



THE STATE OF HUMAN RIGHTS IN SIERRA LEONE



20
21

Annual Report

HRCSL: "Making Rights Real"



The State of Human Rights in Sierra Leone 2021
15th 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.



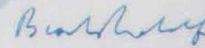
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H.E. Rtd. Brigadier Julius Maada Bio
President of the Republic of Sierra Leone
State House
Tower Hill
Freetown

31st March, 2022

Your Excellency,

RE: HUMAN RIGHTS COMMISSION OF SIERRA LEONE
15TH ANNUAL REPORT

The Human Rights Commission of Sierra Leone (HRCSL) has the pleasure and honour to submit to you its 15th 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, 2021. 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, 2022

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Patricia Narsu Ndanema
Chairperson



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ACRONYMS

| | |
|----------|--|
| ACC | Anti-Corruption Commission |
| ACHPR | African Charter on Human and People's Rights |
| ACJS | American Criminal Justice Sciences |
| ACRWC | African Charter on the Rights and Welfare of the Child |
| AIM | Amazonian Initiative Movement |
| APRM | African Peer Review Mechanism |
| ASC | American Society of Criminology |
| AWOL | All Works of Life |
| AYV | African Young Voices |
| BECE | Basic Education Certificate Examination |
| BHR | Business and Human Rights |
| CAC | Corporate Affairs Commission |
| CARL-SL | Centre for Accountability and Rule of Law - Sierra Leone |
| CCLD | Complaints Committee on Land Disputes |
| CDIID | Complaint Discipline and Internal Investigations Department |
| CEDAW | Convention on the Elimination of all Forms of Discrimination Against Women |
| CJ | Chief Justice |
| COVID-19 | Corona Virus Disease |
| CRC | Convention on the Rights of the Child |
| CRPD | Convention on the Right of Persons with Disability |
| CSOs | Civil Society Organizations |
| DBHR | Directorate of Business and Human Rights and Labour Relations |
| DECT | Directorate of Education, Communication and Training |
| DFA | Directorate of Finance and Administration |
| DG | Director General |
| DGCA | Directorate of Gender and Children's Affairs |
| DHRC | District Human Rights Committees |
| DMR | Directorate of Monitoring and Research |
| DPP | Director of Public Prosecution |
| DPPM&E | Directorate of Programmes, Planning, Monitoring and Evaluation |
| DRS | Directorate of Regional Services |
| DSTI | Directorate of Science Technology and Innovation |
| EDSA | Electricity Distribution and Supply Authority |
| EGTC | Electricity Generation and Transmission Company |
| EP | Eastern Polytechnic |
| EPA | Environment Protection Agency |
| FAO | Food and Agriculture Organization |
| FGM | Female Genital Mutilation |
| FMCC | Freetown Male Correctional Centre |
| FQSE | Free Quality School Education programme |
| FSU | Family Support Unit |
| GANHRI | Global Alliance of National Human Rights Institutions |
| GBV | Gender- Based Violence |



| | |
|----------|--|
| GEWE | Gender Equality and Women's Empowerment |
| GoSL | Government of Sierra Leone |
| GTI | Government Technical Institute |
| GVWC | Guma Valley Water Company |
| HR | Human Rights |
| HRCSL | Human Rights Commission of Sierra Leone |
| ICCPR | International Covenant on Civil and Political Rights |
| ICESCR | International Covenant on Economic Social and Cultural Rights |
| IGP | Inspector General of Police |
| IHRD | International Human Rights Day |
| ILO | International Labour Organization |
| IMC | Independent Media Commission |
| INWA | Illuminescence National Women's Award |
| IOM | International Organization for Migration |
| IPAM | Institute of Public Administration and Management |
| IPCB | Independent Police Complaints Board |
| JICA | Japan International Cooperation Agency |
| KNUST | Kwame Nkrumah University of Science and Technology |
| LACE | Legal Aid for Consumers & Employees |
| LAWYERS | Legal Access through Women Yearning for Equality Rights and Social Justice |
| MAFFS | Ministry of Agriculture, Forestry and Food Security |
| MASL | Medical Assistance Sierra Leone |
| MBSSE | Ministry of Basic and Senior Secondary Education |
| MCC | Millennium Challenge Corporation |
| MDAs | Ministries, Departments and Agencies |
| MIA | Ministry of Internal Affairs |
| MLHCP | Ministry of Lands Housing and Country Planning |
| MLSS | Ministry of Labour and Social Security |
| MMCET | Milton Margai College of Education and Technology |
| MoF | Ministry of Finance |
| MoGCA | Ministry of Gender and Children's Affairs |
| MoHS | Ministry of Health and Sanitation |
| MoU | Memorandum of Understanding |
| MoYA | Ministry of Youth Affairs |
| MP | Member of Parliament |
| MSW | Ministry of Social Welfare |
| MTI | Ministry of Trade and Industry |
| MTNDP | Medium Term National Development Plan |
| MW | Megawatts |
| MWR | Ministry of Water Resources |
| NaCOVERC | National COVID-19 Emergency Response Centre |
| NAS | National Aids Secretariat |
| NASSIT | National Social Security Insurance Trust |
| NCPD | National Commission for Persons with Disabilities |
| NCRA | National Civil Registration Authority |



| | |
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| NGOs | Non-Governmental Organisations |
| NHRI | National Human Rights Institution |
| NANHRI | Network of African National Human Rights Institutions |
| NAYCOM | National Youth Commission |
| NRP | National Referral Protocol |
| OSD | Operation Support Department |
| PCMH | Princess Christian Maternity Hospital |
| POA | Public Order Act 1965 |
| PwA | Persons with Albinism |
| PwDs | Persons with Disability |
| QAERP | Quick Action Economic Response Programme |
| REAPS | Rapid Engagement in the Acquisition of Practical Skills |
| RSLAF | Republic of Sierra Leone Armed Forces |
| SDGs | Sustainable Development Goals |
| SGBV | Sexual and Gender- Base Violence |
| SLAJ | Sierra Leone Association of Journalists |
| SLAPWA | Sierra Leone Association of Persons with Albinism |
| SLCS | Sierra Leone Correctional Service |
| SLIEPA | Sierra Leone Import and Export Promotion Agency |
| SLP | Sierra Leone Police |
| SLUDI | Sierra Leone Union on Disability Issues |
| SMEDA | Small and Medium Enterprises Development Agency |
| SMEs | Small and Medium-Scale Enterprises |
| SMR | Standard Minimum Rules |
| SOAS | School of Oriental & African Studies |
| SP | Sexual Penetration |
| SRGBV | School-Related Gender-Based Violence |
| TEC | Tertiary Education Commission |
| TRC | Truth and Reconciliation Commission |
| TSC | Teaching Service Commission |
| UAE | United Arab Emirates |
| UDHR | Universal Declaration of Human Rights |
| UNCAC | United Nations Convention Against Corruption |
| UNDF | United Nations Development Fund |
| UNDP | United Nations Development Programme |
| UNFPA | United Nations Population Fund |
| UNGA | United Nations General Assembly |
| USIDFC | United States International Development Finance Corporation |
| UWE | University of the West of England |
| WAEC | West African Examinations Council |
| WCC | Wages and Compensation Commission |
| WFP | World Food Programme |
| YWCA | Young Women's Christian Association |



EXECUTIVE SUMMARY

In compliance with Sections 7 (2) (g) & 24(1) of the Human Rights Commission of Sierra Leone Act (No.9) 2004, HRC SL publishes its 15th Annual Report on the State of Human Rights in Sierra Leone. The Report is structured into four (4) parts as outlined below.

Part 1 gives a brief background of Sierra Leone and the events leading to the establishment of HRC SL, outlining its mandate, functions, mission, vision and core values, as well as its structural outlook.

Part 2 assesses the state of human rights, detailing the efforts made by the state and the challenges in protecting, promoting and fulfilling its human rights obligations in the period under review.

The continued impact of Covid-19 on the enjoyment of several rights are outlined, as well as preventive measures taken by Government of Sierra (GoSL) to curtail its spread. Only 45 lives were lost due to Covid-19 during the period.

Civil and Political Rights

The right to life was generally protected despite the continuation of COVID-19. However, HRC SL recorded two instances where lives were lost due to police highhanded and state authorities inaction. The report mentions the incident over a land dispute at Hastings which caused the death of one person and a fuel tanker explosion at Wellington on 5th November which led to the death of one hundred and thirty-eight (138) people.

In response to several calls by HRC SL and the public, and in fulfillment of Universal Periodic Review (UPR) and the Truth and Reconciliation Commission (TRC) recommendations, the death penalty was abolished through the enactment of the Abolition of the Death Penalty Act 2021 on 23rd July; the Act was given Presidential assent on 8th October. HRC SL urges GoSL to sign the Second Optional Protocol to the International Covenant on Civil and Political Rights on the Abolition of the Death Penalty.

Freedom of Expression and the Press was largely enjoyed as media houses operated freely without restrictions from the Independent Media Commission (IMC). Thirty (30) media institutions were registered during the year.

Religious freedom is one of the hallmarks of peaceful co-existence in Sierra Leone. The report mentions the concerns raised by religious leaders when congregational worship was suspended for a period of one month as one of the measures to curb the third wave of Covid-19 and the engagements which led to the lifting of the suspension.

The enjoyment of the rights to freedom of assembly, association and movement were affected intermittently during the course of the year when restrictions were imposed to curtail the spread of the 2nd and 3rd waves of Covid-19.

Under the right to freedom from deprivation of property, the report mentions steps taken by H.E. President Bio to address the numerous land disputes in the Western Area by the setting up of the Complaints Committee on Land Disputes (CCLD) in the Western Area. The nine-member committee set up in March, submitted its report comprising findings and recommendations to H.E President Bio on 7th October. Three hundred and five (305) complaints were made to the committee by members of the public. HRC SL recommends that the Ministry of Lands Housing and Country Planning should implement in full the recommendations of the CCLD in



the Western Area, with a view of putting to an end the perennial problem associated with land ownership in the Western Area.

Economic, Social and Cultural Rights

The report highlights GoSL's continued efforts to ensure progressive realization of these rights.

At the basic education and senior secondary school level, several efforts were noted: two new schools (one infant and one girls' secondary school) were commissioned; five new subjects were introduced into the school curricula for both junior and senior secondary schools; the provision of braille machines to physically impaired pupils that took the public exams commenced and the introduction of the Best Teacher Awards at the district, regional and national level. The report also outlines some of the challenges faced by schools, such as poor hygiene and sanitation and absence of ramps for access for persons with disabilities. It also highlights challenges faced by community schools that do not benefit from the Free Quality School Education (FQSE) Programme. HRCSL recommends that the MBSSE should work with the Ministry of Health and Sanitation to improve the WASH systems in schools.

At the tertiary level, the report mentions the upgrading of colleges into universities and the establishment of a new university in Kono after the enactment of the Universities Act 2021 which repealed and replaced the University Act 2005 (as amended). HRCSL commends the GoSL for paying the fees of students of the Limkokwing University whose Grant-in- Aid were discontinued in 2018 by the Ministry of Finance.

Although GoSL's budgetary allocation to the health sector remained at 11% and it is yet to meet the 15% threshold of the Abuja Declaration of 2001, efforts were made to improve on the enjoyment of the right to health by increasing the annual budget to the Ministry of Health and Sanitation (MoHS) and the commencement of the construction of a 152 bed ultra-modern Tertiary Children's Hospital at Lumley. Findings of HRCSL's monitoring of health care facilities are also listed in the report and these include poor sanitary conditions at Connaught Hospital, inadequate and late supplies of Free Health Care drugs, and the challenges of accessing water at government hospitals. HRCSL recommends that GoSL should endeavour to increase its budgetary allocation to the health sector to meet the 15% benchmark set out in the Abuja Declaration of 2001.

The challenges in accessing clean and safe drinking water continued despite the increasing budgetary allocations to the water sector persisted. This report details some findings of HRCSL's monitoring of access to clean, safe and affordable water and its effects on the enjoyment of other fundamental human rights. The monitoring was conducted in selected schools, hospitals, police stations and communities in the Freetown Western Urban Area in April and May.

GoSL took steps to address labour rights issues by reviewing policies and laws and building capacity of personnel working in institutions that handle labour issues. The lifting of the ban on overseas recruitment and the development of the code of conduct for overseas recruitment were laudable steps by GoSL to provide safe and orderly migration for external labour recruitment. Despite these efforts HRCSL recorded challenges faced by employees in the Sunbird Bioenergy Company, Koidu Limited Company MIRO Forestry Company and Gold Tree Limited. HRCSL recommends that the Ministry of Labour and should popularize the regulatory mechanism on labour migration.

The report highlights the negative impact Covid-19 had on the operations of all business. It also mentions the efforts of GoSL in promoting an investment friendly climate which was



done through legal/legislative reforms, enactment of laws, and supporting the development of Small and Medium-Scale Enterprises (SMEs) by the setting up of The 'MUNAFU Fund'. HRCSL recommends that the Ministry of Finance should strengthen the operations of the Small and Medium Enterprise Development Agency (SMEDA) to support activities of SMEs in the country.

The strides taken by the GoSL to ensure regular and sustainable electricity and the challenges encountered are captured under the newly included section on Right to Development.

Human Rights in the Administration of Justice

Under the administration of justice section, the report provides information on the Sierra Leone Police (SLP), the Judiciary/Court, juvenile justice and the Sierra Leone Correctional Service (SLCS).

The SLP revised their ranking structure for greater efficiency and promoted four thousand one hundred and forty-five (4,145) officers to various ranks. The SLP also contributed to peace keeping mission in Africa. However, the conduct of some personnel in the execution of their duties and the conditions of its detention facilities are highlighted as concerns of HRCSL.

To enhance access to justice and speedy trials, the Judiciary increased the number of resident judges nationwide from six to nine by assigning Resident High Court Judges to three districts - Kailahun, Port Loko and Koinadugu. Benchwarrants were also issued against forty-five jurors who had been absent during the May High Court sitting. However, delays in preferment of indictments and lack of quorum of jurors caused delays and prolonged trials in dispensing justice.

