most of their activities are carried out during night hours. HRCSL followed social media reports of allegations of the encounters between the SLP and CSWs who flouted curfew restrictions. A documentary done in April 2020 by Tyson Conteh, a film maker, details the plight of CSWs in Makeni particularly during the COVID-19 period. Furthermore, HRCSL noted that while cash grants were given to some vulnerable groups, CSWs did not benefit despite several pleas made to the GoSL by some of their members.

CSWs continue to be victims of sexual, economic and physical abuse perpetrated by their clients, as reported in the media.

2.7.3 The Aged/Older Persons

Older Persons are defined by the United Nations and the AU Policy Framework and Plan of Action

on Ageing as persons aged 60 and above. During the pandemic, HRCSL and other MDAs and NGOs engaged authorities at the King George's Home at Grafton on the need to safeguard the rights of these vulnerable group of persons by complying with all COVID-19 measures prescribed by NaCOVERC. Delay in disbursement of annual government subvention to the facility was noted by HRCSL as a major challenge affecting the smooth operations of the Home.

A study conducted by the University of Birmingham together with specialised doctors in Sierra Leone highlighted hypertension, diabetes and obesity as risk factors that lead to cardiovascular diseases amongst older persons. HRCSL is concerned that access to health by older persons remains a challenge.

Recommendation

GoSL should provide timely subvention to ensure the smooth operations of the Old Peoples' Home at Grafton.

2.7.4 Persons with mental and intellectual disability

During the pandemic, information from NaCOVERC indicated that the aged and persons who have pre-existing and underlying medical conditions are more prone to be affected severely by the COVID-19 than others. In May, HRCSL acknowledged the steps taken by the Raining Season Orphanage at Coker Street, Off Spur Road to protect the lives of vulnerable kids including autistic children and those with severe medical conditions and other physically challenged children within the orphanage. These measures included restricting the movement of staff, suspension of visitations and the strict adherence with NaCOVERC's health guidelines.

HRCSL continues to note the efforts of private institutions in promoting and protecting the rights of persons with mental/intellectual disability. The City of Rest for the spiritually and mentally ill at Grafton was monitored by the HRCSL and the Mental Health Coalition in November. HRCSL observed that despite their effort to provide services for these categories of people, the facility is challenged with inadequate supply of drugs and transportation to convey workers to and from the facility, among others.

HRCSL notes that a private citizen has established a Special Needs School (Brown-Penn Special Education School), which offers free education for children living with autism. HRCSL applauds this selfless drive in ensuring the promotion and protection of the rights of these children taking into consideration the stigma and discrimination associated with children living with autism and their parents.

Recommendation

The NCPD and other Disabled Persons Organisations should collaborate with the MoHS and the MSW to ensure institutions caring for special needs persons are given adequate medical and social assistance.

2.8 Youth

The National Youth Policy of Sierra Leone and the African Youth Charter define youth as persons between the ages of 15 and 35 years. Key institutions such as the Ministry of Youth Affairs (MoYA), the National Youth Commission (NaYCOM), and the National Youth Service (NYS) exist to protect and promote the rights of youths in Sierra Leone.

Youth account for 33.5 % of the population of Sierra Leone according to the Sierra Leone Integrated Households Survey 2018 and are considered to face social and economic challenges directly more than

any other age categorization in Sierra Leone. HRCSL notes that one of the socio-economic challenges facing the youths is that of unemployment.

In the year under review, issues around youths were highlighted as both positive and negative. Positive issues included youth participation in skills training programmes and entertainment activities conducted by government and partners. On the other hand, unreasonable behaviors of violence were perpetrated by youths which sometimes led to deaths, the destruction of property, arrests and incarceration. HRCSL's observation during its monitoring of correctional centres revealed that a vast majority of those incarcerated are youths.

HRCSL acknowledges the role of NaYCOM in promoting youth employment by developing programmes aimed at building their potentials. In January, various skills training such as steel bending, engineering, driving heavy duty machines [like tractors] were programmes implemented by NAYCOM, in a bid to ensure that youths acquired the desired skills and trainings in mechanized farming, driving caterpillars, surveying and quarrying thereby exposing them to the labor market. In December, in the Zimmi Makpele Chiefdom, Pujehun district, NaYCOM signed a service contract with Compagnie Sahelienne d'Entreprises (CSE) a construction company, for the training of 1,540 youths in road construction along the EU funded Bandajuma-Liberia Roads Project.

During the COVID-19 pandemic, HRCSL noted the efforts of several youth organisations in providing Water, Sanitation and Hygiene (WASH) materials and raising awareness in vulnerable communities on COVID-19 preventive measures put forward by NaCOVERC. They volunteered their services to NaCOVERC and the DICOVERCs as contract tracers, surveillance officers, and managers of quarantine homes.

Along the land borders, youths manned all the border points in Sierra Leone to ensure that contact tracing and COVID-19 measures were adhered to. This was facilitated by the structures put in place by MoYA involving Chiefdom and District Youth Councils [CYCs and DYCs] whose leadership took the fore in ensuring compliance. Security posts/check points also had youth resident in these Chiefdoms and Districts to help identify residents and strangers visiting their communities. These steps and vigilance demonstrated by youth helped largely in combating the COVID -19 pandemic. For example, organizations such as the Youth Dream Centre – Sierra Leone conducted public sensitizations across three cities -Freetown, Makeni, and Kono. The CYCs and DYCs were also empowered by MoYA with support from GIZ and other partners to mount their vigilance and robust awareness raising and sensitization.

In May, during the COVID-19 outbreak, the United Nations Children's Fund (UNICEF) and the Sierra Leone Football Association (SLFA) signed an MoU for a joint communication and advocacy campaign which enabled local football players to engage in public sensitization about the COVID-19 disease. This helped to heighten awareness among youths to abide by COVID-19 preventive measures such as the compulsory use of face masks, hand washing and the use of hand sanitizers.

The COVID-19 outbreak affected sporting activities and by extension youths who are engaged in such activities either as their trade or for recreational purposes. The Sierra Leone Premier League, local and international sporting activities were temporarily suspended, thus denying home and foreign based footballers and other stakeholders as well as those in other sporting disciplines, of the income derived from these sports.

HRCSL commends SLFA for distributing relief funds provided by the Federation of International Football Association (FIFA - US\$1,000,000) and Confederation of African Football (CAF - US\$500,000) worth \$1,500,000 as relief funds to various categories of football stakeholders to cushion the economic

effects on football clubs, associations and players.

Despite these interventions by GoSL and its partners, youth violence remained a major concern as it caused unrest which sometimes led to destruction of property and loss of lives. This in turn affected the enjoyment of other rights such as movement and education particularly for people who lived in close proximity to the scenes of violence. In the year under review, HRCSL noted several incidences of violence perpetrated by youths. These included:

1. The riot in Lunsar on 30th April which led to the death of one person. The Paramount Chief's residence was damaged and the Lunsar Police station as well as the Total Petrol station were vandalized.
2. The protest in Tombo in May, which resulted in the death of at least one person and damage to the police station and the community hospital.
3. The protest in Makeni in July, over the relocation a 1.65-megawatt power plant from Makeni City to Lungi Town which resulted in the death of six (6) people by law enforcement officials. Others sustained injuries and (51) persons (all males) were arrested and transferred to Freetown for further investigation. Among those arrested were pupils who were about to sit to the Basic Education Certificate Examinations (BECE) in August and the West Africa Senior Secondary Certificate Examination (WASSCE).

HRCSL notes that while some of these may be genuine expressions of discontent, the manner in which these protests were carried out do not only contravene provisions in the 1965 Public Order Act but also disturbs the serenity in the communities, putting the lives of peaceful citizens at risk. HRCSL considers the destruction of private, community and government property as acts of lawlessness and lack of patriotism, thereby contravening Section 13 of the Constitution of Sierra Leone 1991.

HRCSL in a press statement of 22nd May condemned all acts of violence and called on the youths to be always law abiding and refrain from taking the law into their hands.

Recommendations

1. *The GoSL should continue to identify and implement projects geared towards job creation in a bid to transforming the mindsets of youths across the country.*
2. *The organizers of the reality TV shows should give clear warning on parental viewing guidelines before the shows commence and should also indicate on the face of the TV screen the age limit.*
3. *MoYA, NaYCOM and NYS should organize community outreach programmes to sensitize and raise awareness to help curb tendencies that prompt or facilitate violence among youth.*
4. *MoYA and NaYCOM should continue to initiate programmes aimed at developing technical and vocational trainings as pathways to building the middle level work force needs of the nation.*

2.9 Status of Ratification of International Treaties and Conventions

GoSL is a signatory to several Regional and International Human Rights Treaties/laws. Chapter 2 Section 10 (d) of the Constitution of Sierra Leone, 1991, states, "The foreign policy objectives of the State shall be - respect for international law and treaty obligations, as well as the seeking of settlement of international disputes by negotiation, conciliation, arbitration or adjudication".

HRCSL commends GoSL for submitting its first status report (2013-2018) on the CRPD to the United

Nations Committee on the Rights of Persons with Disabilities in December 2020, in compliance with Article 35(1) of the UNCRPD which states that ***“Each State Party shall submit to the Committee, through the Secretary-General of the United Nations a comprehensive report on the measures taken to give effect to its obligations under the present Convention and on the progress made in that regard, within two years after the entry into force of the present Convention for the State Party concerned.”*** Article 35 (2) also states that ***“Thereafter, State Parties shall submit subsequent reports at least every four years and further whenever the Committee so requests.”***

In compliance with its international reporting obligations, GoSL completed its 3rd UPR Cycle Report and is expected to submit same to the United Nations Human Rights Council subsequently. HRCSL submitted its Third Cycle (3rd Cycle) Alternative Report to the 38th Session of the Human Rights Council (HRC), on 12th October 2020.

Recommendations

1. *GoSL should fully comply with its international obligations.*
2. *HRCSL urges GoSL to submit all its outstanding treaty reports.*
3. *GoSL should consider the reactivation of the constitutional review process*

PART 3: ACTIVITIES IN THE PROTECTION AND PROMOTION OF HUMAN RIGHTS

HRCSL undertook the following activities during the reporting year, in fulfilment of Section 7 (2) of its Act; receiving, enquiring into and handling of complaints, monitoring, investigations, community engagements on various human rights thematic areas, media engagement, public education and engagement with government, Civil Society Organizations (CSOs) and development partners. HRCSL also held several strategic engagements with relevant stakeholders which included MDAs, Parliament, the SLP, Judiciary, SLCS, NGOs, international partners, educational institutions and CSOs.

3.1 Complaints Handling and Management

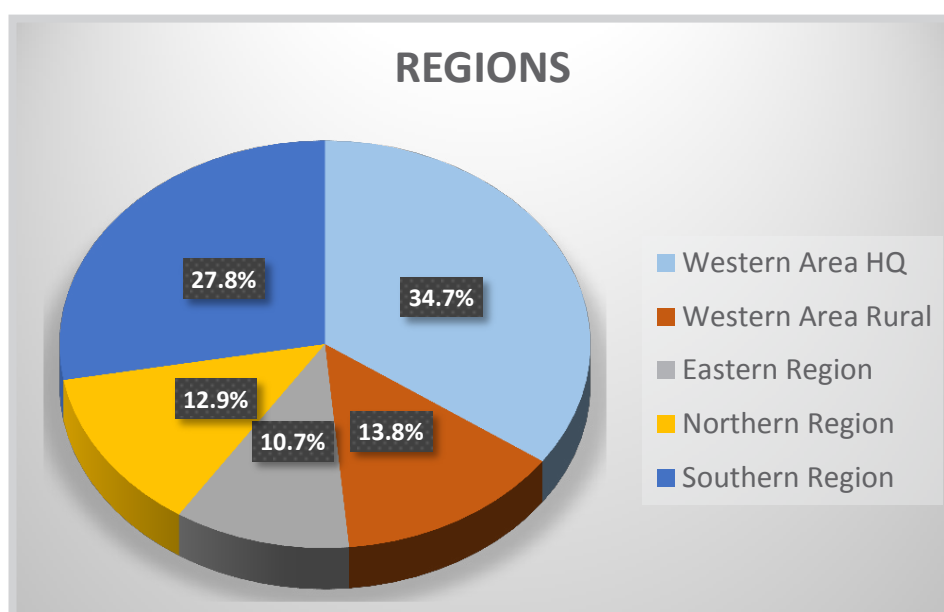
Section 7 (2) (a) of the HRCSL Act (No.9) of 2004, provides that HRCSL shall *“investigate or inquire into on its own or on complaint by any person any allegation of human rights violations and to report thereon in writing”*.

In the year under review, 363 complaints were received as shown in Table 1. Despite the advent of COVID-19, HRCSL continued to receive and handle complaints. With funding from UNDP and IrishAid, smart phones were purchased and used to further enhance the receipt of complaints via social media.

Table 1- Complaints received by Regions

| Region | Number of Complaints received | Percentages |
|--------------------|-------------------------------|-------------|
| Western Area | | |
| Headquarters | 126 | 34.7 |
| Western Area Rural | 50 | 13.8 |
| Eastern Region | 39 | 10.7 |
| Northern Region | 47 | 12.9 |
| Southern Region | 101 | 27.8 |
| Total | 363 | 100 |

Figure 1.1 - Pie chart illustrating the number of complaints received at headquarters and the four regional offices in percentages



Admissibility Decision on Complaints

HRCSL takes decisions on complaints received and categorizes them as either admissible or inadmissible pursuant to Rule 4 (1) and (2) of its (Complaints, Investigations and Inquiries) Rules, 2008. Admissible complaints are those which fall within HRCSL's mandate to investigate. Complaints that do not fall within HRCSL's mandate are inadmissible and are therefore referred to various MDAs that are best suited to handle them. HRCSL can also mediate on cases on request of both parties. Complaints referred are also closely monitored to ensure that complainants get redress. In an instance where the MDA to which the complaints is referred neglects to act as required, HRCSL then takes up the matter, viewing it as a violation.