Juveniles' access to justice was a challenge despite efforts of GoSL and its partners. The reluctance of complainants and witnesses to make statements and testify in court, particularly for sexual penetration cases; the unavailability of vehicles to transport juveniles to court; delays in processing indictments; the absence of remand homes and Approved Schools in most districts, as well as lack of juvenile cells in police stations, are reported as issues of concern to HRCSL. Also reported under the section juvenile justice is the condition of juvenile detention facilities in Bo and Freetown. HRCSL recommends that the State Counsel should proffer advice on files speedily and that the Judiciary should take action on complainants and witnesses who refuse to attend court sittings without reasonable justification in order to expedite trial.

Overcrowding, limited access to water during the dry season, poor ventilation, worn out mattresses, unavailability of vocational skills training materials and non-separation of inmate categories were observed to be challenges faced by inmates in correctional centres monitored. HRCSL recommends that the Ministry of Internal Affairs (MIA) should construct additional cells in correctional centres that are overcrowded and that the SLCS and the Ministry of Technical and Higher Education (MTHE) should provide educational and vocational opportunities for inmates in correctional centres across the country.

Accountability and Human Rights

The Anti-Corruption Commission (ACC) assisted GoSL to recover over Le 5.6 billion through mediation. It also investigated 108 cases and charged 11 cases to court.

Women's Rights

GoSL made some efforts in promoting women's empowerment. The Gender Empowerment (GEWE) Bill 2021, which has four essential provisions was approved by Cabinet and was



gazetted in August; 60% of new recruits into the Military were women. HRCSL recommends that Parliament should expedite the enactment of the Gender Empowerment Bill into Act so that it will enable women's empowerment and active participation in public and private spheres.

Children's Rights

This section outlines legislative and policy reviews by GoSL to ensure the protection and promotion of children's rights. A provision prohibiting Female Genital Mutilation for children below 18 years has been included in the review of the Child Rights Act 2007. The review of the 2012 National Referral Protocol (NRP) and the development of a National Strategy for Street Children were undertaken by the Ministry of Gender and Children's Affairs (MoGCA). Other issues affecting children that were noted by HRCSL included the problem of early marriage due to the contradiction between the Child Rights Act 2007 and the Customary Marriage and Divorce Act 2009 and the absence of a law explicitly outlawing FGM. HRCSL calls for the age of consent as a starting point for the elimination of FGM. The problems encountered by the Family Support Unit in addressing sexual and gender-based violence cases, the launch of National Strategy for Response to Sexual and Gender Based Violence by MoGCA and other interventions by partners to tackle SGBV are also reported.

Persons with Disabilities (PwDs)

The report catalogues some of the progress made by GoSL to create the enabling environment for PwDs to enjoy their human rights. These include: non-payment of fees at government universities and the launch of both the 2019 Accessibility Audit Report and the Socio-Economic and Livelihood Project by His Excellency the President in commemoration of International Disability Day. The report further mentions some HRCSL's concerns that impede the work of the National Commission for Persons with Disability (NCPD). Other issues raised under the section include the commencement of the review of the Lunacy Act 1902 and the discrimination and marginalization persons with albinism face in their communities. HRCSL recommends that NCPD should ensure that the recommendations in its Audit Report are implemented by engaging heads of all institutions audited.

Youth

Youth empowerment was a priority for GoSL and its partners, as efforts were made to create employment opportunities for young people by providing them with skills to make them employable or become entrepreneurs. The revised National Youth Policy, which seeks to reaffirm GoSL's commitments to youth empowerment and development, was launched by the Ministry of Youth Affairs (MoYA). MoYA also commemorated Africa Youth Day by holding the first ever National Youth Summit in Magburaka, Tonkolili District. The summit ended with the "Magburaka Declaration". HRCSL recommends that the National Youth Policy 2020-2025 and the provisions in the Magburaka Declaration should be implemented in full.

Important Events in Furtherance of Human Rights

In the fulfillment of its international and other obligations, mention is made of Sierra Leone's participation at the 38th Session of its Third Cycle Universal Periodic Review by Human Rights Council (HRC), as well as at the 48th Session of the HRC, during which GoSL accepted 216 recommendations, noted 58 and made 3 voluntary pledges and commitments. The ratification of eight International Labour Organisation Conventions, the re-opening of the Constitutional Review Process, and capacity building training sessions for treaty body reporting are also mentioned in the report.

PART 3: highlights activities undertaken by HRCSL. The report provides details on: complaints handling and management; monitoring of places of detention, social service institutions and



the general human rights situation nationwide; human rights education, along with media and strategic engagements and the observance of some international human rights days. This section concludes with details of HRCSL's finance.

Complaints Handling and Management – A total of 374 complaints were received of which only 100 (26.7%) were admissible and 274 (73.3%) were inadmissible. It also give a breakdown of the nature of complaints received and respondent categories. Most of the complaints received related to property rights (61%). The highest number of respondents (41.7%) were private individuals and those that were inadmissible were referred to the appropriate institutions. The second highest number of respondents was the SLP (27%). Outcomes of complaints investigated or mediated as well as those received during the mobile complaints hearings in Mile 91, Lunsar, Mattru Jong and Kandu Leppiama conclude this section.

Monitoring Activities - In accordance with Section 7 (2) (f) of the act, HRCSL conducted monitoring visits to 10 (ten) Correctional Centres, twenty (20) police detention facilities and the three (3) juvenile detention facilities across the country at various times during the year. Monitoring visits were also conducted to hospitals and schools across the country to assess the implementation of the Free Health Care Policy and the Free Quality School Education respectively. Compliance with business and human rights standards were also assessed through monitoring visits to four (4) multi-national companies. Two (2) specific and one incident monitoring visit were also carried out during the year.

Human Rights Education - HRCSL conducted human rights education in compliance with Section 7(2)(b), of its Act for its staff and partners.

As part of its institutional capacity building activities, a two week Leadership, Procurement, Project Management and Monitoring & Evaluation training was conducted for ten (10) HRCSL management staff and Commissioners. A training was also held for twenty-five (25) management staff and Commissioners on HRCSL's revised policies to enable them to effectively manage the affairs of HRCSL. Both activities were undertaken as outcomes of the capacity assessment conducted in 2020.

External capacity building took the form of public education and outreach to schools and communities. Eighteen (18) new Human Rights and Peace Clubs (HR&PCs) were established in 24 schools in the Western Area Urban, Port Loko, Koinadugu and Kono districts following the training sessions on human rights conducted for 136 pupils and 24 teachers from these schools. The objective of the trainings was to imbibe human rights culture and raise awareness in the pupils for them to become ambassadors for human rights in their schools, homes and communities. Training on the Gender Justice International Frameworks was done in Kambia for representatives of the 16 District Human Rights Committees. This objective was for them to acquire knowledge on these laws to support HRCSL's work in their respective regions and provide HRCSL with concise information to produce a report on "The Status of Implementation of the Gender Justice Frameworks. HRCSL also conducted a capacity training on Business and Human Rights (BHR) and Conflict Mitigation in Bo city for selected companies and members of host communities in Pujehun and Moyamba districts. The objective was to promote companies' compliance with BHR standards which will help to promote peaceful co-existence between these companies and members of their host communities.

Following Sierra Leone's Universal Period Review assessment, 5 separate and simultaneous public engagements took place in Waterloo, Makeni, Port Loko, Kenema and Bo during which the recommendations were presented, and strategies for their implementation as well as the Sustainable Development Goals (SDGs) and the African Vision 2063 were discussed.



Strategic Engagements - As part of its functions, HRCSL engaged stakeholders whose interventions are relevant to the success of its work and fulfillment of its mandate. The following were engaged during the year: The Chief Justice and the Sierra Leone Correctional Service on findings of its monitoring visits to correctional centres; authorities and other stakeholders at Ola During, PCMH and Macauley Street Hospitals for sustainable water supplies to these hospitals; engagement with the Ministry of Mines and Mineral Resources to discuss the findings of its monitoring in two multinational companies; and two engagements with stakeholders for the Decriminalization of Petty Offences.

International Human Rights Days - Some international human rights days were commemorated by HRCSL to raise awareness on related human rights issues. International Day of The Girl Child – 11th October– was celebrated on 13th October. An interactive session for 80 pupils was held in the Western Area with the localized theme “Promoting Girl’s Digital Literacy” which was derived from the international theme - “Digital Generation, Our Generation”. HRCSL observed 16 Days of Activism against Gender- Based Violence by engaging four vocational institutions in the Western Area during which awareness on the gender justice laws and policies were raised. This period culminated on 10th December, which is International Human Rights.

Two activities were conducted in observance of International Human Rights Day – the Freetown Inter-secondary school debate competition in which fourteen schools participated and a Quiz competition for schools in Port Loko in which five schools participated. On 10th December, an official ceremony marking the day was held in Port Loko District.

HRCSL’s Finances - Details on HRCSL’s funding sources and how funds were utilised in the execution of its mandate are included in the report. The GoSL, which is the HRCSL’s main source of funding, provided Le19, 141,980,529 (Nineteen Billion, One Hundred and Forty-One Million, Nine Hundred and Eighty Thousand, Five Hundred and Twenty-Nine Leones) for salaries and other emoluments and Le1, 499,629,231 (One Billion, Four Hundred and Ninety-Nine Million, Six Hundred and Twenty-Nine Thousand, Two Hundred and Thirty-One Leones) for its operations.

Donor Funding - The sum of Le. 686, 228,080.00 (Six Hundred and Eighty-Six Million, Two Hundred and Twenty-Eight Thousand and Eighty Leones) was received from the UNDP Access to Justice Projects; Le343, 250,000 (Three Hundred and Forty-Three Million, Two Hundred and Fifty Thousand Leones) from the UNDP Mitigation Project and Le50, 000,000 (Fifty Million Leones) from the Chinese Embassy for procurement of generators for regional offices.

PART 4: Is a compilation of all the recommendations made to GOSL and MDAs in Part 2 of this report.

Methodology

This report was compiled using quantitative and qualitative data obtained from primary and secondary sources, which were analysed against national laws, regional and international frameworks.

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



CHAIRPERSON'S FOREWORD

Despite the numerous challenges encountered over its sixteen years of operations, the Human Rights Commission of Sierra Leone (HRCSL) has recorded remarkable achievements, amongst which is the consistent compilation and publication of its annual report on the State of Human Rights in Sierra Leone. This is one of the statutory functions of HRCSL as provided in Sections 7 (2) (g) and 24 (1) of the Human Rights Commission of Sierra Leone Act (No. 9) 2004. These sections state thus: 'publish an annual report on the State of Human Rights in Sierra Leone' and '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'. Please note that this year's publication is the 15th edition of the annual report on the State of Human Rights in Sierra Leone.

This document is a corporate work done by Commissioners and staff of the HRCSL. HRCSL has verified and corroborated information contained in this report and can proudly state that it is credible, reliable and can be used for the purposes of research and policy guidance.

I wish to express sincere thanks and appreciation to my colleague Commissioners and staff for their demonstrable commitment and contributions to ensure that HRCSL achieved this milestone.

This report is a scorecard that highlights the Government of Sierra Leone's (GoSL) level of compliance with its obligations under international, regional and local human rights mechanisms and a record of HRCSL's activities undertaken during the year.

In June, Sierra Leone experienced the third wave of the COVID-19 pandemic that led to the introduction of additional measures by GoSL to mitigate the spread. Some of the measures instituted included: observation of social distancing, mandatory wearing of facemask in all public places and transportation, and mandatory vaccination, particularly for people who wished to access public buildings.

At the height of the outbreak, HRCSL recognized and commended GoSL for steps taken to control the spread of the virus. From updates published by NACOVERC between November to December, HRCSL observed that there was remarkable improvement in containing the spread of COVID-19 resulting in a drastic decline in the reported cases of new infections. HRCSL therefore calls on GoSL to review the COVID-19 measures that are limiting the enjoyment of fundamental human rights.

HRCSL welcomes the steps taken by GoSL to reactivate the Constitutional review process by setting up a technical committee that has advanced the process of reviewing the recommendations proffered by the Justice Cowan-led Committee. HRCSL looks forward to the publication of a government White Paper that will reflect its call for a 'People's Human Rights' Constitution.

HRCSL welcomes the passing into law of 'the Abolition of the Death Penalty Act 2021', which is in fulfilment of a commitment made by His Excellency President Bio to repeal the death penalty. By the enactment of this law, Sierra Leone is now the 110th country in the world and the 23rd African country to abolish the death penalty for all crimes carrying that penalty. HRCSL however continues to remind the 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 human rights obligation.



HRCSL continues to enjoy the support of GoSL in strengthening its institutional capacity. In September, the Commission received an approval from GoSL to recruit twenty-nine additional staff to enhance its service delivery countrywide. HRCSL remains grateful to GoSL for this demonstration of political will and magnanimity.

HRCSL continues to receive funding from GoSL, but finds it inadequate to meet its local and international liabilities, more particularly its membership subscription to affiliate human rights bodies. There is therefore an urgent need for GoSL to provide a special fund to enable HRCSL to pay its membership subscriptions in order to prevent the possibility of a suspension from these organisations.

Patricia Narsu Ndanema

Chairperson

ACKNOWLEDGEMENT



Despite the challenging operational environment for human rights realization caused by COVID-19, HRCSL worked assiduously in advancing its mandate of protecting and promoting the human rights of all in Sierra Leone, as well as performing its function of producing an annual report on the 'State of Human Rights in Sierra Leone.'

This report is the product of extensive research and collaborative dialogue with Ministries, Departments and Agencies (MDAs), District Human Rights Committees (DHRCs) and other Civil Society

Organization groups, all of whom HRCSL owes a debt of gratitude. Production of this report would not have been possible without the generous funding received from the Government of Sierra Leone (GoSL). HRCSL appreciates GoSL for granting approval for the recruitment of twenty-nine (29) new staff, who will start work in 2022. HRCSL recognizes the critical role played by development partners including the United Nations Development Programme (UNDP), the Irish Embassy, the Chinese Embassy and the Open Society Initiative for West Africa (OSIWA) for supporting HRCSL both financially and technically during the year. The interaction between HRCSL and these development partners continues to positively impact on the work of HRCSL.

A big thank you to the Commissioners of HRCSL, Chairperson Patricia Narsu Ndanema, Vice Chairperson Victor I. Lansana Esq. Commissioner Simitie Lavalay Esq. Commissioner Hassan Samba Yarjah and Commissioner Dr. Gassan Abess for serving on the editorial board and undertaking the final editing of this report. HRCSL extends profound appreciation to its entire staff and especially its editorial team of Executive Secretary Joseph B.M. Kamara Deputy Executive Secretary Frederick Kamara, Josephine Thompson-Shaw, Brima Kelson Sesay, Abubakarr Kamara, Richard M'Bayo, Gloria Bayoh, Jotham J. Johnson, Frank Kangaju, Sheku Alaka T. Mansaray, Monica K. Harding, Arthur Olu-Jones, John Peter Fullah and Claris E.J Karim for editing the manuscript and ensuring the final production of this report.

Thanks also to Doris Sonsiama, Sidiratu Bah, Paul Jesse Moriba, Abdulai Yollah Bangura, Emmanuel Thomas, Abdul Mutalib Kamara, Haja Aminata Bawoh, Moses Massaquoi, Abubakarr Bawoh, Abubakarr Kamara, Sonia Goodman, Ibrahim Tarawallie and the rest of the staff for contributing to the compilation of this report.

Finally, HRCSL further applauds the research effort and support of critical local partners namely the DHRCs, MDAs, CSOs and the media for their public education and awareness raising roles, dissemination of human rights information and ensuring that the public is informed and educated on the mandate and functions of HRCSL to the wider community of the country. The DHRCs in particular continue to enrich the work of HRCSL by ensuring that human rights issues and concerns from difficult to reach communities are made known, thus giving this report the much desired national reflection.



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 trainings on various human rights thematics.

Her fourteen 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 responsibilities 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. She is also a member of the Sustainable Development Goals (SDG) committee of Network for African National Human Rights Institutions.

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, Esq. 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 the Founding Partner of the Law Firm known as, V.I. Lansana and 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 Lavaly 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). 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. Since becoming a commissioner, she has also received an award from Women's Forum, the umbrella organisation for women groups in Sierra Leone, during their golden jubilee awards ceremony in 2019.

Ms. Lavaly 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 disability issues. In 2019 she played a key role in reviewing the Sexual Offences Act 2012, leading to the Sexual Offences (Amendment) Act 2019 and its nationwide dissemination. She is currently part of the Technical Committee reviewing the Gender Equality Bill 2021 that has been laid in Parliament.

She currently oversees the Directorate of Regional Services.



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 and Directorate of Business and Human Rights and Labour Relations.



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 Complaints, Investigations and Legal Services.



PART 1: BACKGROUND AND HISTORICAL CONTEXT

1.1 Context

Sierra Leone experienced a violent and devastating civil war from 1991 to 2002, spanning a period of eleven years. 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 of 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, the 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). The HRCSL was re-accredited 'A' Status October 2016 by the Global Alliance of National Human Rights Institutions (GANHRI), formerly known as ICC. The HRCSL was due for re-accreditation in 2021, but the process was deferred to 2022.

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 the HRCSL Act guarantees the independence of the 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 the Commission.

1.3 Jurisdiction

Under Sections 1 and 7 of the 2004 Act, HRCSL has the mandate to address all rights guaranteed by the 1991 Constitution of Sierra Leone, 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.

1.4 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

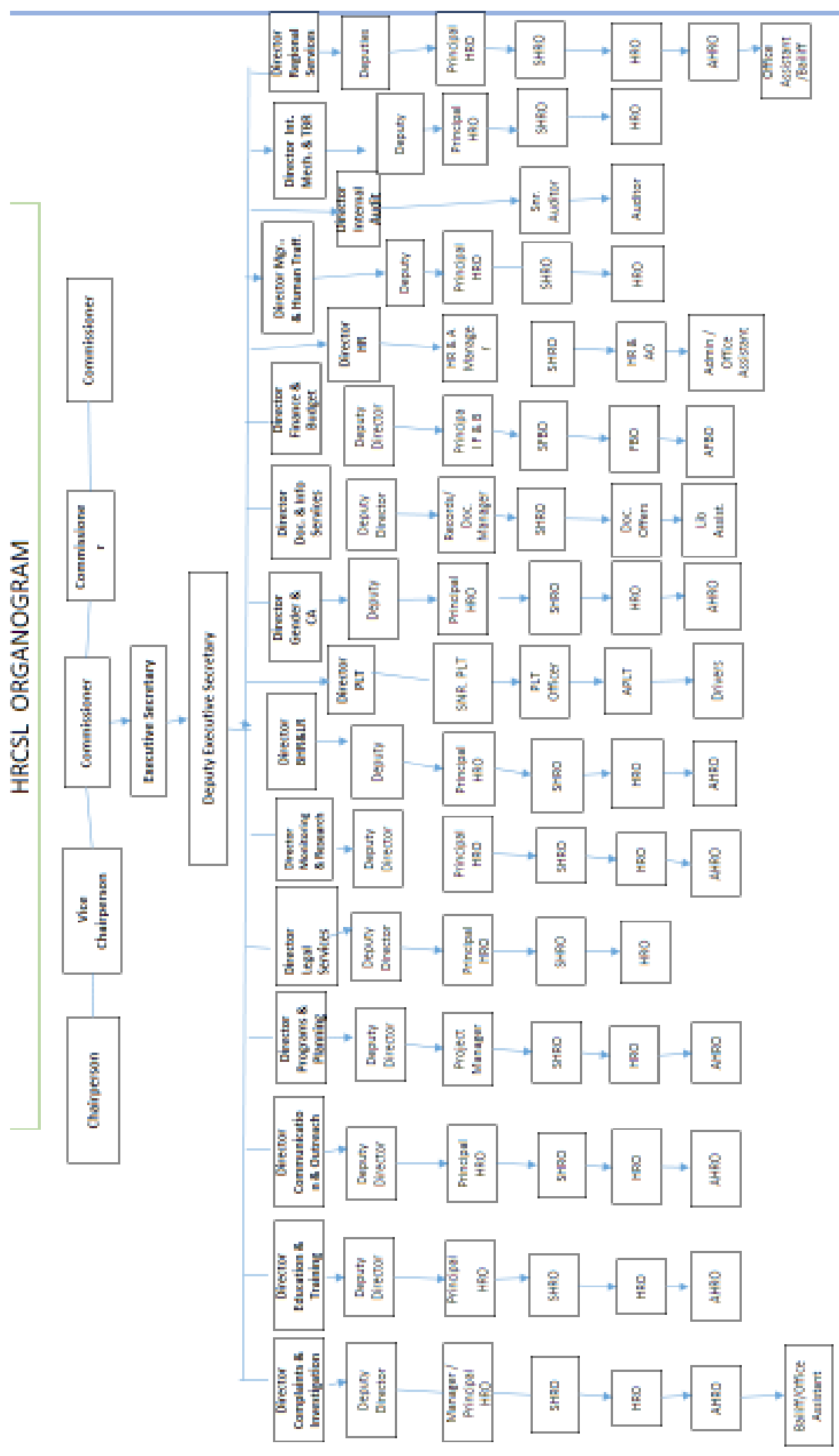
As an Independent Human Rights Institution, the HRCSL is committed to upholding these core values:

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

1.5 Relationship with the Courts

The HRCSL does not serve as a substitute for the courts. While a matter is before any competent court of law, the Commission can only monitor the proceedings. It 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 the HRCSL may appeal to the Supreme Court [Section 8 (3)] of the HRCSL Act 2004]. The 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.

1.6 Organogram/Structure of the Commission





1.7 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.

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 of HRCSL and provides the logistical support required for its work. 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.

The 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. This directorate monitors the implementation of provisions highlighted in national, regional and international standards in relation to women, children, disabled persons 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 Commission’s Strategic Plan and coordinates the development of the HRCSL’s consolidated annual work plan.

BUSINESS AND HUMAN RIGHTS AND LABOUR RELATIONS (DBHR)

The new Directorate of Business and Human Rights and Labour Relations was established to accomplish HRCSL’s mandate of protecting and promoting respect for human rights within the operations of businesses in the country. The specific objectives include coordinating trainings on BHR, as well as monitoring and reporting on the human rights situation of businesses in the country.



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 North-West regional office was formally launched in December in line with the country's geographical divide.



PART 2: THE STATE OF HUMAN RIGHTS IN SIERRA LEONE

This Section 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 enjoyed or violated.

Sierra Leone is a post-conflict nation that still grapples with the aftermath of the 11 years civil war which started on 23rd March 1991 and ended in 2002. The war claimed thousands of lives and destroyed millions of properties both private and public. However, since the end of the war, the country has made tremendous progress in maintaining peace, building good governance institutions and conducting credible elections. It 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 notes such progress, it has also observed that “the winner takes all” approach continues to pose a serious constitutional challenge and this normally leads to political tensions during and immediately after Presidential and Parliamentary elections.

The current state of human rights in Sierra Leone remains satisfactory, but it is however not devoid of challenges. This assessment was arrived at through HRCSL’s monitoring activities, public education and community outreach programmes, stakeholders’ engagements and legislative reviews. We observed that COVID-19 continued to affect the enjoyment of economic, social, cultural, civil and political rights including freedom of movement and assembly as well as the right to health. HRCSL also continues to note the need for the realization of ECOSOC rights which if substantially addressed will drastically reduce political tensions caused by “the winner takes all” approach.

The GoSL must intensify its efforts to ensure that both ECOSOC and civil and political rights are fully enjoyed by rights holders in fulfillment of the State’s international human rights obligations which are; to protect, respect and fulfill human rights of its citizens and residents.

As with the previous year, HRCSL continues to observe the trend in the use of hate speech and the increase in political tensions. HRCSL continues to call 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”.

2.1 Covid-19 Pandemic and Human Rights

The outbreak of the COVID-19 in March 2020 continued to pose challenges to the full enjoyment of the right to health and the measures taken to curtail the spread impacted on other civil and political rights.

In compliance with Article 4 of the ICCPR and section 16(1) of the 1991 Constitution of Sierra Leone, GoSL through NaCOVERC undertook the following measures to save lives and stem the COVID-19 pandemic.



From January to December, 4,453 confirmed cases, 45 deaths and 3,041 recoveries were recorded by National COVID-19 Emergency Response Centre (NaCOVERC). Cumulatively, from 2020 to 2021, 7,064 COVID-19 cases, 123 deaths and 4,502 recoveries were recorded by NaCOVERC.

During the year under review, NaCOVERC made several interventions aimed at curtailing the spread of the virus including but not limited to:

- In January, Restriction of movement from the Western Area to the provincial areas and vice versa except with a NaCOVERC Pass; a countrywide night curfew from 2200 hours to 0500 hours; mandatory wearing of masks in public places and public transports; closure of restaurants and bars on weekends; closure of restaurants and bars at 2100 daily and a restriction of a maximum of 50 people at funerals, weddings and all other social events and the banning of congregational worship were among the restrictions put in place to save lives.
- In July, President Bio announced another nationwide curfew from 2300 to 0500, banning of congregational worship for a month, closure of restaurants and bars at 2100 daily and a restriction of a maximum of 50 people at funerals, weddings and all other social events, as a preventive measure against the spread of the deadly Delta Variant.
- However, upon a later assessment of the status of COVID-19 prevalence, NaCOVERC lifted the suspension on congregational worship on 13th August, and later the nationwide curfew on 13th September.
- Patients admitted in hospitals were tested for COVID and positive cases were treated in treatment centres and their close relatives quarantined either at their homes or in quarantine centres to ascertain whether they had contacted the virus. The nationwide cumulative discharge from quarantine homes from 2020 to 31st December 2021 was 18,606.
- NaCOVERC intensified public education on physical and social distancing and the use of face masks particularly in accessing public buildings and commercial transportation.

HRCSL also commends government for the proactive measures instituted to help cushion the economic effects on these businesses by issuing tax waivers. Through the Quick Action Economic Response Programme (QAERP), GoSL used the \$50m grants to provide support to SMEs in order to mitigate the socio-economic impact. This policy was introduced in March.

Furthermore, GoSL continued prevention strategies through the promotion of vaccination, as Pfizer, Johnson and Johnson and AstraZeneca varieties were made available free of cost in all government hospitals across the country. To dispel the fear around taking the COVID vaccines and to encourage Sierra Leoneans and demonstrate leadership in the fight against COVID-19, H.E the President presented himself as the first person to be vaccinated on 15th March.

The HRCSL commends the United States of America, Britain, China and the European Union for providing doses of COVID-19 vaccines to help in curtailing the spread of the virus. As at 31st December, a total of 1,040,694 persons had either been fully vaccinated or taken a dose of the COVID-19 vaccine, according to NaCOVERC.

While HRCSL commends and considers steps taken by government as necessary, HRCSL also noted that these measures impacted on the enjoyment of other rights, such as freedom of assembly and association, freedom of movement and freedom of religion, economic and social rights for a short period.

Recommendations

1. The Ministry of Health and Sanitation (MoHS) and NaCOVERC should continue their public education on the dangers of the COVID-19 and how it can be curtailed.
2. The Ministry of Health and Sanitation (MoHS) and NaCOVERC should promote alternative measures such as vaccination to curb the spread of Covid-19 in order to avoid impacting on the enjoyment of the rights to freedom of assembly, association and movement

2.2 Civil and Political Rights

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 as contained in chapter 3 of the Constitution of Sierra Leone, 1991, the ICCPR and other International Human Rights Instruments.

2.2.1 Rights to Life, Liberty and Security of the Person

The rights to life, liberty and security of person are guaranteed under Sections 15, 16 and 17 of the Constitution of Sierra Leone, 1991, Articles 4 and 6 of the African Charter on Human and Peoples' Rights (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).

HRCSL observed that the right to life was generally protected. GoSL's actions to curb the spread of the COVID-19 was timely.

HRCSL applauds the GoSL for continuing to take measures to curb the spread of the virus. Only forty-five (45) fatalities were recorded by the National COVID -19 Emergency Response Centre (NaCOVERC) in the year under review.

However, HRCSL recorded an instance where lives were lost due to police high handedness or inaction by state authorities.

On 15th April, four SLP personnel of the Operation Support Department (OSD) were involved in an incident over a land dispute at Hastings village in which one of the personnel allegedly shot one person, who later died the same day, as a result of gunshot wounds. The matter was investigated by the Complaints Discipline and Internal Investigations Department (CDIID) and action was taken which led to the dismissal of three while the fourth was referred to the Criminal Investigations Department (CID) and later charged to court for murder. HRCSL commends the SLP administration for such action which will serve as a deterrent measure to help curb indiscipline within the Force.