Table 2 - Admissibility Decision of complaints per Regions

| No. | Decision on complaints received | W/A HQ | Western Area Rural | Eastern region | Northern Region | Southern Region | Total | % |
|--------------------|---------------------------------|--------|--------------------|----------------|-----------------|-----------------|-------|------|
| 1. | Admissible | 22 | 11 | 14 | 16 | 30 | 93 | 25.6 |
| 2. | Inadmissible | 104 | 39 | 25 | 31 | 71 | 270 | 74.4 |
| Grand Total | | 126 | 50 | 39 | 47 | 101 | 363 | 100 |

Table 2 - Explains that out of 363 complaints received, only 93 (25.6%) were admissible, 270 (74.4%) were inadmissible. This large turnout of inadmissible complaints was as a result of the fact that many of the complaints received were abuses rather than violations of human rights. Some of these complaints were mediated by HRCSL while others were referred to the appropriate institutions and were monitored in order to ensure that complainants get redress, as shown in Table 3b.

OUTCOMES OF COMPLAINTS RECEIVED

Table 3a - Summary of outcome of admissible complaints received

| Category of Complaints Received | HQ | WA | ER | SR | NR | TOTAL |
|---|-----------|-----------|-----------|-----------|-----------|-----------|
| Investigations concluded | 5 | 0 | 0 | 0 | 0 | 5 |
| Investigations ongoing | 6 | 0 | 0 | 2 | 1 | 9 |
| Mediated and resolved | 5 | 9 | 7 | 10 | 9 | 40 |
| Referred & Monitored | 4 | 1 | 3 | 12 | 5 | 25 |
| Complainant who could not be re reached for further information/ Kept In View (KIV) | 1 | 1 | 1 | 1 | 1 | 5 |
| Withdrawn & Files closed | 1 | 0 | 2 | 3 | 0 | 6 |
| Advised and Counseled | 0 | 0 | 1 | 2 | 0 | 3 |
| Grand Total | 22 | 11 | 14 | 30 | 16 | 93 |

Table 3(a) shows the status of the admissible complaints received. Five (5) of the admissible complaints were investigated, nine (9) are still ongoing investigations, forty (40) were mediated and resolved and twenty-five (25) were referred and monitored.

Table 3b- Summary of outcome of Inadmissible Complaints received

| Category of Complaints Received | HQ | WA | ER | SR | NR | TOTAL |
|--|-----|----|----|----|----|-------|
| Mediated and resolved | 16 | 5 | 9 | 10 | 10 | 50 |
| Ongoing mediation | 0 | 0 | 0 | 0 | 1 | 1 |
| Referred & Monitored | 49 | 17 | 11 | 54 | 9 | 140 |
| Complainants who could not be re reached for further information / KIV | 5 | 2 | 1 | 0 | 1 | 9 |
| Withdrawn & Files closed | 14 | 10 | 3 | 0 | 1 | 28 |
| Advised and Counseled | 20 | 5 | 1 | 7 | 9 | 42 |
| Grand Total | 104 | 39 | 25 | 71 | 31 | 270 |

Table 3(b) shows the status of inadmissible complaints received. Out of the 270 inadmissible complaints received, fifty (50) were mediated and resolved by HRCSL and one hundred and forty (140) were referred to the appropriate institutions mandated to handle such complaints while HRCSL monitored their progress. Forty-two (42) received counselling and advice, whilst 28 were closed and nine (9) were complainants who could not be reached for further information.

Table 4 -Nature of Complaints filed by Regions

| No | Nature of Complaints | HQ | WA | SR | NR | ER | Total | % |
|--------------------|--|------------|-----------|------------|-----------|-----------|------------|------------|
| 1. | Property Rights | 25 | 8 | 11 | 7 | 6 | 57 | 15.7 |
| 2. | Workers' Rights | 17 | 5 | 12 | 7 | 5 | 46 | 12.7 |
| 3. | Crime Related | 20 | 7 | 1 | 2 | 8 | 38 | 10.5 |
| 4. | Matrimonial Disputes | 9 | 3 | 18 | 0 | 5 | 35 | 9.6 |
| 5. | Domestic Violence | 4 | 2 | 8 | 7 | 7 | 28 | 7.7 |
| 6. | Equal Protection Before the Law | 4 | 5 | 0 | 15 | 2 | 26 | 7.2 |
| 7. | Right to Fair Hearing | 3 | 2 | 14 | 3 | 0 | 22 | 6.1 |
| 8. | Access to Justice | 1 | 1 | 17 | 0 | 0 | 19 | 5.2 |
| 9. | Child Maintenance | 5 | 6 | 3 | 5 | 0 | 19 | 5.2 |
| 10. | Cruel, Inhuman and Degrading Treatment | 4 | 5 | 7 | 0 | 1 | 17 | 4.7 |
| 11. | Child Rights | 12 | 0 | 0 | 0 | 1 | 13 | 3.6 |
| 12. | Sexual Assault | 6 | 2 | 1 | 0 | 0 | 9 | 2.5 |
| 13. | Unlawful Detention | 2 | 1 | 4 | 0 | 2 | 9 | 2.5 |
| 14. | Administrative Injustice | 3 | 0 | 0 | 0 | 2 | 5 | 1.4 |
| 15. | Right to Education | 1 | 3 | 1 | 0 | 0 | 5 | 1.4 |
| 16. | Right to Health | 4 | 0 | 0 | 1 | 0 | 5 | 1.4 |
| 17. | Right to Life | 1 | 0 | 3 | 0 | 0 | 4 | 1.1 |
| 18. | Discrimination | 1 | 0 | 1 | 0 | 0 | 2 | 0.6 |
| 19. | Human Trafficking | 2 | 0 | 0 | 0 | 0 | 2 | 0.6 |
| 20. | Refugee Rights | 1 | 0 | 0 | 0 | 0 | 1 | 0.3 |
| 21. | Unlawful Detention | 1 | 0 | 0 | 0 | 0 | 1 | 0.3 |
| Grand Total | | 126 | 50 | 101 | 47 | 39 | 363 | 100 |

Table 4 shows that the highest number of complaints reported (57) were related to property rights and this was followed by complaints related to workers' rights (46) and crime related complaints (38).

Table 5 - Categorization of Complaints lodged against Individuals/Institutions nationwide

| No | Institution | HQ | WA | NR | SR | ER | TOTAL | % |
|--------------------|------------------------------|------------|-----------|-----------|------------|-----------|------------|------------|
| 1 | Individual | 71 | 27 | 19 | 49 | 12 | 178 | 49.0 |
| 2 | SLP | 15 | 8 | 16 | 16 | 6 | 61 | 16.8 |
| 3 | RSALF | 6 | 0 | 0 | 2 | 0 | 8 | 2.2 |
| 4 | Ministry of Lands | 4 | 0 | 0 | 0 | 0 | 4 | 1.1 |
| 5 | Ministry of Health | 2 | 4 | 1 | 0 | 1 | 8 | 2.2 |
| 6 | Ministry of Education | 1 | 1 | 0 | 0 | 0 | 2 | 0.6 |
| 7 | Ministry of Tourism | 1 | 0 | 0 | 0 | 0 | 1 | 0.3 |
| 8 | Judiciary | 6 | 2 | 0 | 9 | 3 | 20 | 5.5 |
| 9 | Local Courts | 0 | 1 | 5 | 10 | 4 | 20 | 5.5 |
| 10 | Private Sector | 12 | 4 | 3 | 11 | 4 | 34 | 9.4 |
| 11 | SLBC | 1 | 0 | 0 | 0 | 0 | 1 | 0.3 |
| 12 | HRMO | 1 | 0 | 0 | 0 | 0 | 1 | 0.3 |
| 13 | NMA | 1 | 0 | 0 | 0 | 0 | 1 | 0.3 |
| 14 | NPAA and Forest Guards | 3 | 0 | 0 | 0 | 0 | 3 | 0.8 |
| 15 | Correctional Centre | 1 | 1 | 1 | 0 | 0 | 3 | 0.8 |
| 16 | SLRSA | 1 | 1 | 0 | 0 | 1 | 3 | 0.8 |
| 17 | Fire Force | 0 | 0 | 0 | 0 | 1 | 1 | 0.3 |
| 18 | Traditional authorities | 0 | 1 | 2 | 2 | 7 | 12 | 3.3 |
| 19 | Ministry of Local Government | 0 | 0 | 0 | 2 | 0 | 2 | 0.6 |
| Grand Total | | 126 | 50 | 47 | 101 | 39 | 363 | 100 |

Table 5 is a categorization of respondents for complaints received. The highest number of complaints (49.0%) were made against private individuals. This is due to lack of understanding of HRCSL's mandate by some members of the public. HRCSL conducts public education on its mandate but however does not discourage these types of complaints as the appropriate advice, mediation, referral and/or follow up is done to ensure the complainants get the needed redress.

The second highest number of complaints (16.8%) received was against the SLP. Some of the complaints lodged against them constituted human rights violations and were investigated whilst others were recorded for purposes of monitoring compliance with constitutional requirements regarding arrests, detention, prosecution, police delay or inaction thereof, because at the time of receiving the complaints they did not constitute a violation. 9.4% of complaints were made against the private sector and were referred to the appropriate institutions for redress. 5.5% were made against the Local Court for exorbitant fines followed by 5.5% against the Judiciary.

Table 6 - Complaints representing the Sex of Complainants by Regions

| Sex | HQ | WR | North | South | East | Total | Percentage |
|--------------------|------------|-----------|-----------|------------|-----------|------------|------------|
| Female | 54 | 30 | 26 | 57 | 18 | 185 | 51 |
| Male | 72 | 20 | 21 | 44 | 21 | 178 | 49 |
| Grand Total | 126 | 50 | 47 | 101 | 39 | 363 | 100 |

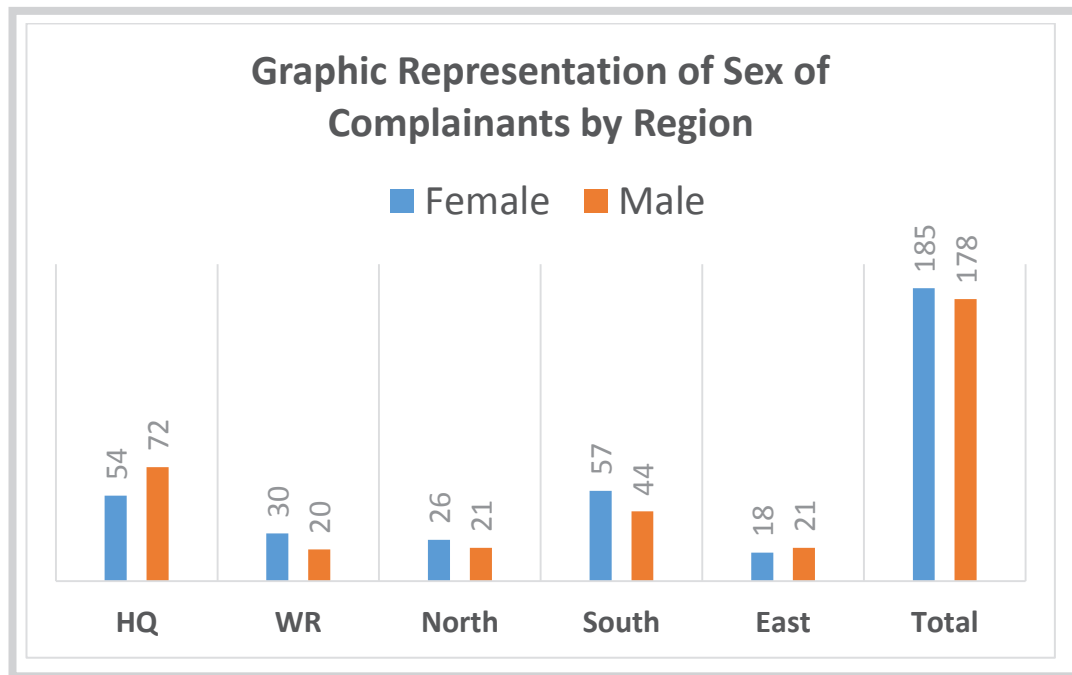


Table 6 is a disaggregation of complaints by sex. One hundred and eighty-five complaints (51%) were filed by women and one hundred and seventy-eight (49%) were filed by men.

Table 7 - Comparative analysis of complaints received by the Regions from 2007-2020

| No. | Region | 2007-2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Total | Percentage |
|--------------------|-----------------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------------|------------|
| 1 | Western Area (HQ) | 482 | 374 | 126 | 182 | 220 | 68 | 100 | 101 | 74 | 60 | 124 | 126 | 2,037 | 56.7 |
| 2 | Western Area (Rural) | - | - | - | - | - | - | 13 | 6 | 22 | 11 | 12 | 50 | 114 | 3.2 |
| 3 | Eastern Region | 10 | 39 | 74 | 25 | 45 | 52 | 28 | 30 | 25 | 16 | 40 | 39 | 423 | 11.8 |
| 4 | Northern Region | 13 | 22 | 23 | 20 | 23 | 18 | 18 | 11 | 23 | 19 | 59 | 47 | 296 | 8.2 |
| 5 | Southern Region | 69 | 57 | 33 | 53 | 41 | 66 | 39 | 49 | 54 | 72 | 91 | 101 | 725 | 20.2 |
| Grand Total | | 574 | 492 | 256 | 280 | 329 | 204 | 198 | 197 | 198 | 178 | 326 | 363 | 3595 | 100 |

Table 7 - shows that HRCSL has received a total of 3,595 complaints since 2007. HRCSL received the highest number of complaints in 2010 which is 492. This was mainly due to complaints made by 311 ex-service men. In 2020, 363 complaints were reported. It is also noted that HRCSL's Headquarter Office in the Western Area has cumulatively received the highest number of complaints from 2007 to date which is 2,037 (56.7%). This is largely due to the accessibility of the Headquarters and increased awareness raising in the Western Area.