The enjoyment of the right to life was also affected when a fuel tanker loaded with petrol exploded at Old Wharf Wellington, on 5th November. According to the Incident Manager of the Ministry of Health and Sanitation (MoHS), by 11th November, one hundred and thirty-eight (138) people had lost their lives and fifty-nine (59) others were injured and admitted at various hospitals in the Western Area. While HRCSL commends GoSL for prompt actions taken to provide medical assistance to the burnt victims, it also notes that the delay in the response time by the relevant authorities resulted in huge loss of lives.

Recommendation:

The GoSL should set up a task force to investigate the fire incident at Old Wharf Community and implement the recommendations of the committee to prevent a recurrence.



2.2.2 Death Penalty

On 23rd July, the Parliament of Sierra Leone enacted the Abolition of the Death Penalty Act 2021, which was assented to by the President of the Republic of Sierra Leone H.E. Dr. Julius Maada Bio on 8th October. HRCSL commends H.E. the President for fulfilling the commitment of repealing the death penalty, which he made to HRCSL during the presentation of its 2020 Annual Report on 17th December 2020.

The enactment of the Abolition of the Death Penalty Act 2021, has fulfilled a long-standing recommendation of the TRC, the Universal Periodic Review (UPR), as well as the previous SoHR reports of the HRCSL. However, Sierra Leone is yet to sign the Second Optional Protocol to the International Covenant on Civil and Political Rights on the Abolition of the Death Penalty.

Recommendation:

GoSL should sign the Second Optional Protocol to the International Covenant on Civil and Political Rights on the abolition of the death penalty.

2.2.3 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, Articles 19 of the ICCPR and UDHR.

During the year under review, HRCSL observed that radio, television stations and print media houses operated freely in the country. No complaints were received in respect of operational restrictions, refusal of registration or de-registration by the Independent Media Commission (IMC).

According to the IMC, which is mandated to regulate the affairs of the media landscape in Sierra Leone, a total of thirty (30) media institutions, both print and electronic, were registered between January and December and freely operated.

HRCSL noted that a total of nineteen (19) complaints on publication of false information were forwarded to the IMC by individuals and institutions. All nineteen (19) complaints were arbitrated by IMC. Sixteen were fined and three issued with warning letters.

According to the IMC, eleven (11) media houses complied with the fines levied against them.

HRCSL commends the IMC for ensuring that defaulting media houses retract false information and paid fines levied against them as provided for in Section 19 (7) (a) (b) of the IMC Act 2020. However, it is yet to take action on the five media houses that failed to comply despite the provisions of Section 19(8) of the IMC Act 2020 which states: “Where a person or media institution fails to comply with an order of the Commission made under paragraph (a) or (b) of subsection (7), the Commission shall suspend the registration or licence of the person or media institution concerned until the person or media institution complies with the order.”

On 22nd November, H.E. President Julius Maada Bio signed the Global Pledge on Media Freedom as a commitment by his government to improve on media freedom in Sierra Leone. By appending his signature, Sierra Leone became the 5th country in Africa to commit to the principles and values of the Media Freedom Coalition. The Global Pledge on Media Freedom is a document signed by members of the Media Freedom Coalition as a sign of governments commitment to defend media freedom in their respective states.

HRCSL observed that since the repeal in July 2020 of Part V of the Public Order Act of 1965 that criminalized libel and sedition, there had been no arrests of citizens as a result of sedition

or libel. However, the HRCSL noted an instance of manhandling of journalists by the SLP.

On 13th December, an SLP personnel physically assaulted and detained a staff (camera operator) of the Africa Young Voices (AYV) television station. In a press statement, Sierra Leone Association of Journalists (SLAJ), reported that the journalist had gone to the Central Police Station to get the other side of a story he had filmed earlier on the same day, of an accident involving an SLP motorcyclist, a commercial motorbike rider (Okada) and a child victim. The SLP management in a press release dated 14th December acknowledged the severity of the allegations and conducted an investigation into the matter. The SLP promised to apologize for what happened and also replace the missing items: they are yet to do so.

Recommendations

1. HRCSL strongly encourages media houses to be professional by cross checking information before publication.
2. The IMC should ensure that journalists practice their trade responsibly.
3. IMC should ensure full enforcement of provisions in its Act.
4. GoSL should uphold the commitment of the Global Pledge on Media Freedom to promote media freedom in the country.

2.2.4 Freedom of Thought Conscience and Religion

Freedom of Conscience is provided for in Section 24 (1) of the Constitution of Sierra Leone 1991, Article 8 of the ACHPR, Article 18 of ICCPR and Article 18 of the UDHR.

Religious freedom has consistently been enjoyed and Sierra Leone has been widely acclaimed for its religious tolerance.

The country's two predominant religious faiths are Christianity and Islam. Christians and Muslims inter-marry and attend each other's religious functions without hindrance.

In the period under review HRCSL did not receive any reports of violation of these rights.

However, on 1st July H.E the President in a state broadcast to the nation announced the suspension of congregational worship as one of the preventive measures to curtail the spread of the third wave of COVID-19. This suspension was largely frowned at by religious leaders on the grounds that they were not consulted before the announcement was made and that the restrictions did not apply to other non-religious gatherings such as market places. With persistent engagements by religious actors, this suspension was the first to be lifted among all the other restrictive measures. Effective 15th August religious houses were re-opened for congregational worship for no longer than ninety minutes. The ban was eventually fully lifted on 13th September.

2.2.5 Freedom of Assembly, Association and Movement

These rights are provided for in Sections 18 and 26 of the Constitution of Sierra Leone 1991, Articles 10, 11, 12 of the ACHPR, Articles 12 and 22 of the ICCPR, and Articles 13 and 20 of the UDHR.

The right to peaceful assembly protects the right of individuals and groups to meet and to engage in peaceful protests, and the right to freedom of association protects the right to form and join associations of one's choice to pursue common goals.

Generally, the rights to freedom of assembly, association and movement were enjoyed across the country. The HRCSL however noted that the enjoyment of these rights was affected



intermittently during the course of the year as indicated under the section, “Human Rights and COVID-19”.

2.2.6 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 1991 there are statutes and policies in place which are 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 commends Government for setting up the nine- member committee to address the numerous land disputes specifically in the Western Area. The Complaints Committee on Land Disputes in the Western Area was set up by H.E. President Bio in March, with the appointment of nine persons from MDAs (including HRCSL and CSOs). The Committee was tasked “to investigate complaints in relation to land disputes within the Western Area, touching and concerning the State, for the period April 2018 - January 2021, and to proffer recommendations to GoSL, based on the findings”. In order to get a very good outcome, MLHCP put out a Press Release dated 8th February announcing a Moratorium on the allocation/sales of all State Lands for private use in the Western Area.

The Committee received 305 complaints, and concluded 187 before the time frame ended. Investigations into the 118 were not concluded due to the limited timeframe and were referred to the Ministry of Lands, Housing and Country Planning (MLHCP). The committee’s report was submitted to H.E President Bio on 7th October.

Most of the findings centred on the erstwhile minister’s conduct and the public’s frustration in accessing him during his tenure.

Specific recommendations were made on a case by case basis. For recommendations of the Committee, please see Committee’s report on www.molhcp.gov.sl.

HRCSL hopes that this report could minimize the numerous land disputes among citizens over the years, which had sometimes led to violent outcomes and loss of lives. It is also hoped that it will lead to better management of land ownership especially in the Western Area.

On 18th October, some residents at the South Ridge community within the Western Rural Area were affected by a demolition exercise carried out by the SLP. HRCSL was informed by the Commanding Officer who led the operations, that the demolition was carried out under a court order. However, the affected persons reported to HRCSL that they were not served with eviction orders from the court before the demolition exercise was carried out at 6:00 a.m. and that in fact they were never parties to the action in court. According to the victims, a huge number of police officers from the Operational Support Division (OSD) of SLP allegedly vandalized their household properties. The police used tear gas canisters and those who resisted were beaten. Thirty nine of them were arrested and detained for at least two days. They were later charged to court and granted bail. Women, children and the elderly were mostly affected as they were left homeless.

The HRCSL notes with concern the use of OSD personnel to carry out the eviction and demolition. The demolition exercise affected the enjoyment of several other rights such as: the right to security of the person, right to privacy and the right to protection from unlawful deprivation of property.

Recommendations:

1. MLHCP should implement in full the recommendations of the Complaints Committee on Land Disputes in the Western Area, with a view to putting to an end the perennial problem associated with land ownership in the Western Area;
2. All eviction and demolition exercises should be carried out using the human rights based approach.

2.3 Economic, Social and Cultural Rights

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

2.3.1 Right to Education

Section 9 of the Constitution of Sierra Leone 1991 guarantees the right of everyone to education. The 2004 Education Act also guarantees the right to basic education defined as six years of free compulsory primary schooling and three years of junior secondary education. Articles 13&14 of the ICESCR and Article 17 of the ACHPR also guarantee the right to education.

GoSL continues to ensure that the right to education is being progressively enjoyed. In the year under review, the commissioning of new schools, especially to promote infant and girl child education and the upgrading and creation of new universities were notable achievements by GoSL. However, challenges were noted in the implementation of the Free Quality School Education Programme (FQSE).

Basic Education

On 31st May HRCSL noted the commissioning of the Christ the King Pre-School at Moyamba Junction by H.E. Julius Maada Bio. The school which was built by Mercury International is an early childhood development centre and is equipped with solar energy. This school will provide access to pre-school education to children in that locality, and the provision of solar energy in the school will enhance a conducive learning environment for the children.

In continuation of the promotion of girl child education, GoSL commissioned another girls' secondary school in Kenema; Nyapui Secondary School of Science for Girls on the 23rd October. This school which is equipped with a laboratory, computer facility and a multi-purpose hall was constructed and donated to GoSL by SEND-SL. The move to establish the only science secondary school for girls in the Eastern Region is laudable as it is geared towards encouraging girls to study the sciences and later help nation building in science related careers.

HRCSL further notes that the inclusion of new subjects such as Civic Education, Environmental Education and Sexual and Comprehensive Safety into the pre-school and junior secondary curricula was a laudable move.

At the Senior Secondary School (SSS) level, the curriculum structure was revised with broader choices of subjects to enable pupils at the SSS level to "follow a learning path that reflect their interests and talents". The new five streams are:

1. Sciences and Technology
2. Mathematics and Numeracy
3. Economics, Business and Entrepreneurial Studies
4. Languages and Literatures
5. Social and Cultural Studies



The MBSSE in collaboration with the West African Examination Council (WAEC) provided braille machines for visually impaired pupils who took the BECE and WASSCE in Freetown. A total of seven (7) and ten (10) pupils benefited from this provision for the BECE and WASSCE respectively. According to the MBSSE, the pass rate for those students was 99% for BECE and 40% for WASSCE. HRCSL commends this laudable step by the MBSSCE as part of the Radical Inclusion Policy launched by the MBSSE in 2020, geared towards closing the gaps and leaving no one behind.

Additionally, the MBSSE in July released a mobile application (App) for checking NPSE results. This result and placement checker designed by the Ministry was to assist parents and pupils access results free of cost before they were released by the schools.

In the year under review, the Teaching Service Commission (TSC) introduced the Best Teacher Award scheme. On World Teachers' Day 5th October, H.E. President Rtd. Brigadier Gen. Dr. Julius Maada Bio presented the Best Teacher Awards to 16 districts, 5 regional and 3 national winners, with the national winners receiving additional cash prizes.

In December the national winner joined the Minister of MBSSE to attend the World Innovation Summit in Education (WISE) Summit in Qatar and RewirED Summit in Dubai.

Tertiary Education

On 8th July Parliament passed the Universities Act 2021 which repealed and replaced the University Act 2005 (as amended). This new law upgraded the Milton Margai College of Education and Technology in Freetown and the Kenema Polytechnic in Kenema into full-fledged universities. The Act also provided for the establishment of the University of Science and Technology in Kono which is currently under construction. The upgrading and establishment of these universities will enhance greater access to university education in the country.

HRCSL noted that GoSL took steps to address the problem of students of the Limkokwing University who were beneficiaries of the GoSL Grant-in- Aid scheme. The students had been unable to continue with their courses due to the refusal of the Ministry of Finance to continue paying their Grant-in-Aid since 2018, on the grounds that the fees were exorbitant and that it is not government policy to give Grant-in-Aid to students attending private universities. Furthermore, GoSL considered that the entire process of obligating the government under the agreement between Limkokwing University and the GoSL was flawed.

After continuous engagements and negotiations with the university administration, GoSL in October paid 50% of the fees outstanding for the students who were affected; and registration commenced in November. The payment of fees will enable the students to continue their studies and eventually enhance the enjoyment of their right to education.

In November Parliament enacted the Sierra Leone Students Loan Scheme Fund Act 2021 to 'provide financial assistance to students of tertiary institutions in Sierra Leone as a means of facilitating increase in enrollment into higher education and promoting the right to education for all Sierra Leoneans'. HCSL welcomes this initiative which will increase the number of students entering the university and sustain students in tertiary institutions.

Despite efforts made by GoSL in ensuring that the right to education is enjoyed, HRCSL observed that there were challenges that continued to affect the full enjoyment of this right.

The quest for education in remote rural communities has led to the construction of schools by community stakeholders. HRCSL observed that these community schools are mostly not

“government-assisted” and so the pupils do not benefit from the FQSE. They usually lack basic logistics and the requisite personnel to meet the basic educational standards. One such school is the Saama Community School in the Small Bo Chiefdom, Kenema District which HRCSL monitored on 18th January. The school building, which was constructed using mud and sticks, was found in a dilapidated state with high risk of collapsing. The school has a total of 120 pupils with only one teacher manning all the classes. Some classes are conducted in the outdoor environment because the building could not accommodate all the classes. This situation exposes pupils to an uncondusive learning environment. During the dry season they are exposed to the heat of the sun and during the rains classes cannot be held.

From its monitoring also, the HRCSL noted the poor WASH facilities in schools and the impact it is having on girls’ access to education. Further details are set out in Part 2. Under the access to safe and clean drinking water and sanitation section.