SGBV

During this year, HRCSL documented 26 SGBV cases: DCILS received ten (10) cases of domestic violence and sexual assault perpetrated against women and girls; sixteen (16) cases of sexual penetration were followed up on at various FSUs. HRCSL observed from such follow-ups that all have been investigated and files sent to the Office of the DPP for advice.

3.1.1 Some Success Stories

ALS vs RYC

On 22nd January, ALS, owner of an orphanage managed by RYC (respondent), alleged that upon her return to Sierra Leone, RYC had removed one of the children from the orphanage and denied her access to the child. ALS further alleged that RYC threatened to attack her if she went to her house. The matter was mediated and resolved by HRCSL and the child was returned to the orphanage.

ASM vs MIO

ASM reported on 27th January that 15 ladies (two of whom are his nieces) left Sierra Leone between February and April 2019 for Lebanon. ASM alleged that sometime in November 2019, he received a distress call from one of his nieces KK who informed him that they were being treated as slaves and were living in deplorable conditions without access to good food and shelter. ASM further reported that KK alleged that they were being used as sex slaves. HRCSL intervened by engaging the MFAIC, who in turn brought the issue to the attention of IOM. Few months later, AMS' nieces and the others were repatriated to Sierra Leone.

WGF vs IMM

On 30th January, WGF, an Ivorian refugee in Sierra Leone, alleged that he had no fixed abode and that he is a destitute who wanted to return to his home country but he did not have the means to do so. HRCSL engaged the Ivorian Consul in Freetown, who in turn brought the issue to the attention of their Ambassador in Liberia. The Complainant was thereafter repatriated to his home country in Ivory Coast.

LT vs MFC

On 6th January, LT alleged that he had not been paid compensation for injuries he sustained while onboard a carrier at sea belonging to MFC. He alleged that he sustained the injuries as a result of being thrown from the upper deck to the lower deck and beaten by some of his foreign colleagues whilst at sea in Guinea Bissau. He further claimed that he was not given proper medical treatment in Guinea Bissau and he was sent back to Sierra Leone. He alleged that since he returned from sea, MFC (Respondent) had failed to provide compensation and benefits for the period he had worked. The matter was mediated and resolved by HRCSL and the Complainant was paid full compensation and salary arrears.

FK vs POL

On 3rd February, FK alleged that her sister was arrested and detained by the SLP because her nephew (MS) was wanted on allegation of theft. FK alleged that POL insisted that her sister will be held in detention until her nephew reports to the police station. FK further alleged that her sister had been detained for five days on the date the matter was reported to HRCSL. HRCSL swiftly intervened and FK's sister was released.

SS vs OB

SS (Complainant), in a telephone conversation, on 12th May alleged that he and others were quarantined and that they were not provided with any food items or sanitary supplies during the period in quarantine. He further alleged that before he was placed in quarantine, he had been undergoing treatment for a tetanus infection from fragments; injuries he sustained a long time ago during the

war. He stated that because he was placed in quarantine, he could not receive his treatment. HRCSL engaged authorities at both the Western District and National COVID-19 Response Centres and SS and others were immediately supplied with food, water and other basic sanitary supplies. SS also started receiving treatment for his injuries whilst in quarantine.

KM vs OB

KM (Complainant) on 8th June, through a telephone call, alleged that she and 17 others were placed in quarantine without being provided with food, water and other basic sanitary supplies. HRCSL engaged authorities at both the Western District and the National COVID-19 Response Centres and the Complainants were immediately supplied with food, water and other basic sanitary supplies.

AA vs OB

AA (Complainant) on 20th June, through a phone call alleged that he and 36 other persons who had completed the quarantine period had not been released. HRCSL engaged the authorities at the National COVID-19 Response Centre and Complainant and the others were immediately released from quarantine.

MT vs OCC (of the SLP)

The Complainant MT reported on 27th August that he and his brother SS, who were both students from Makeni and had come to Freetown to take WASSCE, went to collect their mobile phones which were on charge at a telecentre but his brother was arrested on allegation that he stole a mobile phone from the telecenter. He stated that his brother had been in detention for over 3 days. HRCSL engaged OCC on the complaint and the issue of prolonged detention. HRCSL further advised the OCC to either release MT's brother on bail pending conclusion of the investigation or charge the matter to court. As a result of HRCSL's intervention, MT's brother was released on bail.

MK vs PLS (of the SLP)

MK (Complainant) alleged that in July, he lodged a complaint to PLS against the KBB family who encroached on his land. He stated that PLS was delaying in handling the matter. HRCSL visited PLS and engaged him on the matter. After HRCSL's engagement, PLS took swift action and MK was given possession of his land.

TK and SS (both minors) vs PK

TK and SS, both from Kono, alleged that their uncle TS brought them to Freetown and handed them over to PK who is a Korean, to assist them with their education. They alleged that PK has been beating them and maltreating them. They further alleged that they were in a vulnerable situation and that they had informed their uncle TS about their ordeal but he did not listen to them. TK and SS were brought to HRCSL by their teacher SL. HRCSL immediately took the minors to the FSU HQ at CID. Officers from FSU were immediately dispatched to the residence of PK, accompanied by HRCSL. PK and TS were both arrested and detained by the SLP whilst investigation commenced. TK and SS were temporarily placed in a safe home (Don Bosco) until their parents came to Freetown and were handed over to them.

3.1.2 Mobile Complaints Hearing

Due to the COVID-19 restrictions on public gatherings, only one mobile complaint hearing was conducted in the year under review. On 1st and 2nd December, HRCSL conducted a mobile complaints hearing in Waterloo in the Western Area Rural. The purpose of the hearing was to provide the opportunity to members of that community to present in person to HRCSL, their complaints relating to human rights violations.



Commissioner Simitie Lavalley engaging participants during the mobile complaints hearing in Waterloo.

Commissioner Simitie Lavalley engaging participants during the mobile complaints hearing in Waterloo. On the first day of the programme, HRCSL engaged fifty (50) participants which included key stakeholders in the community such as local authorities, civil society organizations, community based organizations, women's groups and youth organizations. HRCSL also conducted public education in two schools and engaged traders and commercial motor bike riders at the market and car park respectively



Public education at the FAWE School - Waterloo.

Public education at the FAWE School - Waterloo

On the second day, HRCSL received a total of eleven (11) complaints (5 male and 6 female) at the "Court Barray" of Chief Bethembeng II.

Out of the 11 complaints received, three (3) were mediated and resolved; 4 were referred: advice was proffered on 2 and the remaining two were closed as they were pending in court.

3.2 Monitoring Activities

3.2.1 Places of Detention

HRCSL undertook the monitoring of Correctional Centres, Police Stations and Juvenile Detention facilities in the Western Area and the Regions in the performance of its duties as stipulated in Section 7 (2) (f) of Act (No. 9) 2004. The overall objective of the monitoring was to ascertain adherence to Chapter 3 of the Constitution of Sierra Leone 1991, the United Nations Standard Minimum Rules for the Treatment of Prisoners (SMR), the Guidelines on the Conditions of Arrest, Police Custody and Pre-trial Detention in Africa (Luanda Guidelines), the Beijing Rules and Bangkok Rules as they relate to the treatment of inmates and suspects.

3.2.2 The Sierra Leone Correctional Service (SLCS)

The table below illustrates correctional centres monitored by HRCSL in the Western Area and the Regions on diverse dates during the year under review.

TABLE 1

CORRECTIONAL CENTRES

| No. | Name of Institution | Date Monitored | No. of Inmates | | Total | Original holding capacity |
|-----|--|----------------|----------------|--------|-------|---------------------------|
| | | | Male | Female | | |
| 1. | Freetown Male Correctional Centre | 19/05 | 1,241 | 47 | 1,288 | 324 |
| 2. | Freetown Re-integration Centre | 19/05 | 239 | N/A | 239 | 120 |
| 3. | Waterloo Pre-Trial & Simulation Centre | 19/05 | 100 | 4 | 104 | 120 |
| 4. | Kenema Male Correctional Centre | 19/05 | 246 | N/A | 246 | 150 |
| 5. | Kenema Male Correctional Centre | 00/06 | 255 | 7 | 262 | |
| 6. | Kenema Male Correctional Centre | 18/07 | 289 | 25 | 314 | |
| 7. | Sefadu Correctional Centre | 18/07 | 190 | 2 | 192 | 200 |
| 8. | Kailahun Correctional Centre | 18/07 | 125 | 2 | 127 | 75 |
| 9. | Bo Male Correctional Centre | 29/07 | 302 | N/A | 302 | 80 |
| 10. | Waterloo Pre-Trial & Simulation Centre | 30/07 | 95 | 3 | 98 | 120 |
| 11. | Port Loko Male Correctional Centre | 2/11 | 71 | 1 | 72 | 75 |
| 12. | Kabala Correctional Centre | 4/11 | 46 | 2 | 48 | 120 |
| 13. | Kailahun Correctional Centre | 9/11 | 90 | 2 | 92 | 75 |
| 14. | Kenema Male Correctional Centre | 10/11 | 239 | N/A | 239 | 150 |
| 15. | Kenema Female Correctional Centre | 10/11 | N/A | 8 | 8 | 32 |
| 16. | Bo Remand Home | 11/11 | 31 | 0 | 31 | |
| 17. | Bo Correctional Centre | 12/11 | 285 | 0 | 285 | 80 |

The table above illustrates overcrowding in the Freetown, Kenema and Bo Male Correctional Centres. It also shows very few female inmates in contrast to their male counterparts in all correctional centres monitored.

HRCSL visits Paolo Conteh & others at the Freetown Male Correctional Centre

On 20th April, HRCSL conducted a specific monitoring visit to the FMCC. The specific visit was intended to assess the human rights issues surrounding Retired Major Alfred Paolo Conteh and 2 others, who were detained on allegations of treason and perjury. The visit commenced with an engagement with

the 3 detainees, followed by an inspection of the cells occupied by the said persons by the team. It was observed that the detainees' fundamental human rights were respected, except for communication with relatives and this was in part due to the COVID-19 prevention measures.



3.2.3 Police Stations

HRCSL monitored the following Police Stations and Police Posts in keeping with Section 7 (2) (f) of HRCSL Act (No. 9) 2004, as listed in the table below. Challenges of overcrowding, poor sanitary and hygiene conditions and over-detention persist in the Police Stations visited.

TABLE 2 – Police Stations/Posts Monitored

| No. | Date | Police Station | District/Region | No. of Suspects | | Total |
|-----|-------|------------------------------------|--------------------|-----------------|---|-------|
| | | | | M | F | |
| 1 | 19/5 | Bo West Police Station | Bo/Southern | 37 | 2 | 39 |
| 2 | 26/05 | Adelaide Street Sub-Police Station | Western Area Urban | 8 | 3 | 11 |
| 3 | 27/05 | Aberdeen Police Divisions | Western Area Urban | 7 | 3 | 10 |
| 4 | 27/05 | Congo Cross Police Divisions | Western Area Urban | 6 | 0 | 6 |
| 5 | 01/06 | Lumley Police Division | Western Area Urban | 23 | 2 | 25 |
| 6 | 02/06 | Sierra Rutile Police Division | Moyamba/Southern | 11 | 0 | 11 |
| 7 | 02/06 | Adonkia Police Station | Western Area Rural | 23 | 1 | 24 |
| 8 | 16/06 | Kenema Police Station | Kenema/Eastern | 17 | 0 | 17 |
| 9 | 18/07 | Kenema Police Station | Kenema/Eastern | 10 | 0 | 10 |
| 10 | 21/07 | Panlap Police Station | Bombali/Northern | 4 | 0 | 4 |
| 11 | 21/07 | Rogbaneh Police Station | Bombali/Northern | 13 | 1 | 14 |
| 12 | 21/07 | Mena Police Station | Bombali/Northern | 51 | 0 | 51 |
| 13 | 27/07 | Tombo Police Post | Western Area Rural | 5 | 0 | 5 |
| 14 | 28/07 | East End Police Station | Western Area Urban | 12 | 1 | 13 |
| 15 | 28/07 | Ross Road Police Station | Western Area Urban | 15 | 0 | 15 |
| 16 | 28/07 | Kissy Police Station | Western Area Urban | 28 | 0 | 28 |

| | | | | | | |
|----|-------|---------------------------|-------------------------|----|---|----|
| 17 | 31/08 | Newton/4 Mile Police Post | Western Area Rural | 26 | 7 | 33 |
| 18 | 02/11 | Port Loko Police Station | Port Loko/North Western | 9 | 0 | 9 |
| 19 | 03/11 | Kamakwie Police Station | Karene/North Western | 4 | 0 | 4 |
| 20 | 04/11 | Kabala Police Station | Koinadugu/Northern | 24 | 0 | 24 |
| 21 | 09/11 | Kailahun Police Station | Kailahun/Eastern | 6 | 1 | 7 |
| 22 | 09/11 | Pendembu Police Station | Kailahun/Eastern | 3 | 0 | 3 |
| 23 | 09/11 | Daru Police Station | Kailahun/Eastern | 1 | 1 | 2 |
| 24 | 10/11 | Kenema Police Station | Kenema/Eastern | 19 | 0 | 19 |
| 25 | 11/11 | Bo West Police Station | Bo/Southern | 35 | 0 | 35 |
| 26 | 12/11 | Moyamba Police Station | Moyamba/Southern | 14 | 1 | 15 |

During the months of May and June, HRCSL conducted specific monitoring of eight (8) Police Stations (see table above). This was done to assess how the rights of suspects who flouted the curfew orders were respected, and what other measures were instituted to avoid over detention, as they could not appear in court due to the suspension of court proceedings to stem the spread of COVID-19.