Further, a good number of the schools do not have ramps to facilitate easy access for the physically challenged pupils and teachers to the classrooms. Section 14(2) of the Persons with Disability Act 2011 states that, “Government shall ensure the structural adaptation of educational institutions to make them easily accessible to persons with disability”. During monitoring visits to the Njaluahun Methodist Secondary School and Holy Ghost Secondary School in Segbwema and the Ahmadiyya Muslim Secondary School in Daru in the Kailahun District on 13th September, HRCSL observed that a good number of the physically challenged pupils struggled to climb stairs to access their classrooms. Also, in higher learning institutions, persons living with disability encountered similar difficulties to access classrooms due to the absence of ramps and lifts.

Recommendations

1. MBSSE should make available braille machines to all visually impaired students taking public exams;
2. MBSSE should conduct an audit of community schools and provide them with assistance to meet basic educational standards;
3. MBSSE should work with the Ministry of Health and Sanitation to improve the WASH systems in schools;
4. MBSSE should ensure that learning institutions are accessible to persons living with disability as provided for in the Persons with Disability Act 2011;
5. GoSL should expedite the construction work for the completion of the University of Science and Technology in Kono.

2.3.2 Right to Health

The right to health is provided for in 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 and Articles 12 and 14 of Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). Article 25 of Convention on the Right of Persons with Disability (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 Sustainable Development Goals (SDGs) encourages states to ensure healthy lives and promote well-being for all at all ages.

During the year under review, GoSL increased its allocation to Le 794.2 billion of its annual budget to the Ministry of Health and Sanitation (MoHS), which is 11% of GoSL’s annual budget.

Despite this increase, GoSL is yet to meet the 15% threshold of the Abuja Declaration of 2001, which it has committed itself to.



GoSL and its partners continued to support access to the right to health.

In March, MoHS developed a partnership with the Japan International Cooperation Agency (JICA) for the construction of a \$23.83 million ultra-modern Tertiary Children's Hospital at Lumley. Before now, the old hospital at Lumley was very small in size and accommodated very few patients. Also, the hospital did not have the required facilities needed to attend to patients. The construction of the 152-bed hospital commenced in September. When completed, it will have a surgical theater, intensive care unit, emergency treatment room, special baby care unit to treat new-born babies with special circumstances, and special clinics to save babies and children with critical medical conditions. It will accommodate more patients and accelerate the rate of quality healthcare service delivery to the people of Lumley and nationwide.

In an effort to ensure professionalism in Midwifery and promote the Free Healthcare Scheme, 102 midwives were certified by the School of Midwifery in January after they completed 18 months of intensive training in Midwifery, with support from MoHS and United Nations Population Fund (UNFPA).

Also, in a bid to regulate the marketing of breast milk substitutes (also called infant formula) and to improve on the nutrition of infants and young children, the Parliament of Sierra Leone on 21st July passed into law the "Breast Milk Substitutes Act 2020". The Act provides for the safe and adequate nutrition of infants and young children by promoting safe breastfeeding and regulating the marketing of breast-milk substitutes and for other related matters. HRCSL welcomes the enactment of this law as it will help to improve on the nutritional wellbeing of babies beyond the six months exclusive breastfeeding period promoted by GoSL.

According to MoHS, Sierra Leone has been Polio free since 2010 but in the year under review, twelve cases of circulating vaccine derived poliovirus type 2 (cVDPV2) was confirmed in 4 districts- Kambia, Tonkolili, Western Area Urban and Western Area Rural. As a result, MoHS intensified its Polio immunization campaign. Over 1.5 million children under five years of age were vaccinated during the first round of vaccination from 28 -31 May ; over 1.6 million children were vaccinated with nOPV2 during the second round from 2-5 July, and a mop-up Round 3 campaign of over 600,000 children in Western Area Urban, Western Area Rural and Tonkolili from 27-30 August. This immunization campaign helped to prevent the spread of the virus.

During its monitoring of healthcare facilities on various dates throughout the year, HRCSL noted the following:

- The unhygienic condition at the Connaught Hospital in April as a result of a strike action by cleaners due to non-payment of their salaries for over 14 months, resulted in huge piles of medical and other wastes around the hospital. This was of concern to HRCSL and a threat to the enjoyment of the right to health.
- Inadequate and late supply of Free Healthcare drugs at the Rokupa Government Hospital, the Kingharman Road Maternal Child Health Hospital, Makeni Government Regional Referral Hospital, Macauley Street Government Hospital and the Bo Government Hospital.
- There were Challenges with access to water at the Makeni Government Regional Referral Hospital, Bo Government Hospital and Kingharman Road Maternal Child Health Hospital due to closure of taps, especially in the dry season. However, the water challenges at Macauley Street Hospital was resolved through the rehabilitation of the hospital's water supply system by the MoHS, Ministry of Water Resources (MWR) and World Vision International under the Sustainable Water Supply and Hospital Rehabilitation project.

PCMH, under the same project, was connected directly to Guma Valley Water Company pipe, thereby ensuring sustainable supply of water to the hospital.

- Insufficient supply from the GVWC to the 34 Military Hospital to refill water tanks caused serious challenges for patients.
- The Macauley Street Hospital had regular supply of electricity from EDSA, whereas the Makeni Government Regional Referral Hospital had irregular electricity supply.
- The Macauley Street Government Hospital, Kingharman Road Maternal Child Health Hospital and the Rokupa Maternal and Child Health Hospital were without X-Ray, Ultrasound, CT Scan and ECG equipment. The absence of these equipment deprived patients of quality health care delivery services and the enjoyment to the right to health.

Recommendations

1. GoSL should endeavour to increase its budgetary allocation to the health sector to meet the 15% benchmark set out in the Abuja Declaration of 2001;
2. MoHS should ensure the provision of adequate and regular supplies of Free Healthcare drugs in all hospitals.;
3. MoHS should ensure that electricity and water supply are available in all government hospitals;
4. MoHS should procure X-Ray, Ultrasound, CT Scan and ECG equipment for all government hospitals.

2.3.3 Access to Safe and clean drinking Water and sanitation

The enjoyment of this right is provided for in Part III and IV of the Sierra Leone Water Company Act 2017, Parts III and IV of the GUMA Valley Water Company Act 2017, Cluster 3 of the Sierra Leone Medium-Term National Development Plan 2019-2023, ACHPR Resolution 300, and Goal 6 of the Sustainable Development Goals (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.

HRCSL acknowledges GoSL's allocation of "Le 15. 7 billion from the recurrent budget to the Ministry of Water Resources (MWR) including Le 5.0 billion as grants to SALWACO and Le 3.2 billion for the National Water Resources Management Agency". (Source: 2021 budget).

The HRCSL noted the initiative by the Inter-Ministerial Inter-Agency Committee (formed by GoSL in 2020) to help in catchment protection and management. Four Catchment committees comprising community members were set up as follows: one at the River Number 2 Community, one in Tokeh, one in John Obey and one in Tombo, to look into the day-to-day management of the water catchments areas.

HRCSL continues to note the challenges in accessing clean and safe drinking water in spite of the increasing budgetary allocations to this sector.

Despite GoSL's efforts to provide clean and safe water for communities in Bo, Kenema and Makeni under the just concluded Three Town Water Project, HRCSL observed that only a limited number of homes had connected to the SALWACO metered pipes because community people had declined to connect as they have been used to fetching water from streams and water wells for free.

The rehabilitation of the Bonthe Municipality Water Supply project, which was expected to

have been completed by the end of 2021, was stalled due to unavailability of funds. The project is to rehabilitate the existing Bonthe Municipality water supply, construct a perimeter fence around the water works and build a desalination plant for Bonthe Island.

In the Western Area Urban, HRCSL observed that the GVWC did not install any additional water tanks in the period under review. Furthermore, communities where water tanks had been installed in previous years had challenges with refilling them even after they have paid for the water to be supplied by GVWC.

In May, HRCSL monitored GoSL's fulfilment or the lack thereof of its obligation to ensure access to clean, safe and affordable water and its effects on the enjoyment of other fundamental human rights. Monitoring was done in selected schools, hospitals, police stations and communities in the Freetown Western Urban Area. The full report can be accessed on HRCSL's website (www.hrc-sl.org)

Findings included:

Schools

The inadequate supply of water sometimes pose serious sanitary and hygiene issues for the pupils as the water supplied by water bowsers paid for by school authorities is most often not enough for the whole school. Schools such as the United Methodist Church Primary School at Ginger Hall, the Henry Fergusson Municipal Infant, Primary and Junior secondary Schools at Kennedy Street, the Richard Allen High Junior Secondary Schools at Low Cost Housing, Kissy and the Malama/ Kaningo Community school at Malama experienced this challenge.

At the Wilberforce Community Primary and Secondary schools in Freetown on 20th May, it was observed that the schools lacked a functioning toilet facility. These schools do not have access to water supply and pupils carry water from their respective homes for personal use. The water situation, according to the principal, was worse for female pupils who most times purchased sachet water for sanitary purposes.

The acute shortage of water exposes pupils to sanitary and hygiene hazards especially girls. At the Malama/ Kaningo Community school, school authorities informed HRCSL that girls do not attend school when observing their menstrual cycle.

Police stations

Access to water within Central and New England Ville police stations was a challenge due to the absence of pipe borne water or boreholes.

Irregular supply of pipe borne water at the Congo Cross Police Station and the Lumley Police station affected the health and hygiene of suspects as they go for days without taking their bath.

The borehole at the Kissy Police station dries up during the peak of the dry season thereby causing the police authorities to pay community youths to fetch water from nearby communities.

Communities

The irregular and inconsistent supply of water by the Guma Valley Water Company (GVWC) to refill tanks caused residents (particularly those in the Malama/Kaningo and Old Wharf communities) to use water from untreated sources such as streams and wells.



Recommendations:

1. GoSL should establish catchment committees in other communities where there are unprotected water catchments so as to intensify the monitoring and protection of the water catchment areas;
2. SALWACO should conduct more sensitization in Bo, Kenema and Makeni on the health benefits of pipe borne water as compared to those from other untreated sources;
3. GoSL through the Ministry of Finance should make funds available to SALWACO for the completion of the Bonthe Municipality Programme;
4. GVWC should regularly refill existing water tanks;
5. GVWC should install more tanks especially in communities where accessing water is a challenge.

2.3.4 Right to Just and Favourable Conditions of Work

The right to just and favourable conditions of work is fundamental to protecting the dignity and worth of all individuals engaged in any gainful employment.

At the domestic level, Section 8(3) of the Constitution of Sierra Leone 1991 specifically places Government policy directives to address employment right issues, as well as the protection provided by the numerous labour laws enacted by the Sierra Leone Parliament. At the regional and international levels, these rights are recognized in legal frameworks to which Sierra Leone is a party: Article 15 of the ACHPR, Articles 23 of the UDHR, 6 & 7 of ICESCR and all the ILO Conventions (including the 8 Core Conventions).

In the year under review, HRCSL noted steps taken by the GoSL and its partners to address labour rights through legal/legislative reforms (review of policies/laws), capacity building for sector workers in the labour industry, monitoring compliance with labour rights standards in selected institutions and collaborating with its social partners (Sierra Leone Labour Congress Employers Federation) and other related bodies including HRCSL.

The HRCSL welcomes the steps taken by the GoSL to rationalize government payroll as part of the efforts to minimize wage disparities of public sector workers through the reassessment and promotion of 4,158 teachers to match up their salary scale with their qualifications (Source, see 2022 Budget speech at www.mofsl.gov.sl delivered in November).

From 9th – 13th August, the Ministry of Labour and Social Security (MLSS) in collaboration with the International Labour Organization (ILO) trained staff and partners on the ILO Conventions. The special focus was on the reporting on the ILO conventions ratified by the GoSL to ensure that Sierra Leone complies with its reporting obligations and submit the 26 outstanding ILO Conventions reports.

In April, GoSL lifted the ban on international labour migration, which was instituted in 2019 due to the irregularities that had marred the country's labour migration industry.

In September, the MLSS in a public notice, informed Sierra Leoneans that it had developed a regulatory mechanism, code of conduct and a training manual for overseas recruitment to ensure safe, orderly and regular labour migration.

On 2nd November, a Memorandum of Understanding (MoU) was signed between GoSL and the Government of the United Arab Emirates (UAE) to enable bilateral cooperation in the area of manpower to promote mutual benefits and provide guidance for an institutional partnership. The MoU, which was signed at the EXPO Village in Dubai, calls for the creation of a joint committee to implement, monitor and evaluate its provisions.



The HRCSL continues to note the steady progress made by the National Social Security and Insurance Trust (NASSIT) to administer the social security scheme to employees, pensioners and dependents. As at November, membership was two hundred and twenty seven thousand eight hundred and fifty six (227,856) of which approximately twenty thousand six hundred and thirty (20,630) were pensioners. Monthly payments to beneficiaries of the scheme was approximately Thirteen billion Leones (Le13,000,000,000). The scheme is in compliance with the provisions of NASSIT Act (No. 5) of 2001, Article 9 ICESCR and ILO Convention 102 'Social Security (Minimum Standard) Convention' of 1952.

However, despite these steps to improve on the enjoyment of this right, HRCSL observed during its monitoring exercises conducted at Sunbird Bioenergy Company (January), Koidu Limited Company (April), MIRO Forestry Company and Gold Tree Limited (October), a number of labour rights challenges in these companies. These included:

- Lack of protective gears for farm workers at Sunbird Bioenergy Company.
- Concerns around "Air quality" for workers at the underground mines at Koidu Limited and the carpentry/wood processing factory at MIRO Forestry'.
- Late payment of monthly salaries and non-issuance of pay slips by subcontractors at Goldtree Limited Company.
- Ineffective union representation for workers below supervisory level at Goldtree Limited Company.
- Trade Unions not accountable to their membership, especially short-term and seasonal workers at MIRO Forestry, Sunbird Bioenergy and Goldtree companies.
- Non-compliance with NASSIT rules as 457 workers at the MIRO Forestry Company were not registered with the scheme.

Recommendations:

1. MLSS should submit its 26 outstanding reports on the ILO Conventions to the ILO Secretariat;
2. MLSS and MIC should popularize the regulatory mechanism on Labour Migration;
3. NASSIT should ensure that MIRO Forestry complies with NASSIT registration requirements for its workers;
4. The Ministry of Environment and the Environmental Protection Agency (EPA) should regularly monitor air quality at all underground mining sites and at MIRO Forestry company;
5. MLSS and the Sierra Leone Labour Congress should undertake joint and effective monitoring of the activities of trade unions in the country in a bid to promote effective and efficient service delivery to their members.