3.2.4 Implementation of the FQSE Programme

H. E. President Dr. Julius Maada Bio launched the FQSE on 20th August, 2018. This initiative has increased access to government and government-assisted schools for all children from pre-primary to senior secondary levels across the country.

Between 2nd November and 15th December, HRCSL undertook a comprehensive monitoring of the implementation of the FQSE and its impact on the enjoyment of the right to education. HRCSL monitored 19 schools (14 Secondary Schools and 5 Primary Schools) which were randomly selected in the Western Area and the Regions.

TABLE 3

Enrollment of pupils from 2017/18 academic year to 2019/20 academic year

| No. | Date | School Monitored | Type of School | District/Region | | | |
|-----|------|--|----------------|----------------------|---------|---------|-----------|
| | | | | | 2017/18 | 2018/19 | 2019/2020 |
| 1 | 2/11 | Schelenker Senior Secondary School | Govt-Asst | Port Loko/North West | 1,017 | 1,274 | 1,038 |
| 2 | 3/11 | Karene District Education Committee Primary School | Govt | Karene/North West | 950 | 859 | 859 |
| 3 | 3/11 | Kamakwie Wesleyan Junior Secondary School | Govt-Asst | Karene/North West | 567 | 769 | 788 |

| | | | | | | | |
|----|------------------------------|---|------------------|------------------|-------|-------|-------|
| 4 | 4/11 | Kabala Senior Secondary School | Govt-Asst | Koinadugu/North | 1,102 | 1,500 | 1,822 |
| 5 | 5/11 | RC Primary Sch. Panlap | Govt-Asst | Bombali/Northern | 478 | 520 | 524 |
| 6 | 5/11 | Birch Memorial Senior Sec. Sch. | Govt-Asst | Bombali/Northern | 1,600 | 1,722 | 1,858 |
| 7 | 9/11 Methodist Sec. Sch. JSS | Govt-Asst | Kailahun/Eastern | 720 | 810 | 916 | |
| | | Methodist Sec. Sch. SSS | Govt-Asst | Kailahun/Eastern | 801 | 872 | 995 |
| 8 | 9/11 | National Sec. Sch. SSS | Govt-Asst | Kailahun/Eastern | 981 | 1,250 | 1,230 |
| 9 | 9/11 | Islamic Sec. Sch. JSS | Govt-Asst | Kenema/Eastern | 1,273 | 1,627 | 1,580 |
| 10 | 10/11 | Kenema Govt. Sec. School | Govt. | Kenema/Eastern | 1,492 | 1,650 | 1,734 |
| 11 | 11/11 | UMC Primary Sch. Kulanda Town | Govt-Asst | Bo/Southern | 1,121 | 1,158 | 1,190 |
| 14 | 7/12 | Tower Hill Primary School | Govt. | Western Area | 667 | 572 | 591 |
| 15 | 8/12 | Henry Fergusson Sec. Sch. | Govt. | Western Area | 1,332 | 1,441 | 1,441 |
| 16 | 8/12 | Sierra Leone Islamic Federation Sec. Sch. | Govt-Asst | Western Area | 298 | 336 | 367 |
| 17 | 8/12 | Govt. Model Sec. Sch. (SSS) | Govt. | Western Area | 590 | 600 | 610 |
| 18 | 8/12 | Fatima Primary Sch. | Govt-Asst | Western Area | 250 | 266 | 259 |
| 19 | 9/12 | DT Akibbo Betts Sec. Sch. (JSS) | Govt. | Western Area | 650 | 628 | 610 |
| 20 | 15/12 | UMC Sec. Sch. for Girls | Govt-Asst | Western Area | 1,376 | 1,049 | 1,009 |
| 21 | 15/12 | Freetown Sec. Sch. for Girls (SSS) | Govt. | Western Area | 1,376 | 1,474 | 1,342 |

The table above shows that since the introduction of the FQSE Programme in 2018 there have been increases in enrolment in 11 of the 14 Secondary Schools and 4 of the 5 Primary Schools. 2 Secondary Schools and 1 Primary School recorded decreases while 1 Secondary School recorded an increase in the 2018/19 (1,474 pupils) and a decrease in the 2019/2020 (1,342) academic years respectively.

TABLE 4
Quantity of learning materials supplied to the schools monitored

| No. | Date | School Monitored | District/ Region | No. of Core textbooks to be supplied as per the FQSE policy | No. of Core textbooks supplied 2019/20 |
|--------------------------------|-------|--|--------------------------|---|---|
| PRIMARY SCHOOLS | | | | | |
| 1 | 3/11 | Karene District Education Committee Primary School | Karene/North West | 4 | 2 |
| 2 | 5/11 | RC Primary Sch. Panlap | Bombali/ Northern | 4 | 2 |
| 3 | 11/11 | UMC Primary Sch. Kulanda Town | Bo/Southern | 4 | 4 |
| 4 | 7/12 | Tower Hill Primary School | Western Area | 4 | 2 |
| 5 | 8/12 | Fatima Primary Sch. | Western Area | 4 | 2 |
| JUNIOR SECONDARY SCHOOL | | | | | |
| 1 | 3/11 | Kamakwie Wesleyan Junior Secondary School | Karene/North West | 4 | 3 |
| 2 | 9/11 | Methodist Sec. Sch. | Kailahun/ Eastern | 4 | 4 |
| 3 | 9/11 | Islamic Sec. Sch. | Kenema/ Eastern | 4 | 4 |
| 4 | 9/12 | DT Akibbo Betts Sec. Sch. | Western Area | 4 | 4 |
| 5 | 8/12 | Sierra Leone Islamic Federation Sec. Sch. | Western Area | 4 | 4 |
| 6 | 8/12 | Henry Fergusson Sec. Sch. | Govt. | 4 | 2 |
| 7 | 15/12 | UMC Sec. Sch. for Girls | Western Area | 4 | 2 |
| SENIOR SECONDARY SCHOOL | | | | | |
| 1 | 2/11 | Schelenker Senior Secondary School | Port Loko/ North West | 2 | 2 |
| 2 | 4/11 | Kabala Senior Secondary School | Koinadugu/ North | 2 | 2 |
| 3 | 5/11 | Birch Memorial Senior Sec. Sch. | Bombali/ North | 2 | Inadequate |
| 4 | 9/11 | Methodist Sec. Sch. | Kailahun/ Eastern | 2 | 2 |
| 5 | 9/11 | National Sec. Sch. | Kailahun/ Eastern | 2 | 2 |

| | | | | | |
|---|-------|------------------------------|--------------------|---|---|
| 6 | 10/11 | Kenema Govt. Sec. School | Kenema/ Eastern | 2 | 2 |
| 7 | 8/12 | Henry Fergusson Sec. Sch. | Western Area | 2 | 2 |
| 8 | 8/12 | Govt. Model Sec. Sch. (SSS) | Western Area | 2 | 2 |
| 9 | 15/12 | Freetown Sec. Sch. for Girls | Western Area | 2 | 2 |

The table explains that while learning materials were adequate in some schools, they were inadequate in others in contrast with GoSL FQSE policy.

Also, all the schools monitored received supplies for extracurricular activities such as trophies, volleyballs, footballs, netballs, and their related accessories.

During the monitoring exercises, HRCSL identified certain challenges that may impact negatively on the aspirations of the FQSE programme namely: no reassessment of teachers, understaffing, shortage of trained and qualified teachers, delays in the payment of subsidies, non-payment of salaries to some staff, shortage of Language Arts textbooks and exercise books and poorly equipped laboratories and libraries.

3.2.5 Hospitals, COVID-19 Holding/Treatment Centres and Quarantine Homes

HRCSL conducted monitoring visits to selected hospitals to obtain relevant information regarding health care delivery (including structures put in place to address the plight of victims of sexual violence) and assess progress made in the implementation of the Free Health Care (FHC) Scheme.

Between March and mid-May, HRCSL monitored quarantine homes, holding and treatment centres in Freetown and in the regions. HRCSL again monitored quarantine homes between the 17th and 25th June to follow up on its recommendations for improvement in the treatment of persons in quarantine facilities contained in its Press Release of 22nd May following the previous monitoring. Below is a table showing some of the facilities monitored.

TABLE 5 - SOME QUARANTINE HOMES AND TREATMENT CENTRES MONITORED

| NO. | INSTITUTION | DISTRICT/REGION |
|-----|-----------------------------------|-----------------|
| 1 | Ahmadiyya Secondary School | Kenema/East |
| 2 | Lukes Commercial Secondary School | |
| 3 | Holy Rosary Secondary School | |
| 4 | Eastern Polytechnic | |
| 5 | Banya Hospital | |
| 6 | Chinese Farm | |
| 7 | Ribbi Motel | |
| 8 | City Counsel Guest House | |
| | | |

| | | |
|----|---|-------------------------------|
| 9 | Bo Government Hospital Annex ward | Bo/South |
| 10 | Two Stars Guest House | |
| 11 | Kindoya Hospital | |
| 12 | Sir Milton Hotel | |
| 13 | Imperial Hotel | |
| 14 | Two Stars Guest House | |
| 15 | Gondama Military Barracks | |
| | | |
| 16 | Magburaka Government Hospital | Tonkolili/North |
| 17 | Masanga Students Hostel. | |
| 18 | Makali Agricultural Training Centre | Bombali/North |
| 19 | Lion Poultry | |
| 20 | Yiks Road | |
| 21 | Water Works | |
| 22 | Koya Street | |
| 23 | Magbetteh Community | |
| 24 | OIC Road | |
| 25 | Makambo Resort | |
| | | |
| 26 | Freetown International Airport Hotel | Port Loko District/North West |
| 27 | Magbenka Village | |
| 28 | Fourah Bay College Treatment Centre | Western Area |
| 29 | Peace Mission Training Centre (PMTTC) | |
| 30 | College of Medicine and Allied Health Sciences (COMAHS) | |
| 31 | 34 Military Hospital | |

The Three Days Lockdowns

HRCSL monitored the 3 days lockdown imposed by GoSL from 5th to 7th April to ensure that key human rights standards were complied with during those periods. The imposition of the 3 days lockdown by GoSL was one of the measures instituted to prevent the spread of COVID-19 following the first two index cases recorded on 31st March and 1st April respectively.

The objectives of the monitoring included:

- to monitor how citizens' right to access water was respected,
- respect for non-derogable rights (right to life safety and security of persons, freedom from torture, inhuman and degrading treatment).
- access to medical facilities;
- assistance to vulnerable groups.

Towns and communities in the Western Area Rural and Urban Districts as well as the Eastern, Southern and Northern Regions were monitored. HRCSL further engaged the media and other stakeholders to draw GoSL's attention to some of the challenges in the implementation of the three days lockdown. As a result of that extensive engagement by HRCSL, most of the challenges were surmounted.

3.2.6 Re-Run and Bye-Elections

The Parliamentary election in Constituency 110 was cancelled by a High Court ruling as a result of an election petition after the 2018 general elections. This led the National Electoral Commission (NEC) to declare the seat vacant and to reschedule a re-run. This election was re-run in August 2019 but was again cancelled by NEC following the eruption of violence on polling day at some polling stations and the consequent destruction of voting materials.

HRCSL monitored the Parliamentary re-run election in Constituency 110, on 12th December, with a view to ascertaining and documenting compliance with domestic, regional and international instruments that guide election processes. A similar monitoring exercise was simultaneously undertaken during the bye-elections in Constituency 078 and Ward 287 in Bo District, Ward 348 in Moyamba District and Ward 226 in Karene District within the context of COVID-19 prevention guidelines. Police presence at polling stations provided the enabling environment and ensured that no eligible voter was denied the right to vote and the elections went on peacefully.

Fact-Finding Mission to Bonthe District

On 21st and 22nd January, HRCSL undertook a fact-finding mission to Bonthe District into the alleged rape of a woman in her 50s which took place on 11th January. Some unidentified members of the poro society were allegedly accused of perpetrating the incident.

During the fact-finding mission, HRCSL engaged the Paramount Chief, the Local Unit Commander (LUC) and other officers at Mattru Jong Police Station, the Councillor of Ward 320 and medical personnel at UBC Hospital Mattru Jong and the victim. Other engagements were held in Freetown with the Ministry of Local Government, the Sierra Leone Police and the Council of Paramount Chiefs. As a result of these engagements 9 suspects were arrested and are now standing trial at the High Court.

3.2.7 Fact-Finding Mission to Makeni

On 18th, 19th and 20th July, HRCSL undertook a fact-finding mission to Makeni City following an outbreak of violence on 17th and 18th July over the Electricity Distribution and Supply Authority's (EDSA) attempt to relocate a 1.65 megawatts standby generator to Freetown International Airport in Port Loko district. HRCSL embarked on this mission in fulfilment of its function in Section 7 (2) (a) of Act (No. 9) 2004 which states that HRCSL shall ***“investigate or inquire into on its own or on complaint by any person any allegations of human rights violations and to report thereon in writing”***.

During the fact-finding mission, HRCSL engaged the Mayor of the Makeni City Council; the Local Unit Commander (LUC) of the Makeni Division of the SLP; the Chief Superintendent of Police (CSP) of Rogbaneh Police Station; the Deputy Inspector General of Police, medical personnel of the Makeni Regional Referral Hospital; bereaved families and security guards at the Sierra Leone People's Party (SLPP) office..

HRCSL made the following findings among others:

- The rioters, mostly youths damaged the Sierra Leone Commercial Bank (SLCB) and the SLPP office. In an effort to restore law and order, the SLP assisted by the OSD used teargas to disperse the rampaging youths around the city. Live bullets were later fired by the security forces when the youth became increasingly violent; wielding sticks, machetes and throwing stones. Six (6) rioters died and 10 sustained injuries.
- A curfew was imposed in the aftermath of these confrontations, thus limiting the enjoyment of freedom of movement, the right to food as people could not access the markets to buy same and the right to health.
- 51 suspects were arrested and transferred to Freetown after statements had been obtained

from them in Makeni.

- The 1.65 Megawatts generator was eventually transferred from EDSA Makeni in the morning hours of 18th July to Freetown International Airport, in Port Loko district.

HRCSL proffered recommendations for GoSL, key among which were:

- i. GoSL should provide the SLP with riot gears and devices that will enable them to professionally respond to riots and protests without loss of lives.
- ii. The SLP should stop taking fire arms containing live rounds to scenes of protests/demonstrations except where it is extremely necessary; they should instead use rubber bullets and other crowd control means to disperse rioters.
- iii. The Law Enforcement Officials should speedily conclude investigations into the incident and identify those personnel who may have killed citizens and take appropriate actions against them.
- iv. The police should swiftly investigate and prosecute individuals who damaged property and engaged in other forms of violence during the riot.
- v. Youth should engage their representatives and other community leaders to channel their grievances rather than resort to lawlessness and violence.
- vi. The central government and local councils should frequently engage their beneficiaries/residents informing them about how governance works and how they should contribute to the process.

3.2.8 Monitoring Compliance with Business and Human Right Standards

In August and November, HRCSL conducted monitoring exercises at the Sunbird Bioenergy Company and SOCFIN Agricultural Company to assess compliance with business and human rights as well as labour rights standards. Both Sunbird and SOCFIN are agribusiness multinational corporations operating in the North and Southern provinces of Sierra Leone respectively. Sunbird produces Extra Natural Alcohol (ENA) from sugarcane whilst SOCFIN produces palm oil. Sunbird Company holds a concession of 23,000 hectares of land but currently occupies approximately 5,500 hectares within Mara, Bombali Shebora and Makari chiefdoms in Bombali district. SOCFIN holds a concession of over 12,000 hectares in Malen Chiefdom, Pujehun District.

Other activities conducted by HRCSL to promote compliance with business and human rights standards included:

- Following up on implementation of HRCSL's recommendations made to various companies visited during previous monitoring visits
- Providing redress for complainants by engaging the respective business enterprises and ensuring that they complied with HRCSL's decisions. For example, in January, HRCSL mediated and ensured the payment of end-of-service benefit of up to Le18,000,000 (Eighteen Million Leones) to one seafarer who brought a complaint against the management of his company, Sonnit Fishing Company. HRCSL also used the opportunity to share its monitoring guidelines with the company officials to be used for compliance purposes and also serve as a guide in their operations.

Companies Contacted and their Status of Compliance to BHR Issues:

The table below shows the companies/institutions contacted by the HRCSL, the categories of BHR issues and the status of compliance within the year under review.

TABLE 6 – Companies Visited and Status of Compliance to BHR Issues

| No. | Name of Company/ Institution | Source | Date Contacted | H/R Issue | Recommendation made in | Status of Compliance |
|-----|--|--|-------------------|--|--|--|
| 1. | CSE Construction Company | Complaint from aggrieved workers (451) | January | Nonpayment of NASSIT contribution and abuse of other labour related rights of aggrieved workers (451) | 2019 (Ref. 2019 CSE Monitoring Reports) | Non compliant |
| 2. | SONNIT Fishing Company | Complaint from aggrieved worker (1) | January | Nonpayment of workman's compensation and end-of- service benefit to aggrieved worker | 2020 | Fully compliant |
| 3. | Finance Salone – c/o Union Trust Bank | Complaint from aggrieved workers (2) | January | Nonpayment of monthly salary and end-of-service benefit and abuse of other labour related rights | 2020 | Non compliant |
| 4. | BCMI Company and RITCORP | Complaint from aggrieved worker (1) | January | Nonpayment of workman's compensation to aggrieved worker | 2020 | Action stalled because the matter was being heard in the High Court of Makeni |
| 5. | Sunbird Bioenergy Company | Monitoring exercise | August | Monitoring of compliance to BHR (Ref. August Report 2020) | 2020 | Partial compliance |
| 6. | SOCFIN Agricultural Company | Complaint from aggrieved worker (1) | August | Arbitrary dismissal and nonpayment of end-of- service benefit to aggrieved worker | 2020 | Non compliant |

3.3 Human Rights Education Activities

3.3.1 Institutional Capacity Building

During the year under review, HRCSL participated in a series of International Trainings/Conferences attended by Commissioners and Staff.

Table- 1 International Trainings and Conferences attended

| No. | Name | Activity | Organizers | Country | Date |
|-----|---------------------------|---|---------------|----------|----------|
| 1 | Comm. Patricia N. Ndanema | “Silencing the guns and building the culture of human rights in Africa”. (Rapporteur at the AUs 4th policy forum) | African Union | Via Zoom | |
| 2. | Comm. Patricia N. Ndanema | Launch of UNFPA Primer on FGM | UNFPA | Via Zoom | December |

3.3.2 Training of Commissioners and Staff on the General Human Rights Framework -

From 10th –13th March HRCSL with support from the Irish Aid and UNDP conducted training for its Commissioners and staff on the General Human Rights Frameworks, Universal and Regional Human Rights Mechanisms, Complaint Handling, investigation and Resource Mobilization in Freetown. The training was facilitated by an International Consultant, Dr. Nana K. A. Busia Jr.

The objective of the training was to build the capacity of the newly appointed Commissioners and senior staff of HRCSL. It also served as a refresher for some staff who already had an initial training on same. Participants’ knowledge on the topics covered during the trainings were shaped and broadened. The distribution of certificates climaxed this capacity building workshop. A total of 26 persons were trained; 19 male and 7 female participants.



3.3.3 Validation of Capacity Assessment of HRCSL Report

In April and July, under the Irish Aid/ UNDP project an independent international consultant Dr. Nana Busia Jnr was hired to conduct a comprehensive capacity gap assessment on HRCSL. In order to own the outcome, HRCSL in collaboration with the District Human Rights Committees (DHRC) on Friday 7th August, held a one day session at the Occasions Hotel, Lakkah to validate the report on the analysis of the findings of the comprehensive capacity assessment of HRCSL. The report was presented by Dr. Nana Busia Jr, who conducted the general capacity assessment of the operations of the HRCSL. The core objective of the assessment was for the international consultant to carry out a comprehensive assessment of capacity of the HRCSL in accordance with the requirements of the HRCSL Act (No 9) 2004, the Paris Principles and relevant international and regional human rights normative frameworks. The comments and critique made during the meeting as well as those submitted in writing after the validation workshop informed the finalization of the report.



3.3.4 Review of the Human Rights Commission of Sierra Leone Act (NO. 9), 2004

In October, UNDP/Irish Aid in collaboration with HRCSL held six (6) Technical Working Group (TWG) sessions facilitated by a hired national consultant to review HRCSL Act (No 9) 2004 in order to reflect the current emerging issues and principles of human rights in the country. The review also aimed at identifying gaps in the existing Act and to further strengthen the mandate of HRCSL to include human rights abuses, the power to summon MDA's who fail to comply with recommendations,



directives and orders from HRCSL.

The outcome of the process was a document submitted to UNDP by the Consultant with recommendations that would inform the review.

3.3.5 HRCSL receives six (6) motorbikes from Irish Aid & UNDP

In November, through the joint support project from the Irish Aid and the UNDP, HRCSL received 6 (Six) motor bikes to strengthen its capacity to effectively deliver on its statutory mandate of promotion and protection of human rights in Sierra Leone and to ensure compliance with its monitoring and reporting responsibilities amongst others. The bikes were distributed amongst HRCSL's offices which would help the regional offices to reach out to remote and hard-to-go areas to monitor and address human rights violations and abuses. In the same light, two motor bikes were presented to HRCSL by the Chinese Embassy which are being used by HRCSL to disseminate mails on complaints received from the public to respondents and to the related MDAs to whom complaints are referred.

This has helped in the speedy handling of complaints brought to HRCSL and to do follow-ups on such complaints.



Team Lead of UNDP Governance Cluster, Kadie Jumu-Peters presenting keys to the Chairperson of HRCSL

3.3.6 External Capacity Building Trainings

3.3.6.1 Training of Trainers of DHRCs on Treaty Body Reporting, Complaints Handling and Investigations

On 19th and 20th March, HRCSL conducted a Training of Trainers for the DHRCs in 16 Districts of the country on Treaty Body Reporting, Complaints Handling and Investigations, Monitoring, Research and Reporting; Gender Analysis and Human Rights; Resource Mobilization; Advocacy and Alternative Dispute Resolution Mechanisms. The DHRCs of the 16 Districts were convened in Bo City in the Southern Region.

The training enhanced the knowledge and skills of the DHRCs on advocacy and Alternative Dispute Resolution (ADR). It also improved on the human rights knowledge of the DHRC members. During the training all 42 participants (33 males and 9 females) manifested their increased knowledge in the issues discussed by their responses to most of the questions and submissions made by the facilitators. The training further strengthened the collaboration and partnership between the DHRCs and HRCSL. Another outcome was the setting up of an interim Executive Committee to start the process of establishing a national coalition of DHRCs.



3.3.6.2 HRCSL Trains Stakeholders on UPR & Reporting obligations

On 18th March, HRCSL) continued its Advisory Services and Technical Training for Stakeholders on Treaty Body, Universal Periodic Review (UPR) and Reporting on SDGs and African Vision 2063 in the Eastern Region of Kenema District.

The objective of the training was to help CSOs and other stakeholders understand the processes involved in the UPR and Treaty Body Reporting.

The Vice Chairman of HRCSL, reiterated the institution's desire to come closer to the people in the fulfilment of its mandate to protect and promote the human rights of all in Sierra Leone without discrimination. Emphasis was put on the issue of harmful traditional practices and how they infringe on the rights of others. The engagement served as an eye opener for the CSOs and major stakeholders on issues related to the reporting processes of the UPR, the Treaties and on concerns of harmful traditional practices.



Chairperson making a statement at the opening session of the UPR consultative meeting

3.3.6.3 HRCSL holds a Consultative Engagement with Stakeholders on the UPR process

Sierra Leone was first reviewed in 2011 by the UPR and was reviewed for the second time on 14th April 2016. The third cycle review is due in May 2021. During the second cycle review, 208 recommendations were made to the GoSL in which a total of 177 recommendations were accepted and 31 noted by same. HRCSL, with support from Irish Aid and the UNDP, organized stakeholders' consultative meetings on the 28th and 29th August in Freetown with 50 participants (15 females and 35 males); 3rd September in Makeni in which a total of 18 participants (14 males and 4 females) attended; and on 4th September in Bo, with 16 participants (12 males and 4 females) on the status of implementation of the 2016 UPR. The engagements brought together representatives from different CSOs, MDAs and DHRCs from the five regions and the western area, UNDP, and the press.



The purpose of the engagement was to solicit information from these stakeholders on how far GoSL has adhered to the implementation of the 177 recommendations it accepted during the UPR second cycle review, and how far the country has considered the realization of the 31 noted recommendations.

It was also intended to inform HRCSL's preparation of its shadow report to the Human Rights Council. Eighty (84) stakeholders (61 males and 23 females) participated in the event.

The engagements helped HRCSL to solicit useful information on the status of implementation of the UPR recommendations which helped HRCSL to produce its shadow report. The training also assisted HRCSL to update its UPR matrix in order to enhance its tracking mechanisms of the recommendations.

3.3.6.4 HRCSL, SLP and VP's Office train companies, Law Enforcement Officials and Community Stakeholders on Conflict Mitigation and Business and Human Rights

The UNDP in a joint project with WFP and the Vice President's Office collaborated with HRCSL and the SLP to 'build accountability of the security sector and companies to address local grievances and respond to community needs'. The training was conducted in three phases: in Moyamba (20th April to 25th April), Pujehun (27th April to 2nd May) and in Bo (26th August to 28th August).

In Moyamba and Pujehun, the training targeted 200 participants (100 from each district) to build the capacity of the security sector and the local partners and also strengthen the relationship between communities and companies. The following topics were discussed during the training:

- enhancing knowledge in conflict management and mitigation and COVID-19;
- human rights as a factor to effective security,
- local, regional and international human rights instruments,
- the role of women in peace building,
- SGBV as a recipe for conflict in communities and
- the role of SLP in conflict management.

In Bo, 35 participants (16 females and 19 males) were trained in Business and Human Rights. The training targeted company management, the SLP, and Local Police Partnership Board (LPPB) and community stakeholders.



Presentation by Comm. Gassan Abess during the BHR training in Bo



A cross section of participants during a training in Moyamba

3.3.6.5 Regional Trainings on Covid-19, the SoPs and Human Rights

On the 28th and 30th September, HRCSL - with support from UNDP /Irish Aid conducted training for 90 (65 males and 25 females) security personnel on human rights-based approach and the National COVID-19 Emergency Response Centre's (NaCOVERC) Standard Operating Procedures (SoPs) in responding to COVID-19 in Port Loko and Bo respectively.