2.3.5 Business and Human Rights

HRCSL continues to observe and monitor the business and human rights situation in the country. One key finding is the negative impact of COVID -19 on the operations of businesses/ enterprises. HRCSL noted that:

All types of businesses (small, medium and large scale) were affected by COVID- 19.

Full operations still remained a challenge for most companies. As part of the solution to address the income/expenditure situation of the COVID-19 pandemic, companies either downsized their staff numbers or sent staff on temporary leave (garden leave).

In a bid to provide for an investment friendly climate as well as address rights related issues, GoSL undertook legal/legislative reforms by repealing relevant laws. A number of Bills were developed and some enacted into law by the Sierra Leone House of Parliament. They include: The Customary Lands Rights Bill, the National Lands Commission Bill, the new Mines and Minerals Bill 2021, the National Investment Board Act, the Environment Protection Agency Act, 2021.

In addition to the above efforts, HRCSL also noted other measures employed by the GoSL to improve the investment climate and support the development of Small and Medium-Scale Enterprises (SMEs). The 'MUNAFU Fund' was established in February. This Fund, which is managed by the Small and Medium Enterprises Development Agency (SMEDA), had an initial investment of Le 26.1 Billion, and attracted 5,328 SMEs of which 75.8% of the beneficiaries are women entrepreneurs. HRCSL's inquiries into the management of the fund in selected districts revealed that selection of beneficiaries was done by intermediary banks and SMEDA personnel were only responsible for monitoring and responding to concerns raised.

Recommendations:

1. The Sierra Leone House of Parliament should enact all outstanding Bills related to improving the investment climate in the country, such as the Customary Land Rights and the Lands Commission Bills;
2. MoF should strengthen the operations of SMEDA to support activities of SMEs in the country.

2.3.6 The Right to Development

The Declaration on the Right to Development was adopted in 1986 by the United Nations General Assembly (UNGA) with Resolution 41/128. It is provided for in GoSL Medium Term National Development Plan, the Sustainable Development Goals (SDGs), Articles 1(1) of the ICCPR and ICESCR respectively, Articles 20 (1) and 22 (1) of the ACHPR and Article 1 of the Arab Charter on Human Rights, as well as the 1992 Rio Declaration on Environment and Development, the 1993 Vienna Declaration and Programme of Action, the Millennium Declaration, the 2002 Monterrey Consensus, the 2005 World Summit Outcome Document and the 2007 Declaration on the Rights of Indigenous Peoples. Article 1 (1) of the Declaration on the Right to Development provides that "the right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized."

The right to development is a collective right other than individual rights. Examples of the right to development include but not limited to: Energy, Environment, Sports, Air right, infrastructure, forestry, etc.

This report focuses on energy as a collective right that should be enjoyed by all.

2.3.6.1 Energy

Cluster 3 of GoSL's Medium Term National Development Plan (MTNDP) acknowledges that limited access to affordable and reliable electricity supply in Sierra Leone is a challenge for growth and development. Goal 7 of the Sustainable Development Goals (SDGs) requires state parties to ensure "access to affordable, reliable, sustainable and modern energy for all".

In this regard, GoSL has taken strides to ensure the provision of energy supply nationwide. These interventions enhance the enjoyment of the right to development. HRCSL notes the following interventions by GoSL:



- The unbundling of the National Power Authority (NPA) into the Electricity Generation and Transmission Company (EGTC) and the Electricity Distribution and Supply Authority (EDSA) in 2015 has led to increased access of electricity supply in the country.
- Reviewing the Agreement with the Karpowership company to supply electricity to Freetown. The contract was extended for 5 more years and electricity generation increased from 50 to 63 Megawatts (MW) in the dry season and from 30 to 23 MW during the rainy season (See Karpowership website www.karpowership.com).
- Securing of grants and signing agreements including a \$US50 million grant approved by the World Bank to improve access to electricity and enhance institutional capacity and commercial management of the sector; GoSL's signing of a debt finance agreement worth \$US 217 million with the United States International Development Finance Corporation (USIDFC) to construct an 83 Megawatts (MW) hydroelectric power plant in Freetown.
- Replacing outdated infrastructure (transmission cables and transformers) with better ones to ensure an effective distribution network. Distribution transformers and lines are also being installed in 33 communities which previously did not have access to electricity. In July, the solar light was turned on in Madina, Tonko Limba Chiefdom, in Kambia District. In August, two transformers were presented to Bo and Kenema respectively in keeping with government's policy of providing electricity for both cities through the Bo-Kenema Network Rehabilitation and Expansion Project.
- Restoring of electricity supply to Lunsar.
- Connecting 39 Communities to the West Africa Power Pool's 225KV transmission network. These communities include: Zimmi and Potoru in the south; Kangama Gorahun and Njaiama Nimikoro to the east; and Masingbi, Bumbuna, Matotoka, Kamalo, Kamakwie, Binkolo, and Fadugu to the north.
- Connecting Bo and Kenema districts to the West Africa Power Pool.
- Commissioning of 50 rural mini-grids and 4 smaller pilot systems in 54 chiefdoms with 8,000 household connections in beneficiary communities and developing another 44 mini-grids in 44 chiefdoms.

Despite these efforts made by GoSL to improve electricity nationwide, there were challenges to the enjoyment of this component of the right to development. A vast majority of the population lived without electricity and those who had access to it in the Western Area and in the regions experienced inconsistent and unreliable power supply. By the World Bank Report of 2020 only 26.2% of the population of Sierra Leone had access to electricity. Freetown, Makeni, Bo and Kenema witnessed either the regular interruptions in the supply of electricity or its unavailability at various times during the year under review. This affected the quality of life and livelihoods as offices, hospitals, homes and hotels experienced power outages resulting in reduction in effective hours of work, poor health service delivery, destruction of electrical appliances and high running costs respectively. Some tertiary educational institutions reliant on electricity to pump water into tanks were affected by electricity outages, thus affecting access to water.

HRCSL is also concerned by the vandalism and theft of transmission cables, transformers and other installed equipment and illegal connections by some members of the public which are rendering the provision of regular and reliable electricity further challenging, particularly in the Western Area, Lungi and Kono. HRCSL's monitoring of social media revealed that 8



individuals, including a foreign national were tried and convicted for electricity theft on 24th August. A Councilor in Ward 239, Constituency 077 in Lungi was declared wanted for the unlawful possession of government property.

HRCSL welcomes the formation of the Presidential Task Force on electricity and the electricity crimes court to combat this menace that continues to stall development.

Recommendations:

1. GoSL should continue its efforts in providing consistent and reliable electricity for those communities which already have access and to extend its facilities to other unserved areas across the country;
2. GoSL should provide robust security for electricity installations across the country to forestall any theft or vandalism;
3. Citizens should desist from engaging in illegal connections.

2.4 Human Rights in the Administration of Justice

2.4.1 The Sierra Leone Police

The Sierra Leone Police (SLP) is the national police force of the Republic of Sierra Leone established under Section 155 of the Constitution of Sierra Leone 1991. According to Section 5 (2) (b) of the Constitution of Sierra Leone 1991, “the security, peace and welfare of the people of Sierra Leone, shall be the primary purpose and responsibility of government; and to this end it shall be the duty of the Armed Forces, the Police, Public Officers and all Security agents to protect and safeguard the people of Sierra Leone.”

Furthermore, Part 2 Section 4 of police Act No. 7 of 1964 outlines the general duties of the police as follows: ‘The Police shall be employed for the detection of crime and the apprehension of offenders, the preservation of law and order, the protection of property and the due enforcement of all laws and regulations with which they are directly charged’.

From June to August, 10 senior police officers participated in an eight weeks intensive training course in Strategic Leadership and Command in Abuja, Nigeria. This was done with the view to enhancing effective and efficient policing within the SLP.

In September, the Ministry of Internal Affairs (MIA) approved the revised ranking structure for the SLP. According to the IGP this review would ensure the harmonization of salaries based on government’s salary scale and structure with other MDAs and it would open up the police force for growth and make it more attractive to the public.

In total seventeen (17) ranks were approved as follows (in hierarchical order):

| RANKS | ACRONYMS |
|---------------------------------------|----------|
| Inspector General | IGP |
| Deputy Inspector General | DIG |
| Assistant Inspector General of Police | AIGP |
| Commissioner of Police | CP |
| Assistant Commissioner of Police | ACP |
| Chief Superintendent of Police | CSP |
| Superintendent of Police | SUPT |

| | |
|--|------|
| Deputy Superintendent of Police | DSP |
| Assistant Superintendent of Police | ASP |
| Cadet Assistant Superintendent of Police | CASP |
| Chief Inspector | CI |
| Inspector | INSP |
| Sub-inspector | SI |
| Sergeant Major | SM |
| Sergeant | SGT |
| Corporal | CPL |
| Constable | CONS |
| Recruit | RCT |

On 23rd December, four thousand one hundred and forty-five (4,145) personnel were promoted to the various ranks.

HRCSL applauds the SLP for reviewing the ranking structure which will not only enhance efficiency, greater division of labour, staff motivation but also improve on the conditions of work and standard of living for SLP personnel. This action of the police is in line with Section 8(3) of the Constitution of Sierra Leone 1991, Article 15 of the ACHPR, Article 7 of the ICESCR and all ILO Conventions.

In adherence to its international obligation in Regional Peace Building within Africa, the SLP continues to contribute significantly to international peace and security with their presence in Darfur and South Sudan. A total number of 96 Police personnel (66 male and 30 female) went on peace mission in two batches during the period under review.

While HRCSL notes the administrative, financial, logistical and human resource constraints of the SLP, it is deeply concerned about the unprofessional manner in which some of the officers who normally interface with the public conduct themselves.

For instance, on 12th April, the police personnel deployed at the Institute of Public Administration and Management (IPAM) assaulted one female student during a protest at the college campus. According to the students, the protest was as a result of the omission of some names of graduands from the published list for the 2020/21 academic year. Five others were also arrested. This action of the SLP is in contravention of Section 20 (1) of the Constitution of Sierra Leone 1991 which states that “No person shall be subject to any form of torture or any punishment or other treatment which is inhuman or degrading”. It also contravenes Article 5 of the ACHPR and Article 7 of the ICCPR.

HRCSL in a press release dated 15th April condemned the action of the police, and called for the immediate and unconditional release of the students who were arrested. The students were subsequently released by the police on 16th April.

Another incident involved 4 OSD personnel over land dispute on the 15th April, at Hastings which led to the loss of life of one male adult. For details on this incident, please refer to the section of Right to Life.

Conditions in Police Detention Facilities

Through several other monitoring visits to police stations during the course of the year, HRCSL observed the following:

Prolonged or over-detention

The table below shows findings of HRCSL for suspects who were on prolonged or over-detention at various police stations that there were monitored in the year under review

| No | Region | Police station | Date of visit | No. suspects | | Date of Detention | Offence | No of days in custody |
|----|-----------------|--|---------------|--------------|------------|-------------------|----------------------------|-----------------------|
| | | | | M | F | | | |
| 1 | Western Area | New England Police Station | 08/03 | 1 | | 17/02 | Larceny | 19 |
| 2 | Urban | Congo Cross Police | 30/03 | 2 | | 21/3 and 25/3 | Larceny | 9 and 5 |
| 3 | | Goderich Police Station | 31/3 | 1 | | 20/3 | Sexual penetration (SP) | 11 |
| | | | 31/3 | 2 | | 23/3 and 25/3 | Larceny | 8 and 6 |
| 4 | | Adelaide Street Police Station | 28/4 | 1 | | 17/4 | Larceny | 11 |
| 5 | | Ross Road Division | 13/9 | 4 | | 19/8 | SP | 25 |
| | | | | | | 7/9 | Larceny | 6 |
| | | | | | | 7/9 (2 suspects) | Assault | 6 |
| 6 | | Criminal Investigations department Headquarter (CID) | 14/9 | 3 | | 11/8 | Fraudulent Conversion (FC) | 34 |
| | | | | | | 14/8 | Money Laundering | 31 |
| | | | | | | 9/9 | Fraudulent Conversion (FC) | 5 |
| 7 | | Kissy Mess -Mess Police Division | 4/10 | 3 | 1 Juvenile | 28/7 | Murder | 65 |
| | | | | | | 19/9 | SP | 15 |
| | | | | | | 27/9 | Larceny | 7 |
| | | | | | | 30/9 | | 4 |
| 8 | Southern Region | Bo West police station | 26/4 | 4 | | 4/4 | SP | 22 |
| | | | | | | 12/4 | | 14 |
| | | | | | | 19/4 | Larceny | 7 |
| | | | | | | 21/4 | Wounding | 5 |
| 9 | Northern Region | Mena Police station, Makeni | 16/4 | 3 adults | | 25/3 | SP | 22 |
| | | | | | | 28/3 | | 19 |
| | | | | | | 2/4 | | 14 |
| | | | | 1 Juvenile | | 10/4 | Larceny | 6 |



HRCSL was informed by the SLP that the reasons for the prolonged detention in all the stations monitored included:

1. Delays in investigations due to delays in receiving medical reports from government hospitals or Rainbow Centres for sexual penetration cases.
2. Delay in receiving legal advice from the Director of Public Prosecution (DPP) or State Counsel in the regions.
3. Unavailability of sureties for some suspects

HRCSL remains concerned over the delays in the investigation of cases as this undermines speedy prosecution of cases.

Feeding

Article 4(e) of the Luanda Guidelines states that “the right to humane and hygienic condition during the arrest period, including adequate water, food, sanitation, accommodation and rest, as appropriate considering the time spent in police custody.”

HRCSL noted that the food situation for suspects in detention in all the stations visited remained a challenge. Only five police stations; namely Congo Cross, Moyamba, Pujehun, Motema and Tankoro police stations provided suspects with food once a day.

In the case of the Congo Cross police station, suspects reported that they were unable to eat the food because of the poor quality. They only ate food provided by their relatives, friends, complainants and sometimes by police officers.

HRCSL also noted that at the Tankoro, New England, Adelaide Street, Calaba Town, Mena Police Stations and Bo West and Goderich Police Divisions, suspects were provided food either through the humanitarian gestures of police officers, family members, friends, other philanthropists or complainants.

Health and Hygiene

HRCSL observed that majority of the police cells across the country had poor sanitary and hygiene conditions with bad odour of urine and faeces oozing out of them. This is so because most of the toilet facilities were pit toilets within the cells.