The training was meant to help the security personnel in managing their approach in enforcing the emergency regulations to control the spread of the COVID-19. It helped raise their understanding of the facts that not all human rights are suspended during a State of Emergency and the need to ensure a balance between enforcing compliance with COVID-19 regulations and to adhere to the obligation to protect fundamental human rights of individuals.



Training Security Personnel in Port Loko on COVID-19, the SOPs and Human Rights.



Director of DECT making a presentation



Comm. Abess making a statement during the opening ceremony

3.3.7 Public Education and Outreach

3.3.7.1 HRCSL engages Communities in the Eastern Region on Harmful Traditional Practices

On 11th January, HRCSL conducted a community engagement in Largo Town and its environs in the Kenema District on an alleged underage initiation of girls into the female secret society (Bondo). Community stakeholders (chiefs, youth leaders, religious leaders, teachers, health workers and the Local Police Partnership Board) and some of the Soweis who were engaged in the practice were present at the community engagement. During this engagement, the HRCSL embarked on human rights education, introducing discussions on the Sexual Offences Act as amended 2019, the Child Rights Act and the 3 Gender Justice Laws. The engagement brought great awareness among the community authorities who referred to it as timely and educative.



HRCSL engages community stakeholders on harmful traditional practices

3.3.7.2 HRCSL Awareness Raising on COVID-19

Sierra Leone reported its first case of the COVID-19 pandemic on 31st March. GoSL in response declared a 'State of Emergency', to prevent transmission and minimize the impact of COVID-19 across the country. HRCSL observed that at the initial outbreak of the pandemic in Sierra Leone, stigma and discrimination were directed at persons diagnosed with COVID-19. HRCSL responded in supporting GoSL's effort through advocacy and monitoring activities.

HRCSL issued its first COVID-19 press release on 3rd April. The release spoke to government, law enforcement agencies and the general public for collective responsibilities in taking the necessary steps to tackle COVID-19 Pandemic. It also highlighted HRCSL's advice and recommendations to key stakeholders and the public on this fight and pledged its commitment to collaborate with GoSL and other agencies in the fight to eradicate COVID-19 in the country.

HRCSL with support from UNDP and Irish Aid, developed jingles in four major local languages, (Krio, Mende, Themne and Limba) and a video jingle in Krio. The audio jingles were aired in fourteen (14) community radio stations across the country in the months of May and June while the video jingle was shown by Africa Young Voices (AYV) television in Freetown for two weeks in May.

The specific objectives of the awareness raising were to:

- Increase public awareness about the spread of COVID-19 and NaCOVERC regulations and its human rights implication on citizens
 - Provide educational information for the general public's acceptance and precautions about COVID -19
 - Join in force with other key players to coordinate national efforts in combating the virus.
- Series of media engagements were also undertaken on emerging human rights issues such as the spate of violence and excessive use of force by the security personnel.

3.3.7.3 Engagement with the Aged at King George VI Memorial Home

HRCSL on 26th March, visited the home of the aged at the King George VI Memorial Home in Grafton to raise awareness and educate them on their rights as aged persons and on COVID-19 preventive measures. HRCSL supported the aged with sanitary materials.



Chairperson of HRCSL making a statement during the engagement

3.3.7.4 Launch of the State of Children in Sierra Leone 2017 Report

On 16th October, HRCSL in collaboration with Save the Children officially launched the report titled ‘the State of Children in Sierra Leone 2017’ at the Sierra Leone Library Board. This launch was part of the celebration to commemorate the International Day of the Girl Child. Despite the delay in the launch of the report, the content of it remains relevant as it speaks to the existing problems and challenges faced by children in Sierra Leone.

While launching the Report, the Deputy Commissioner designate of the National Commission for Children (NCC), Commissioner Fabundeh Ansumana assured the children that the NCC remains committed to implementing laws which give children the rights and dignity they deserve.



Deputy Commissioner of NCC launching the State of Children in Sierra Leone Report 2017

3.4 Strategic Engagement

3.4.1 HRCSL Engages the Ministry of Gender and Children’s Affairs on the Protection of Women and

Children’s Rights

On 27th January, HRCSL engaged the Minister of Gender and Children’s Affairs to foster relationship for effective partnership and collaboration on issues of gender and for the effective implementation of the Sexual Offences (Amendment) Act 2019.

Five key priority areas were highlighted for collaboration as follows:

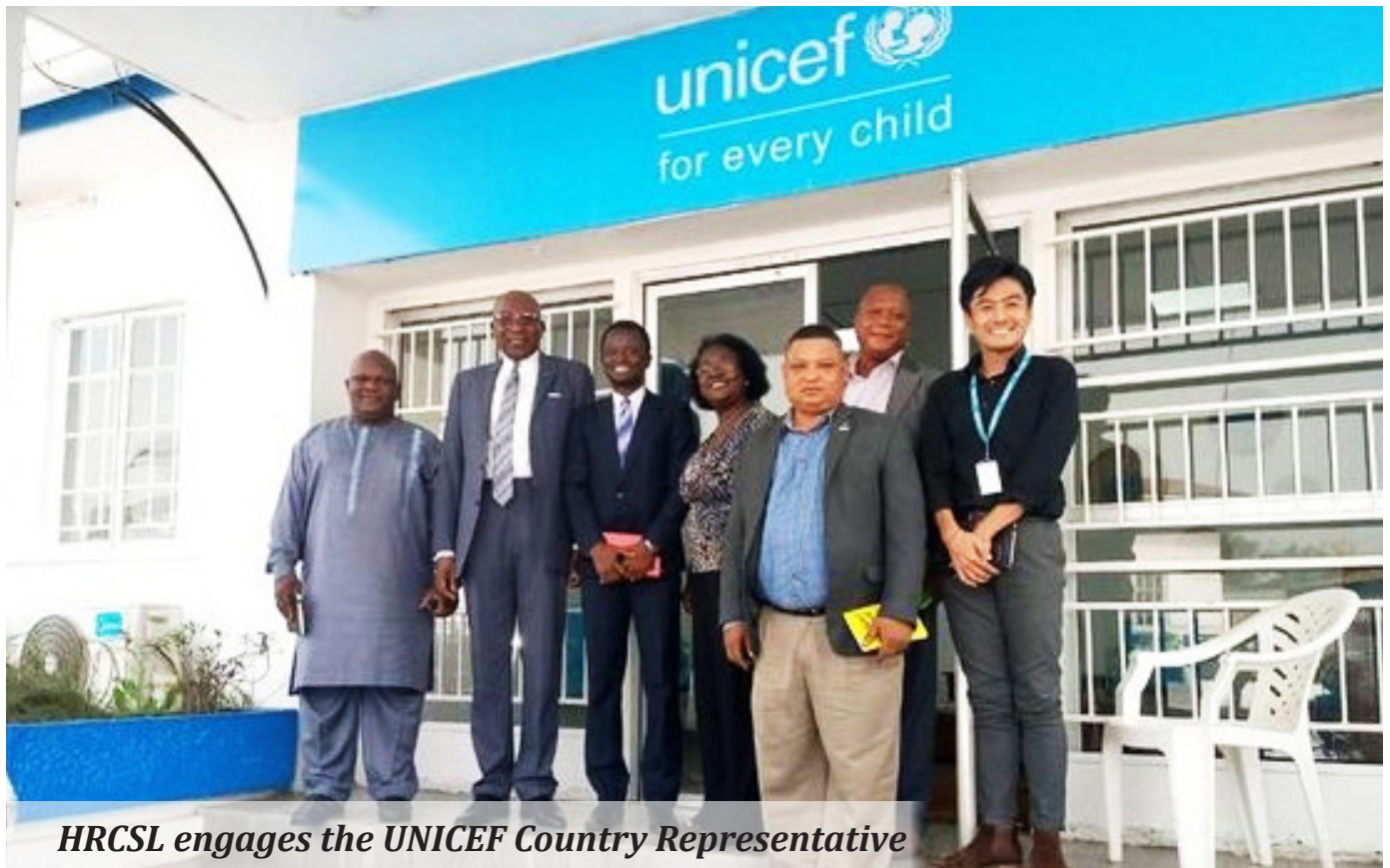
- Prevention of SGBV; Response to SGBV; Economic empowerment for women; Street children and Coordination. She informed the Commission of the planned setting of Committees for this five priority areas and encouraged the Commission to join two of the key Committees namely; Prevention of SGBV and the Response to SGBV.

The Minister also disclosed to HRCSL her Ministry’s current work on a Male Involvement Strategy that will be launched on International Women’s Day.

3.4.2 Engagement with the UNICEF Country Representative

On 27th January, HRCSL engaged the UNICEF Country Representative in Sierra Leone to explore areas of partnership and collaboration. The Vice Chairperson of HRCSL, while making his statement, called for partnership particularly in the area of child protection as HRCSL is mandated to protect the rights of all in Sierra Leone.

The UNICEF Country Representative, Suleiman Braimoh stated that his institution is a multi-state actor primarily charged with the responsibility to advocate for the rights of children. He further stated that as a right based institution guided by the Convention of the Rights of the Child, his organization is interested in ensuring that every single child enjoys: Rights to survival, Rights to development, Rights to protection and the Rights to participation.



HRCSL engages the UNICEF Country Representative

HRCSL was presented a copy of the New UNICEF Country Programme that runs from 2020 - 2023 so that it will be studied by HRCSL to enable it identify ways of adding value to the programme through collaboration.

3.4.3 HRCSL engages the British High Commission

On 5th January, HRCSL visited the British High Commission as part of their strategic engagement with partners. The objective was to build a better and stronger strategic partnership with the British High Commission. HRCSL used this opportunity to explain its ten strategic priorities for collaboration and partnership. In his response, the British High Commissioner to Sierra Leone, Simon Mustard commended the work of HRCSL and expressed willingness to continue to partner with the Commission although he was quick to state that with the outbreak of COVID-19 funds were not readily available to support sustainable programmes. He expressed interest in working with HRCSL to provide technical support to the UPR process.



British High Commissioner and HRCSL Commissioners and staff after the meeting.

3.4.4 HRCSL and ACC Sign MoU

On 26th February, HRCSL and the Anti-Corruption Commission of Sierra Leone (ACC) signed a Memorandum of Understanding at the ACC HQ to strengthen the relationship between the two institutions in the fight against corruption and the promotion and protection of human rights.

HRCSL is mandated by its Act to collaborate with other institutions intervening in the field of human

rights and the ACC is one such institution. HRCSL views the fight against corruption as a fight that promotes human rights because where corruption thrives the enjoyment of human rights would be affected. This makes the signing of the MoU a relevant venture taken by the two institutions.

As a major outcome of the signing, it was agreed in the context and justification of the MoU that the two institutions should regularly engage in public education and outreach programmes across the country in order to get both duty bearers and rights holders to understand how corruption impacts human rights.



Deputy Commissioner of ACC and the Chairperson of HRCSL signing the MoU

Both institutions also agreed to undertake activities to promote good governance and respect for human rights and to provide mutual support and assistance to each other.

3.4.5 HRCSL and the Residual Special Court of Sierra Leone discuss the TRC Archives.

On 19th August, officials of the Residual Special Court of Sierra Leone (RSCSL) held a meeting with Commissioners of HRCSL. During this meeting the officials explained their plan to preserve the special court and the TRC archives that were going bad due to poor storage facility.

In order to get a clear picture of the state of the TRC archives, HRCSL as custodian of same, immediately paid a visit to the rehabilitated National Peace Museum to ascertain its status. Commissioners were shown the transformative steps taken to uplift the museum and introduced to the professional archivist hired to preserve and manage the records.



Registrar of RSCSL briefing Commissioners after inspecting the facility

3.4.6 Engagement with the National Youth Commission (NAYCOM)

On 6th February, HRCSL had an engagement with the NAYCOM in order to foster relationship between the two institutions that would help promote the rights and welfare of youth in the country. The Vice Chairperson of HRCSL intimated the Commissioner that the HRCSL was aware of the Graduate Internship Program that is being implemented by NaYCom and that the doors of HRCSL were always open for any assistance in that regard. The Vice Chairman of HRCSL recommended to NAYCOM that it is important to speak to the youth about their rights and corresponding responsibilities.



HRCSL and NaYCOM pose for the camera after the engagement

Commissioner Ngolo Katta noted the interrelatedness that exists between the two institutions and promised to work in partnership with HRCSL on youth issues.

Following this engagement NaYCOM assigned 20 interns to HRCSL in order to gain job experience for a period of one year. This is now a continuous process and it further deepens the collaboration between the two institutions.

3.4.7 HRCSL Engages the Attorney General and Minister of Justice

On 21st August, the HRCSL engaged the Attorney General and Minister of Justice, Mr. Anthony Brewah at his office on the functions of HRCSL, challenges faced, review of legislation and the UPR. During the engagement, HRCSL pledged to engage the office of the Attorney General on a regular basis to acquaint it with issues, events and other pertinent matters that relate to HRCSL.

The Minister expressed delight in meeting with HRCSL and affirmed his commitment in supporting its activities. He also stated that frequent engagement is the best way to achieve results.



HRCSL engages the Attorney General and Minister of Justice

3.4.8 Consultative Conference on Decriminalization of Petty Offences

On 18th and 19th November, HRCSL, in collaboration with the Network of African National Human Rights Institutions (NANHRI) held a two-day consultative Conference on the Decriminalization of Petty Offences in Sierra Leone at the Sierra Palm Hotel, Lumley Beach.

The specific objectives were to:

- Engage key state and non-state actors on the decriminalization of petty offences
- Review and agree on the proposed National Action Plan for the decriminalisation of petty offences in Sierra Leone
- Develop a roadmap and plan of action for the progressive realization of the decriminalization of petty offences with stakeholders
- Build alliances for the campaign on the decriminalization of petty offences.



Attorney General and Minister of Justice delivering the Keynote Address

During the conference, various speeches were made and the keynote address was delivered by the Attorney General and Minister of Justice, Honourable Anthony Y. Brewah Esq. Several presentations were made by representatives from NANHRI, CARL, AdvocAid and Commissioners of HRCSL.

Among the key outcomes were:

- Participants' knowledge on the need to decriminalise petty offences increased
- Three committees were setup to follow-up on the finalisation of the National Action Plan and its subsequent implementation
- The Attorney General and Minister of Justice made a commitment on behalf of government to support the campaign to decriminalise petty offences in order to decongest correctional centres.

3.4.9 HRCSL Engages New UN Resident Coordinator

On 3rd November, HRCSL engaged the new UN Resident Coordinator to Sierra Leone Mr. Babatunde Ahonsi. The engagement was to discuss HRCSL's new Strategic Plan (2021 – 2025).

The Resident Coordinator in reacting to all the statements made by HRCSL stated that the HRCSL was a natural ally and partner in the journey to make Sierra Leone a better place for everyone. In his words he said

“The Human Rights Commission of Sierra Leone is a strategic institution that we will be able to partner with in a way that advances our common objectives which is geared towards a better and fairer Sierra Leone that works for all and protects the rights and wellbeing of the most vulnerable”.



UN Resident Coordinator meets with the team from HRCSL

3.4.10 Presentation of the 12th & 13th State of Human Rights Reports to H.E. the President



The Chairperson presenting SOHR 2018 & 2019 to H.E. the President at State House

On 17th December, HRCSL presented its 12th and 13th series of the SOHR reports meant to cover for 2018 and 2019 to the President of the Republic of Sierra Leone H.E. President Dr. Julius Maada Bio at State House.

This presentation was in fulfilment of HRCSL's statutory obligation as contained in Section 24 (1) (b) of the Human Rights Commission of Sierra Leone Act (No. 9) 2004, ***“The Commission shall, within***

three months after the end of each financial year, submit a report of its activities to the President and Parliament to be entitled “The State of Human Rights in Sierra Leone” which shall contain details of-

(b) the steps taken by the Commission to respect, protect and fulfil human rights, including results of individual complaints investigated and interventions and recommendations made by the Commission or by any of its committees in respect of matters brought before them.”

Noting the general state of human rights in Sierra Leone as recorded in the SOHR report, the Chairperson of HRCSL stated that it could be described as satisfactory, although there were numerous challenges that undermined the fulfillment of rights generally. She further highlighted the challenges HRCSL is faced with in executing its duties on a day-to-day basis ranging from logistical, financial to understaffing.

In his response, H.E. President Dr. Julius Maada Bio commended HRCSL for carefully monitoring the human rights situation in the country. The President, in responding to HRCSL’s recommendations and advocacy in successive SOHR reports, including the abolition of the death penalty, the constitutional review process, a national action plan etc, reiterated his government’s commitment to upholding the moratorium on death penalty, re-opening of the constitutional review process by setting up a technical committee and his government’s support to have a National Action Plan on Human Rights. H.E. further pledged his government’s commitment to the full implementation of the Gender Equality and Women’s Empowerment (GEWE) Policy

3.5 Media Outreach

In compliance with its public education function contained in Section 7 (2) (b) (i) (ii) of the Human Rights Commission of Sierra Leone Act (No.9) of 2004, HRCSL continued its engagements using various forms of the media aimed at educating the public and fostering a culture of human rights in Sierra Leone. These media engagements were geared towards protecting and promoting human rights in the country. They also formed part of educating the public on HRCSL’s activities and how rights holders can access its services.

In response to the outbreak of COVID-19, HRCSL’s media strategy included engaging media houses by way of granting interviews, publishing press statements and developing and airing of jingles in four major local languages, (Krio, Mende, Themne and Limba). The jingles provided awareness on COVID-19 preventive measures and the State of Emergency regulations, and called on the public to refrain from stigmatizing health workers and persons infected by the disease. They further called on law enforcement officials to use a rights-based approach in implementing the COVID-19 regulations.

HRCSL used various social media platforms including WhatsApp, Facebook, Twitter, YouTube and the HRCSL’s website (www.hrc-sl.org) to reach out to the public. An average of 98 people visited the website monthly. YouTube was viewed by 113 people with an average duration of 2min. 36 seconds and an average 36.8% views with a total number of 26 subscribers, while Facebook had 6339 followers and 5545 likes. The Tweeter account had 49 followers with the top follower being followed by 2142 people, and also 345 tweet impressions.

3.6 The Library and Documentation Centre

The Library and Documentation Centres remain a core functional unit in increasing the visibility of HRCSL and creating a platform for the public to freely access its human rights information materials. This is consistent with Section 7(2)(b)(ii) of the HRCSL Act (No. 9), 2004. These centres are found at its Headquarters and all its regional offices.

The Library and Documentation centres were regularly used by staff and occasionally by external

researchers even during the COVID-19 pandemic. The external users of the centre are mostly students from various tertiary institutions including Fourah Bay College, Institute of Public Administration and Management (IPAM), Njala University, Institute of Advanced Management and Technology (IAMTECH), University of Makeni (UNIMAK), Milton Margai College of Education and Technology (MMCET), Limkokwing University and other polytechnic training institutions.

During the reporting year, the library and documentation centre at HQ was less visited compared to previous years, with a total of 30 external users. This was as a result of the COVID-19 pandemic which limited movement of people and encouraged social distancing.

3.7 Commemoration of International Human Rights Days

3.7.1 International Women's Day – 8th March

On 11th, 12th and 13th March, HRCSL engaged three Vocational Institutions in Freetown (Women in Crisis Movement Centre in Goderich, Women's Vocational Training Centre in Brookfields and the Murialdo Vocational Training Institute in Kissy) on an outreach and public education programme on the Sexual Offences (Amendment) Act 2019. This was to mark the International Women's Day (IWD) celebration on the Theme, ***"I am Generation Equality: Realizing Women's Rights"***. ***This theme was localized by the MoGCA as "Men and Boys are Standing Up for Women and Girls Rights"***. A total of 238 students, including 8 teachers from the three vocational institutes benefitted from the programme.

The aim of the public education programme was to take human rights education to Vocational Institutions in order to increase and deepen the culture of human rights in these institutions, to capacitate students and teachers especially women, young girls and Persons with Disabilities (PwDs) on the laws that protect them and their corresponding rights and responsibilities.

During the public education, it was observed that most students were unaware of the existence and operations of HRCSL and the laws that protect and promote the rights of women, children and PwDs. These engagements helped build their knowledge in these areas.



3.7.2 Commemoration of the Day of the African Child – June 16

On 16th June, HRCSL commemorated the Day of the African Child by conducting public education in two juvenile detention facilities namely: the Kingtom Remand Home and the Approved School in Wellington on the theme ***“Access to Child Friendly Justice in Africa”***. The theme aimed at examining the elements of a child-friendly justice system, the application of a child rights-based approach and the use of the four principles of children’s rights as a tool for realizing access to a child-friendly justice system in Africa.



Presentation of items at the Approved School by HRCSL

HRCSL used this opportunity to educate inmates about its work, including the rights of juveniles and their responsibilities. There were also reflections on the challenges associated with the juvenile justice system especially during the COVID-19 pandemic.

The celebration was climaxed by the presentation of items such as bathing and laundry soap, veronica buckets to the centres and sanitary pads for female inmates at the Kingtom Remand Home by HRCSL and a radio discussion programme on the day at the Sierra Leone Broadcasting Corporation (SLBC).

3.7.3 HRCSL Commemorates International Day of the Girl Child – 12th October

On October 12, HRCSL embarked on a nationwide public education in 21 selected primary and secondary schools (6 primary schools and 15 secondary schools) commemorating the International Day of the Girl Child. The celebration was predicated on the theme ***‘My Voice our Equal Future’*** which was localized as ***“Good parenting to prevent Sexual and Gender Based Violence”***. The public education was geared towards raising awareness on the importance of the day and getting the girls to understand their rights and the various laws that protect women and children as well as where to seek redress.

During the engagements, HRCSL encouraged the girls to speak out and report issues of sexual penetration, child abuse, harassment, early marriage and teenage pregnancy which are prohibited in the Sexual Offences Act as Amended in 2019 and in the Child Rights Act.

An approximated 2,087 pupils, including boys and girls benefited from the public education. Many of the children said they had not heard about HRCSL and they expressed appreciation for its intervention in educating them on the existing laws and their rights to speak out against abuses.



3.7.4 HRCSL Commemorates Africa Human Rights Day - October 21

On 21st October, HRCSL commemorated the Africa Human Rights Day on the theme '**Silencing the Guns and Deepening the Culture of Human and Peoples' Rights: the Opportunities and Challenges of COVID-19 in Africa**'. This date has been set aside by the African Union to remind its member states of their responsibilities to protect and promote human rights. HRCSL localized the theme to read 'Silencing the Guns, silencing inciting hate messages, silencing violence and Deepening the Culture of Human and Peoples' Rights'. HRCSL organized a press briefing and engaged youth organisations in 29 ghettos and car-wash centres to raise awareness on the theme and HRCSL's complaint procedures. According to the youth, they were impressed about the presence of HRCSL in their ghettos and car-wash centres, since many people, in their view, do not place relevance on their existence. The youth pledged to always go to HRCSL to seek redress whenever their rights are violated.



Group picture of HRCSL staff before departure to the ghettos and car-wash centres

3.7.5 International Human Rights Day – December 10

December 10 was set aside by the United Nations (UN) to commemorate and raise awareness on the UDHR and for Nation States to take steps to promote, protect and fulfil the enjoyment of human rights. The theme of the day was titled "**Recover Better – Stand Up for Human Rights**". This theme was related to the COVID-19 pandemic and its effects on the realization of human rights.

The celebration was done nationwide with formal events held in Freetown, Bo, Makeni, Kenema and Port Loko. In Freetown, the event was broadcast live on TV and the Right Honorable Speaker of Parliament Chaired the programme while the Vice President of the Republic of Sierra Leone delivered the keynote address. Three Commissioners and the Deputy Executive Secretary were separately deployed in the four regions to superintend over the events of the



day. In his keynote address, the Vice President, on behalf of H.E. President Dr Julius Maada Bio, pledged his government's commitment to establishing the Independent Commission for Peace and National Cohesion, and to continue to uphold the moratorium on the death penalty.

3.8 Finance and Administration of HRCSL

Section 21 of HRCSL Act (9) 2004 provides sources of funding for its activities amongst which include GoSL and donor partners.

During the year under review, HRCSL received funding from GoSL and UNDP/Irish Aid for its operations and project implementation. It also received project funding from NANHRI, an umbrella organization for NHRIs in Africa.

Government Support

The government of Sierra Leone (GoSL) provided financial support HRCSL as follows:
Salaries and other emoluments: Le17,353,185,769 (Seventeen Billion, Three Hundred and Fifty Three Million, One Hundred and Eighty Five Thousand, Seven Hundred and Sixty Nine Leones)
Operational costs and programmes: Le2,119,800,000 (Two Billion, One Hundred and Nineteen Million, Eight Hundred Thousand Leones). The activities undertaken were:

Monitoring:

- Monitoring of Human Rights violations / abuses during the state of public health emergency in the western area rural district in Freetown
- Monitoring of quarantine facilities, Juvenile courts, detention centres
- Monitoring of Lockdown in the county
- Monitoring of Sun-Bird Bioenergy and Cheng Li mining companies, Socfin Agricultural company

Investigations:

- Investigation of alleged rape at Mattru Jong
- Investigation on alleged violation in Kpanda-Kemoh chiefdom, Bonthe
- Investigation and monitoring of the Makeni youth riot against the relocation of power plant generator
- Investigation from complaints
- Mobile complaints hearing

Public Education:

- Production of video documentary for airing of Covid-19 messages
- Public education in commemoration of the international women's day in Kambia

International Days:

- Commemoration of the International Day of the Girl Child
- Commemoration of the International Day of Persons with Disabilities
- Celebration of International Human Rights day
- Celebration of African Human Rights day
- Celebration of International Human Rights day 2020

Gender:

- Stakeholder Engagement on SGBV- Port Loko district
- Community Engagement on Sexual Offences Act-16 days activism
- Community Engagement on Sexual Offences Amendment act 2019
- Community Engagement on human rights and sexual violence/rape

3.8.1 General Office Operations:

- Internal audit review of the regional offices
- Observe the questioning of Dr. Ernest Bai Koroma by anti-corruption
- Printing of State of Human Rights Report 2019
- Consultative conference on National Action Plan for the Decriminalization of Petty Offences in Sierra Leone
- Rent for regional offices – Bo, Port Loko, Makeni and Western Area
- Human Rights Working Group Meetings
- Website hosting
- Retreat for editing of 2019 State of Human Rights report

International travelling:

- Attendance of ECOWAS commission to training for National Human Rights Institutions- Accra Ghana
- Monitoring the Right to vote in the ECOWAS sub-region under the theme ***‘National elections and COVID-19 pandemic: My vote, my right, my life’***
- Attendance NANHRI-WA election observation mission to Ghana: 2020 presidential/parliamentary election

Donor Funding:

As mandated by its Act, HRCSL can source funding from partners. Funding was received from UNDP/ Irish Aid under the UNDP Access to Justice Projects and Network of African National Human Rights Institutions - NANHRI

HRCSL received funding from the UNDP Access to Justice Projects in the sum of Le641,066,769 (Six Hundred and Forty One Million, Sixty Six Thousand, Seven Hundred and Sixty Nine Leones) for the implementation of the following activities