On the 26th April, HRCSL noted the following as major challenges at the Bo-East police Station; no bathing facility for suspects in custody, unclean and unhealthy environment that smelled of urine and human faeces. This offends Article 4 (e) of said the Luanda Guidelines.

The station also faced huge problem with water supply during the dry season when the water well located within the precinct dries up.

HRCSL continues to note the poor toilet facility for suspects at the Bo West police station where buckets are used as toilets inside the cell. Suspects do not have access to bathing facility.

On 28th April, at the Adelaide Street Police Station, Freetown, HRCSL observed that safe drinking water was a challenge for suspects as the station had no source of water supply. The suspects either bought water for themselves or depend on their family members to provide them with safe drinking water. This contravenes Rule 21(2) of the Nelson Mandela Rules which states, “Drinking water shall be available to every prisoner whenever he or she needs it.

For cleaning and other purposes, HRCSL was informed by police officers that water was fetched from a nearby pipe close to a gutter to clean the toilets. Sometimes suspects used it



to drink if they do not have money to buy sachet of water.

HRCSL noted that all the police stations visited did not have any system in place to screen new suspects for COVID-19 which pose the risk of transmission of the virus.

HRCSL observed that most of the police cells visited lacked proper ventilation. The cells were dark with poor air circulation because the windows were too small to provide sufficient light and air, even during the day. This contravenes Rule 13 of the Nelson Mandela Rules which states that “All accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating and ventilation”. For example, on 3rd August, at the Mortema Police Station in Kono HRCSL observed that police personnel had to take suspects out of the cells to get fresh air. HRCSL also observed that at the New England Ville Police Station in Freetown suspects used candle lights during the day.

Sleeping Facilities

HRCSL remains concerned that suspects in police custody sleep on bare floors or on cardboards. At the Bo East, New England, and Kissy Mess-Mess police stations, while some suspects slept on the bare floor, others do so on cardboards and worn-out clothes which increase the chances of suspects getting sick. In 16 of the 20 police cells (such as Adelaide Street, Adonkia, Hilltop police stations in Freetown and the Motema police station in Kono), suspects complained to HRCSL that the cardboards were infested with bed bugs.

Absence of juvenile cells in police stations

With the exception of the Central Police Station, all other police stations do not have cells for juveniles. They are either locked up with adults or placed in open detention. On 16th April, at the Mena Police station in Makeni one juvenile was detained together with adults. On 28th July, one female juvenile was found detained in the same cell with three adults. Section 31(d) (ii) of the Luanda Guideline states that “Children shall be detained separately from adults, unless it is in their best interest to be kept with family members also detained”.

Administrative and Logistical Constraints

Only two Police Divisions (Goderich and the Kissy Mess-Mess) informed HRCSL that they received subsidies from the central government out of the twenty (20) police stations/divisions visited.

Stationery supplies was noted to be another challenge. At the Congo Cross Police Division, HRCSL was informed that it is only given to the Family Support Unit. At both the Tankoro Police Division and the Sewafe Police Station in Kono, HRCSL was informed that stationary supplies were not received on time and sometimes supplied once per year. As a result of that, HRCSL observed suspects information were written on pieces of paper instead of a proper pre-trial detention register.

With regards mobility, the Sewafe, Adelaide Street and the Calaba Town Police Stations lacked vehicles for operations, and as a result, the stations were finding it very difficult to carry out routine patrols and also to escort suspects to court. Although the Bo East Police Division, Mena Police Station, Kissy Mess-Mess Police Division and the Eastern Police Division reported that they each had two vehicles, only one was in good condition in each Division.

Fuel for the vehicles was provided by the police headquarter on a quarterly basis. However,

the non-availability of fuel sometimes prevented suspects from going to the courts, or were transported to court using commercial transportation or private vehicles or motor bikes owned by police officers. Transporting suspects to court through these means poses a serious security risk to the police officers and the public.

Recommendations

1. The Office of the DPP should expeditiously proffer legal advice in order to ensure speedy prosecution and avoid prolonged detention of suspects.
2. Medical reports should speedily be processed by the relevant medical authorities in order to avoid delays in the investigation of cases and prosecution where necessary.
3. GoSL should provide adequate financial and logistical support to the SLP to effectively carry out its duties including the upkeep of the cells.

2.4.2 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 of the law is guaranteed in Section 23 of the said Constitution. This right is also enshrined in Article 7 of the ACHPR, Article 14 of the ICCPR and Article 7 of the UDHR.

HRCSL commends the Judiciary for assigning Resident High Court Judges to three districts - Kailahun, Port Loko and Koinadugu. This brings the number of judicial districts with Resident High Court Judges to 9, from the previous 6 districts (Western Area Urban, Moyamba, Makeni, Bo, Kono and Kenema).

In March, Justice Abdul Sheriff (J) commenced work as the first time Resident High Court Judge in Port Loko District in the North-West Region. He is also responsible to conduct High Court sittings in Kambia, Lungi, Lunsar and Masiaka. Justice Abdul Rahman Mansaray (J) also commenced in March as the first Resident High Court Judge of Koinadugu District. He also conducts sitting in Mongo Bendugu, Mongo Chiefdom, Falaba District. In October, Justice Francis Banks-Kamara (J) commenced work as the first Resident High Court Judge in Kissy Teng Chiefdom, Koindu Town in Kailahun District in the Eastern region. This was the first ever High Court sitting in the chiefdom.

The appointment of these Resident High Court Judges will enhance access to justice and speedy trial in these districts.

HRCSL notes that during the May High Court Criminal Sessions in Freetown presided over by Justice Alusine Sesay (JSC), bench warrants were issued for forty-five (45) jurors for what was referred to as 'negligence to civic duty'. This will go a long way in assisting the course of justice and expedite trials.

Following the enactment of the Abolition of the Death Penalty Act, 2021, the Judiciary no longer sentences convicts to death for murder, treason, mutiny and robbery with aggravation. The death penalty has now been replaced with life imprisonment.

HRCSL also observed that delays in the preferment of indictments and lack of quorum of jurors, caused prolonged trials. During a monitoring visit at the Sefadu Male Correctional Centre in Kono on 4th August, HRCSL noted after interacting with inmates that one of them had been on trial for five years, caused by frequent adjournments due to failure of the jury to form a quorum each time the matter comes up for hearing.

At the Makeni Correctional Centre on 10th February, HRCSL noted that there were 11 male inmates without indictments; 7 of them for over a period of eight months and four for over



a year, contrary to Section 23 of the Constitution of Sierra Leone 1991. This deprives the inmates of their right to a fair and expeditious trial and therefore subjecting them to injustice, in contravention of Article 9 (3) of the ICCPR which states, among other things, that “Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release”.

HRCSL noted that between 17th and 20th August, the Office of the Attorney General and Minister of Justice and the Judiciary during a one-week tour across the country engaged local court administrators and stakeholders on the enforcement and implementation of the Local Courts Act of 2011. The tour covered Kenema, Bo, Kailahun, Kambia, Port Loko and Kono Districts. This would aid litigants’ access to justice and build capacity of local courts administrators.

In August, Justice Miatta Samba (JSC) took leave of the Judiciary to take up appointment as a Judge of the International Criminal Court (ICC), in The Hague, The Netherlands. She is the first Sierra Leonean Judge at the ICC.

On 30th November two Sierra Leonean judges, Hon. Justice Alusine Sesay (JSC) and Hon. Justice Tonia Barnett (JA) were sworn in as Judges of the Residual Special Court for Sierra Leone.

Recommendations

1. The Judiciary should assign Resident High Court Judges to the remaining 7 judicial districts to speed up trials and improve access to justice.
2. The Judiciary and the Office of the Attorney General and Minister of Justice should continue to liaise with the local court administrators for the full implementation of the Local Courts Act 2011 in order to increase access to justice in the rural areas.

2.4.3 Juvenile Justice

Juvenile Justice is the legal process which deals with children who are directly in conflict or in contradiction with the law.

The rights of juveniles in conflict with the law is provided for in the Children and Young Persons Act (Chapter 44 of the Laws of Sierra Leone 1960) the Child Rights Act 2007, Article 17 of the ACHPR on the Rights and Welfare of the Child, Articles 10 and 14 of the ICCPR and Article 10 of the UDHR. The United Nations Standard Minimum Rules for the Administration of Juvenile Justice (1985) commonly known as the Beijing Rules provides a guide on administering justice for children within the Criminal Justice system.

In June, the Child Justice Working Group in partnership with the Justice Sector Coordination Office held two days workshop to validate the draft Diversion and Alternative to Detention Framework with partners working on child justice matters to strengthen advocacy and coordination among the child justice actors.

In November, one hundred (100) justice sectors actors were trained on the Diversion and Alternative to Detention Framework. HRCSL welcomes this initiative which aims to expedite trial of juveniles and improve on the welfare of children who come in conflict with the law. This initiative is in line with Article 40 of the Convention on the Rights of the Child (CRC) which encourages states to “avoid judicial proceedings where appropriate and desirable, and should have alternatives to institutional care”.

HRCSL also noted efforts of the Legal Aid Board to provide legal representation for both



juvenile offenders and juvenile victims (survivors). The DON BOSCO Fambul, Commit and Act, Variety Group Home, One Centre Family, and the Child Rehabilitation Centre continued to provide support such as free medical services, safe home and psychosocial services to juvenile victims.

Despite strides taken by GoSL and its partners in addressing juvenile justice, HRCSL noted the challenges juveniles faced within the justice system.

HRCSL observed that the reluctance of complainants and witnesses to attend court hearings resulted in delays in trial. Officers at the Bo West Police Division reported to HRCSL that the unavailability / unwillingness of witnesses to make statements for investigation of cases to progress or testify in court (especially for Domestic Violence (DV) and Sexual Penetration SP cases) was one of the factors responsible for the delays.

In spite of the Age Assessment Guidelines developed by the then Ministry of Social Welfare Gender and Children's Affairs, the absence of a forensic laboratory to determine the ages of children who come in conflict with the law was a challenge in the determination of their actual ages. During a monitoring visit to the Kenema Police Station in March, HRCSL found 8 young people who claimed to be juveniles detained in the same cells with adults. However, the police officers informed HRCSL that those suspects were not juveniles and that suspects below 18 are usually put in open detention.

Absence of Juvenile Cells in Police Stations

HRCSL noted that with the exception of the Central Police Station in Freetown, police stations across the country lacked juvenile cells. In police stations where there are no juvenile cells, juveniles were placed in open detention or locked up with adults while their matters were being investigated. HRCSL is concerned about the placement of juveniles with adults in detention facilities as it contravenes 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".

At the Sefadu Correctional Centre, HRCSL was informed of a 15 year old boy who was on remand in the same facility with adults because he was standing trial for allegedly injuring another boy. The Officer-in-Charge admitted that as one his challenges as he is compelled to admit juveniles in detention because there is no juvenile remand home or approved school in the district or in the Eastern Region. This is a contravention of Rule 11 (d) of the SMR which states that "Young prisoners shall be kept separate from adults."

HRCSL was informed that between January and October juveniles at the Kingtom Remand Home did not attend court sittings regularly due to the unavailability of fuel for the vehicle to transport them to court. For example, four juveniles did not attend court hearing on the 8th April and three on the 6th October due to the unavailability of fuel to convey them to court.

The BRH had no vehicle to convey juveniles to court or to Freetown to serve their sentences; they are transported to court using commercial transportations. One inmate who had been found not guilty of the crime for which he was standing trial could not be immediately re-unified with his family as the Home did not have any means to transport him back to Pujehun. Also, on the 6th September HRCSL during a monitoring visit noted that five inmates who had been convicted were still kept in the Bo Remand Home due to lack of transportation to convey them to Freetown to serve their sentences. One of the inmates who had been sentenced to 10 years imprisonment told the HRCSL's monitoring team that he had been in the Remand Home for eight months without being transferred and that he had asked and complained that

he needed to be sent to the Approved School so he can get some formal education.

HRCSL remains concerned about this transportation situation which has been longstanding. Transporting inmates using commercial vehicles is a security risk for both the centre managers and the inmates.

HRCSL noted delays in processing indictments, receipt of files sent to the Principal State Counsel for advice resulted in prolonged trial and delay in justice for inmates in the Bo Remand Home as well as juvenile victims. During the monitoring visit to the Home in April, HRCSL was informed by the Home Manager that five (5) inmates had been awaiting indictments to High Court for five (5) months.

Lack of effective legal representation for SP and murder offenders - five (5) inmates at the Bo Remand Home complained that their lawyers from the LAB did not regularly attend court sittings when their matters were called.

Recommendations

1. The Diversion and Alternatives to Detention Framework should be fully implemented by all child justice sector actors, particularly law enforcement officials to ensure that imprisonment of juveniles should only apply in rare or very serious cases.
2. The State Counsel should proffer advice on files speedily in order to expedite trial and avoid prolonged detention of inmates and delay of justice for juvenile victims
3. The Judiciary should take action on complainants and witnesses who refuse to attend court sittings without reasonable justification in order to avoid prolonged trial.
4. Ministry of Social Welfare should allocate more resources to juvenile administration guided by minimum international standards, to enable them acquire the needed logistics (fuel, vehicles,) for the Remand Homes so that children are transported to their court sittings regularly in order to avoid delays in trial, among others.

2.4.4 Juvenile Detention Facilities

The Bo Remand Home (BRH) in Bo, the Kingtom Remand Home (KRM), Central Police Station and the Approved School all in Freetown are the only juvenile detention facilities in the country. In districts where there are no juvenile detention facilities, juveniles are either kept in open detention in police cells or sent to the correctional centres whilst undergoing trials.

In the course of the year, HRCSL conducted monitoring visits to these facilities to assess the living conditions of the juvenile offenders. Below are some of the findings:

Poor condition of Juvenile Cells in Police Stations

During HRCSL's monitoring of police detention facilities across the country it was observed that the cells for juveniles at the Central Police Station (which is the only police station with cells for juveniles), were in a bad state.

Feeding

At the KRM and the Approved School, HRCSL was informed food was served three times a day and that supply was regular and sufficient. However, authorities and offenders at the BRH informed HRCSL that no food and non-food items were not supplied from January to June, and that the head of the home used his personal funds to provide food for inmates. Inmates complained about the drastic reduction in food ration since the beginning of the year and that food was served once a day. This contravenes Rule 37 of the United Nations Rules for



the Protection of Juveniles Deprived of their Liberty (Havana Rules) which state that “Every detention facility shall ensure that every juvenile receives food that is suitably prepared and presented at normal meal times and of a quality and quantity to satisfy the standards of dietetics, hygiene and health, and as far as possible, religious and cultural requirements.”