- Capacity building training for Commissioners and staff on the General Human Rights Framework, Universal and Regional Human Rights Mechanism, complaint handling, investigation and resource mobilization held at the Occasion Hotel, Lakka from Tuesday 10th-13th March 2020.
- Regional Training of Trainers for District Human Rights Committees on Complaints Handling and Investigation; Monitoring, Research, and Reporting; Gender analysis and Reporting; Resource Mobilization; Advocacy and Alternative Dispute Resolution Mechanisms
- Human Rights working group meetings
- Technical training on reporting on UPR, Treaty Body, SDGs and the African Vision held in Kenema, Portloko and Western Area.
- Referral Partnership meetings
- Developing capacity building plan
- Validation workshop on capacity assessment of HRCSL
- Validation of Capacity Building Plan
- Regional consultation on the Review of HRCSL Act (No.9) 2004
- Monitoring of implementation of the COVID-19 Standard Operating Procedure, Management of Quarantine Homes and Check Points
- Training of Security Personnel on the Impact of COVID-19 on Human Rights and SOPs
- Regional stakeholders Consultations to solicit information from CSOs for the Production of a shadow Report on the UPR Cycle
- Monitoring of three days lockdown in Freetown and the Regions from 5th to 7th April 2020
- Repositioning HRCSL's Complaints Handling in Response to the COVID-19 Pandemic

- Bi monthly Radio Based Awareness Programmes on COVID-19 (Human Rights Issues)
- Training workshop for members of School Human Rights and Peace Clubs in the Western Area and the Establishment of new Clubs in Selected Secondary Schools in the North-Western Region
- Developing and airing of jingles on COVID-19 at District Level in four local languages
- Consultative engagement on development of HRCSL Strategic Plan for 2020-2025
- Validation of HRCSL Strategic Plan

Network of African National Human Rights Institutions- NANHRI

HRCSL received funding from Network of African National Human Rights Institutions in sum the of Le25,352,500 (Twenty Five Million, Three Hundred and Fifty Two Thousand, Five Hundred Leones) for the implementation of Consultative Conference on Decriminalization of Petty Offences in Sierra Leone

PART 4: RECOMMENDATIONS

4.1 Civil and Political Rights

4.1.1 Right to Life, Liberty and Security of the Person

1. GoSL should conduct independent investigations into the incidents that occurred at the Pademba Road Male Correctional Centre and in Makeni and officers found wanting of discharging live rounds which resulted in loss of lives in both incidents should be held accountable.
2. GoSL should review existing guidelines for security personnel on maintaining public order and regularly train them on those guidelines and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.
3. GoSL should adequately equip the SLP with anti-riot gears to enable it to respond to public disorder and violent protests in an appropriate and professional manner.
4. Protesters should conduct themselves in a peaceful and lawful manner and should desist from taking the law into their hands.

4.1.2 The Death Penalty

1. HRCSL urges the GoSL to implement the TRC and UPR recommendations for the abolition of the death penalty.
2. HRCSL calls on GoSL to sign the Second Optional Protocol to the International Covenant on Civil and Political Rights on the abolition of the death penalty.

4.1.4 Freedom of Expression and the Press

1. The IMC should fully implement the provisions contained in the new IMC Act to ensure professional journalism and safeguard the reputation of people.
2. Journalists and media houses themselves should embrace self-regulation and become much more professional in carrying out their practice.

4.1.5 Freedom of Assembly, Association and Movement

1. GoSL should always embark on robust public education when putting restrictive measures in place so that citizens are made to understand the importance of the measures.
2. Citizens should cooperate with GoSL to ensure their safety during such exceptional circumstances.

4.1.6 Protection from Deprivation of Property



THE STATE OF HUMAN RIGHTS IN SIERRA LEONE 2020



1. GoSL should expedite the process of reviewing existing land Laws, enact the Land Rights Act and establish the National Lands Commission.
2. MLHCP should identify and conduct a Global Positioning System (GPS) survey and to establish a database of all state lands in order to avoid unlawful dispossession and conflict within communities.
3. GoSL should setup a Land and Boundary Dispute Resolution Committee to look into and address all matters relating to land and boundary dispute in the provinces, including all long standing disputes.
4. GoSL through the Ministry of Finance should expedite all legitimate land compensations with a view to bringing closure to such claims.

4.2 Economic, Social and Cultural Rights

4.2.1 Right to Education –

Basic Education

1. MBSSE should increase the supply of core textbooks (at all levels) and other teaching and learning material especially in remote areas.
2. Government through the MBSSE should increase the recruitment of more teachers to match up the increasing number of pupils.
3. GoSL should construct or rehabilitate more schools to match the growing enrollment rate because of the Free Quality Education.
4. Government through the MBSSE should increase the enrollment of more teachers and ensure that pin-coded teachers receive their salaries to march up to address the issue of inadequate teachers
5. MBSSE should endeavor to disburse subsidies on time which will facilitate effective management of schools.
6. The MBSSE should ensure that the Adult Literacy Centres established are sustained and functional.
7. GoSL and law enforcement agencies should develop and publish clear guidelines on protests and demonstrations so that these rights can be enjoyed by all.
8. Citizens should at all times observe police procedures and modus operandi when staging a public protest.
9. GoSL should put a policy in place that would attract the training and retention of specialized teachers for specialized subjects.

Tertiary Education

1. GoSL should review the relationship with the Limkokwing authorities with a view to addressing the plight of students whose fees have not been paid.
2. The Ministry of Tertiary and Higher Education should be prompt in handling issues of concern from the universities thereby limiting the frequency of strike actions.

4.2.2 Right to Health

1. The National Disaster Management Agency should take the lead to promptly respond to future outbreaks.
2. GoSL should train additional molecular scientists in order to speed up testing and issuance of test results.
3. GoSL should increase the number of SCBU to cover all districts which will help reduce infant mortality rates.
4. NaCOVERC should provide timely and sufficient supplies for quarantine homes in order to avoid the challenges quarantine homes faced during the course of the outbreak.

4.2.3 Right to Just and Favourable Conditions of Work

1. MLSS should fully implement the provisions of Government Notice No. 161 that relates to the terms and conditions of workers below supervisory level.
2. MLSS should ensure that employing authorities fully comply with new minimum wage approved in the 2020 budget.
3. MLSS should work expeditiously to complete the review of all outstanding domestic labour laws.
4. HRCSL calls on MLSS to increase its supervision and monitoring activities of companies to improve their compliance on Labor related rights in the country.

5. HRCSL calls on MLSS and the Sierra Leone Labor Congress (SLLC) to supervise and monitor the activities of trade unions in a bid to promote accountability and improve service delivery to their membership.
6. HRCSL calls on the MLSS and SLLC to closely monitor and ensure the implementation of the provisions of the Service Trade Group Negotiation Council Act 2020.

4.2.5 Access to Clean and Safe Water

1. The GoSL should find ways for people to access water easily in times of emergencies such as lockdowns especially noting that access to clean and safe drinking water is a fundamental human rights that should be enjoyed by all.
2. The MWR should try as best as possible to install at least one stand pipe or hand pump in every community for people to access clean and safe drinking water.
3. GoSL and the MWR should endeavor to construct more dams and reservoirs to reduce the water crisis in the country.
4. GoSL, MWR in collaboration with the Ministry of Finance (MoF) should work together to plant fast growing trees around the water catchment areas.
5. SALWACO should expedite the completion of the Bonthe municipality water project.
6. MMR & EPA should regulate the activities of artisanal miners in order to avoid the pollution of streams and rivers used for domestic purposes.

4.3 Human Rights in the Administration of Justice

4.3.1 The Sierra Leone Police

1. GoSL should construct separate detention facilities in the regions to accommodate juvenile offenders.
2. GoSL should consider expanding the cells in police stations and where necessary build more police detention facilities and equip them appropriately.
3. GoSL should allocate funds to the SLP so that they can cater and provide adequate food for suspects under police detention.
4. The SLP should provide the requisite logistical and administrative support to the police to enable them carry out their duties effectively and efficiently.
5. The SLP should recruit more police personnel and improve on the conditions of service of all police personnel.
6. HRCSL calls on the Office of the DPP and the SLP to collaborate in the review case files and speedily charge cases to court with a view to addressing overcrowding and over detention and enhance suspects' rights to speedy trial..

4.3.2 The Judiciary/Court System

1. The Judiciary should open additional High Courts in the remaining districts to enhance speedy trial
2. The Judiciary and Law Officers Department should collaborate to expedite the issuance of indictments to ensure speedy trial.
3. The Ministry of Justice should appoint more State Counsel to expedite trials in the districts.

4.3.3 Juvenile Justice

1. MSW should procure a forensic machine to assist the courts to verify the ages of juveniles in conflict with the law.
2. GoSL should provide vehicles for remand homes to ensure that juveniles in conflict with the law are conveyed to court.

4.3.4 Juvenile Detention Facilities

1. The SLP and MSW should establish Juveniles holdings cells in other police stations across the country.
2. MSW should provide adequate beds and beddings in all juvenile detention facilities.
3. MSW should ensure that the centres have functional medical units and qualified personal within the facilities.
4. MSW should endeavour to improve the quality of education and recreation for juveniles in conflict with the law.
5. MSW should liaise with the Teaching Service Commission to assign trained and qualified teachers to the juvenile centres.
6. MSW should construct boreholes within the juvenile detention centres to ensure sustainable supply of water.
7. MSW should, without further delay, increase the height of the perimeter fence at the KRH and the BRM to address the security risk.
8. MSW should ensure that each district has a Remand Home and at least one Approved School in every region.

4.3.5 The Sierra Leone Correctional Service

1. GoSL should take additional measures such as expanding t the correctional centres as it impacts adversely on the enjoyment of the inmates right to health as well as their security
2. The SLCS should endeavor to separate untried inmates from those convicted because it is not only an important element of correction centre best practice, but it also protects would-be victims from the influence and control of potential predatory inmates.
3. SLCS should take steps to provide inmates with disabilities assistive devices to reduce their dependence on fellow inmates or allow them to be observed and treated in specialized facilities as provided for in Rule 109 (2) of the SMR.
4. The SLCS should take urgent measures to introduce formal education in all correctional centres for non-literate inmates and those who were going to school before their incarceration {Rule 104 (1) of SMR} as well as skills training centres that will not only prepare them for life after release but also aid in their rehabilitation.
5. GoSL should supply correctional centres with sufficient foam mattresses and beddings in order to protect the health of inmates.
6. SLCS should roll out the creation of a child-friendly centre to other female correctional centres to enable children who are taken in with their mothers to grow up in a child-friendly environment.
7. GoSL should recruit additional correction personnel to match the increasing number of inmates to enable them undertake proper rehabilitation as well as improve the conditions of service of the officers to keep them motivated in taking care of inmates.

4.4 Accountability and Human Rights

4.4.1 Anti-Corruption Commission

1. ACC should work closely with HRCSL to prevent corruption by undertaking joint public education and outreach programmes on issues of human rights and corruption.
2. The ACC should continue to robustly fight against corruption. GoSL should provide more resources (both financial and human resources) to the ACC for its effective and efficient functioning in the fight against corruption.

4.5 Women's Rights

1. MoGCA should fully equip existing “One Stop Centres” and establish new ones in the other

districts for the expeditious handling of SGBV cases.

2. The Judiciary should establish the Sexual Offences Model Court in all the regions to speed up trial of sexual offences.
3. GoSL should provide additional logistics to address the challenges faced by the FSUs to enable them to promptly and effectively respond to SGBV matters.
4. MoGCA should expand its women's economic empowerment programme (micro credit) to other districts.

4.6 Children's Rights

1. MoGCA should speed up the review of the Child Rights Act and other policies and strategies that will properly address the rights of children in Sierra Leone especially on child marriage and FGM/C.
2. MoGCA should review the draft National Strategy on FGM/C 2015-2020 for effective implementation in order to address the issue of especially underage initiation and non-consenting adults.

4.7 Vulnerable Groups

4.7.1 Persons with Disabilities (PwDs)

The GoSL should provide financial and logistical support to the NCPD for it to effectively carry out its mandate.

4.7.3 The Aged/Older Persons

GoSL should provide timely subvention to ensure the smooth operations of the Old Peoples' Home at Grafton.

4.7.4 Persons with mental and intellectual disability

The NCPD and other Disabled Persons Organisations should collaborate with the MoHS and the MSW to ensure institutions caring for special needs persons are given adequate medical and social assistance.

4.8 Youth

1. The GoSL should continue to identify and implement projects geared towards job creation in a bid to transforming the mindsets of youths across the country.
2. The organizers of the reality TV shows should give clear warning on parental viewing guidelines before the shows commence and should also indicate on the face of the TV screen the age limit.
3. MoYA, NaYCOM and NYS should organize community outreach programmes to sensitize and raise awareness to help curb tendencies that prompt or facilitate violence among youth.
4. MoYA and NaYCOM should continue to initiate programmes aimed at developing technical and vocational trainings as pathways to building the middle level work force needs of the nation.

4.9 Status of Ratification of International Treaties and Conventions

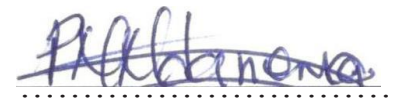
1. GoSL should fully comply with its international obligations.
2. HRCSL urges GoSL to submit all its outstanding treaty reports.
3. GoSL should consider the reactivation of the constitutional review process

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SIERRA LEONE

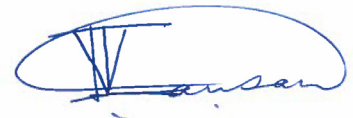


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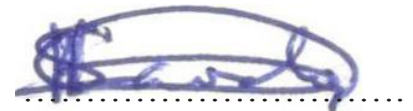
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