Accommodation

From March to August there were only 19 male offenders in remand at the KRH. The Home was observed to be in a relatively good condition.

Fifteen mattresses and thirty bed sheets were supplied to the KRH by the Raviera Children Rehabilitation Center (RCRC) in April. In May, the Ministry of Social Welfare (MSW) supplied twelve (12) mattresses to the Approved School. In July the school received twenty-five Blankets, twenty bed spreads and ten mosquito nets from RCRC.

Issues of overcrowding remained a challenge for officers and inmates at the BRH. At the BRH toiletries such as bathing soap, toothpaste and toothbrushes were reported to be unavailable and inmates went for days without a proper shower. Inmates also complained of infestation of insects such as flies and bedbugs in the cell.

HRCSL noted that no action has been taken to address the challenges of electricity at the BRH thus keeps inmates dark dormitories at night. The dormitories are poorly ventilated which is a serious concern and a violation on their right to health in contravention of Rule 14(b) of the SMR, which state “Artificial light shall be provided sufficient for the prisoners to read or work without injury to eyesight”.

The dormitories for boys and girls at the BRH are not properly separated. This was reported by the manager as a serious concern especially since most of the male inmates were remanded for sexual penetration. The management had to deploy a female Officer to sleep in the female cell regularly to forestall any sexual attempt on them.

Overcrowding

Overcrowding remained a challenge at the BRH, which has a holding capacity of 23. Between January and March there were a total thirty (30) male and female inmates. In April and August there were 27 and 26 inmates respectively in the Home.

Health and Hygiene

HRCSL noted that these three (3) centres lacked designated medical units and there were no assigned medical personnel to the centres. There is no proper collaboration between the MSW and the MoHS to provide a functioning health care unit for these centers. When inmates at the Approved School fall sick, the officers-in-charge request for assistance from the nearby community health centre and from Non-Governmental Organizations (NGOs). Medical assistance is provided by the Don Bosco Fambul, for inmates who fall sick at KRH. At both facilities, inmates with serious health issues were referred to the Police Hospital at Kingtom for treatment.

At the BRH, relatives of inmates were oftentimes notified to foot medical bills. Where the relatives could not be traced, the cost was borne by the Home Manager. HRCSL is concerned over the implication that this situation has on inmates in the enjoyment of their right to health. This contravenes Rule 24 (1) of the Mandela Rules which 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.”



At the Approved School the problem of limited access to water during the dry season continue and at the Bo Remand Home the availability of safe drinking water was a challenge. Inmates fetched water from the wells in the neighborhood and the water was not safe for drinking. This contravenes Rule 22(2) of the Mandela Rules, which states, “Drinking water shall be available to every prisoner whenever he or she needs it”.

Education and Recreation

Formal education at KRH, the BRH and the Approved School remained a challenge for inmates. HRCSL however commends the administration at the Approved School for continuing to prepare newly admitted juveniles (in NPSE & BECE classes) to take the public exams. HRCSL was informed by the correctional officer in-charge that four (4) male juveniles sat and passed the NPSE, while five others sat to the BECE and are awaiting the publication of their results by the school.

Juveniles at the Approved School in Wellington complained that vocational training was ineffective due to the fact that there were no assigned trained and qualified teachers and not enough teaching materials in the facility. HRCSL was informed that the social worker who taught inmates basic literacy and numeracy had been transferred to serve as a juror thereby leaving the children without a teacher. This is in contravention of Rule 38 of the Havana Rules which states that, “Every juvenile of compulsory school age has the right to education suited to his or her needs and abilities and design to prepare him or her for return to society”.

Security

HRCSL observed that no action had been taken to increase the height of the perimeter fence at the KRH and the BRH despite its recommendations made over the years. Children were always locked up inside the home and were not allowed to play in the compound thereby restricting their movement within the facility.

HRCSL is concerned about the implication of this restriction on the inmate’s enjoyment of the rights to play and freedom of movement within the facility. This is in contravention of Rule 47 of the Havana Rules which states that, “Every juvenile should have the right to a suitable amount of time for daily free exercise, in the open air, whenever weather permits, during which time appropriate recreational and physical training should normally be provided”.

Recommendations

1. GoSL should increase budgetary allocation to MSW to meet basic welfare issues such as food and non-food items.
2. MSW should ensure that juvenile detention facilities have sustainable supply of water by constructing boreholes within the KRH and rehabilitate the ones at Approved School and the BRH.
3. MSW should regularly pay electricity bills to ensure regular supply to the Homes.
4. MSW should construct more dormitories at the BRH to address the overcrowding.
5. MSW and MoHS should provide functioning health care units within the juvenile facilities.
6. MSW should increase the height of the perimeter fence at the KRH and BRH to ensure that juveniles enjoy their right to recreation.
7. MSW should ensure that each district has a Remand Home and at least one Approved School in every region.
8. MBSSE should:
 - Ensure that the juvenile centres have equipped and functioning educational structures within the facilities.
 - Coordinate with the Teaching Service Commission to assign trained and qualified teachers to the juvenile centres.



2.4.5 The Sierra Leone Correctional Service

The Sierra Leone Correctional Service Act 2014 established the Sierra Leone Correctional Service (SLCS) pursuant to Section 3 of the Constitution of Sierra Leone 1991.

Following the incident of 29th April 2020 at the Male Correctional Centre in Freetown as well as relentless calls from the public for the relocation of this Centre, plans for the relocation to Songo in the Western Area Rural were at an advanced stage by the GoSL.

During monitoring of correctional centres, HRCSL observed the following:

Overcrowding

HRCSL observed the perennial problem of overcrowding in most male correctional centres across the country. For example, the Freetown Male Correctional Centre (FMCC) held four times its original holding capacity of 324 inmates whilst the Magburaka Correctional Centre had 132 inmates and the Makeni Correctional Centre had 141 inmates, exceeding their original holding capacities of 70 and 80 inmates respectively.

Overcrowding in these facilities was partly attributed to prolonged trial caused by delays in processing of indictments and delays in issuing warrants from the courts for the release of inmates who have completed their sentences.

Hygiene and Sanitation

HRCSL commends GoSL, UNDP and United States Embassy for ensuring the enjoyment of the right to access safe drinking water at the Moyamba Correctional Centre by commissioning a solar-powered borehole in the Centre on 25th May. This is in keeping with Rule 22 (2) of the Mandela Rules which provides that “drinking water shall be available to every prisoner whenever he or she needs it”. This would rid the facility of the security implications which used to obtain when inmates, escorted by correctional officers, walked around the neighbourhood to fetch water.

At the Pujehun, Sefadu and Magburaka Correctional Centres, inmates accompanied by correction officers are made to fetch water outside of the centres when water is unavailable within the centres.

At the Sefadu Correctional Centre, access to water becomes a challenge only during the dry season, when water harvested and stored during the rains finishes. Also, at the Magburaka Correctional Centre, water bowzers were used to supply stationary tanks within the facility but this supply is often insufficient and irregular. HRCSL is concerned about the movement of inmates escorted by correctional officers outside the facility because it affects the dignity of the inmates and has security implications for them, the correction personnel and members of the public.

Education and Recreation

Rules 4 (2), 98 (1), (2) & (3) and 104 (1) & (2) of the Mandela Rules provide for the education, vocational training and preparation of inmates for “reintegration into society upon release so that they can lead a law-abiding and self-supporting life.”

HRCSL commends the Sefadu Correctional Centre authorities for striving to ensure that inmates enjoyed the right to education and prepare themselves for life after incarceration. The Centre provides vocational training in soap making, tailoring/dress making, carpentry, shoe-making, hair dressing and bakery. Products from the soap making and bakery are used for internal consumption. Proceeds from the carpentry, shoe and dress making are used to



take care of inmates' relatives and a portion saved in their respective bank accounts for use when they are discharged.

However, the Centre is challenged with inadequate equipment in the carpentry, tailoring and shoe making departments for more inmates to benefit from the trainings.

Conditions of the Cells

HRCSL observed that the mattresses at the Makeni Correctional Centre were worn-out. HRCSL observed that ventilation at Makeni Correctional Centre was poor and male inmates complained that the cells were hot at night and this contributed to the poor living and health condition of the inmates. At the Sefadu Correctional Centre, the ventilation in the cells was satisfactory and the mattresses were adequate and in good condition.

Food

In all correctional centres monitored, inmates confirmed to HRCSL that food supply was sufficient. They further informed HRCSL that the third meal (dinner) was subsumed into the 2nd meal (lunch) but adequate enough to sustain them for the day.

Non-separation of inmate categories

Rule 11 (b) of the Mandela Rules for the Treatment of Prisoners provide that, "Untried prisoners shall be kept separate from convicted prisoners". At the Freetown, Sefadu and Pujehun Male Correctional Centres, inmates on trial were incarcerated with convicted inmates. Correctional centre authorities attributed the contravention to the lack of space within the facilities and to forestall any attempted escape or commissioning of crime through information from other inmates.

HRCSL is concerned that it could negatively influence untried inmates and ultimately impact on the outcome of trials.

Recommendations:

1. MIA to construct additional cells in correctional centres that are overcrowded.
2. MIA should ensure access to safe water at the Pujehun and Magburaka Correctional Centres.
3. SLCS and MTHE should provide educational and vocational opportunities for inmates at correctional centres across the country.
4. MIA should provide foam mattresses and improve the ventilation at the Makeni Correctional Centre.

2.5 Accountability and Human Rights

2.5.1 The Anti-Corruption Commission

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 the establishment of an independent Anti-Corruption Commission.

Since the establishment of the Anti-Corruption Commission (ACC) in 2000, its founding law has undergone a great deal of legal reforms. In 2008, the Anti-Corruption Act of 2000, was repealed and replaced giving the Commission prosecutorial powers and in 2019 an amendment was done to give the Commission more powers to ensure robust Asset Declaration Regime, protection for witnesses and whistle blowers, out of court settlements, among others.



In the year under review, the ACC made remarkable progress in fighting corruption, especially in prosecutions, fines and recovery of monies through mediation. The ACC prosecuted several cases and secured fourteen (14) convictions as at 31st December.

ACC records indicate that in the period under review there was a caseload of 254, out of which 113 were brought forward from 2020. The ACC investigated 108 cases and charged 11 cases to court and recovered over Le 5.6 billion through an out of court settlement. Monies recovered were paid into GoSL's Consolidated Fund. HRCSL commends the ACC for recovering this huge sum of money, which the GoSL would in turn use to address economic and social right issues in the country.

The establishment of a special Anti-Corruption Division of the High Court has expedited trial of corruption cases and backlog cases cleared up. A total of Eleven (11) cases for 2021 from which six (6) were completed by the Anti-Corruption Division of the High Court.

In the Transparency International's Global Corruption Country Rankings, Sierra Leone progressed from 117 in 2020 to 115 in 2021 out of 180 countries surveyed. This is the third consecutive time in three years that the country has moved up the index.

Remarkable progress was also made in the Millennium Challenge Corporation (MCC) Scorecard, under the 'Control of Corruption' indicator, moving from 81% in 2020 to 83% in 2021.

In spite of the many successes recorded in the fight against corruption, HRCSL continues to note that corruption remains a serious challenge to national development and affects the enjoyment of human rights, including health, education, and adequate standard of living among others.

2.6 Women's Rights

Women's rights are guaranteed under the laws of Sierra Leone including the Constitution of Sierra Leone 1991, the Domestic Violence Act 2007, the Devolution of Estates Act 2007, the Registration of Customary Marriage and Divorce Act 2009 and the Sexual Offences Act 2012 as amended in 2019. These laws provide legal protection for women against violence and discrimination. 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 and Platform for Action 1995 also guarantee the rights and protection of women.

2.6.1 Women's Empowerment

On 21st July, Cabinet approved the Gender Empowerment (GEWE) Bill 2021, and was gazetted in August. This Bill was developed from the Gender Equality and Women's Empowerment Policy which was launched in December 2020. In November, the Bill was laid before Parliament for its First Reading.

The Bill presents four essential provisions namely:

1. The 30% reserved seats for women in Parliament and Local Councils (excluding Chieftaincy seats);
2. 30% appointive position for each gender
3. Improved access to finance for women
4. Gender mainstreaming through the promotion of gender equality in the workplace.

HRCSL believes that when this Bill becomes law, it will enable women's empowerment and



active participation in public and private spheres.

In fulfilment of its obligations under the United Nations Security Council Resolution 1325, 60% of recruitments by the GoSL into the Military, were women. This emphasized the importance of women's full and equal participation in all efforts to maintain and promote peace and security.

HRCSL commends GoSL for reaffirming women's critical role in conflict prevention and resolution, peace negotiations, peacebuilding, and peacekeeping.

Recommendation

Parliament should expedite the enactment of the Gender Empowerment Bill into Act so that it will enable women's empowerment and active participation in public and private spheres.

2.7 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.

During the year under review, GoSL undertook the following reviews of existing legislation and policies affecting children:

- **Review of the Child Rights Act, 2007:** The review of the Child Rights Act 2007 commenced in 2020 and it continued in 2021. Views from multi-stakeholder consultations, technical reviews, and validation sessions with child protection partners and the children themselves were taken into consideration during the review. The Law Officers Department has been given the responsibility to draft the Child Rights (Amendment) Bill based on recommendations from the consultations. A significant provision prohibiting FGM for children under 18 has been included in the revised draft.
- **National Strategy for Street Children:** The MoGCA developed a National Strategy for Street Children with five strategic interventions as follows:

1. Sensitization, awareness-raising, and advocacy linked to the MoGCA 's parenting strategy;
2. Income generating prevention mechanisms;
3. Supportive interventions (Protection and Family Tracing and Reunification);
4. Institutional capacity building, coordination, and communication;
5. Monitoring, Evaluation and Learning.

MoGCA further established the National Street Children Consortium, which comprises representatives from MDAs, NGOs and CSOs working on children's issues.

HRCSL believes that the issue of street children will be addressed if MoGCA and partners fully implement the National Strategy.

- **The National Referral Protocol on Gender-Based Violence 2021:** The review of the 2012 National Referral Protocol (NRP) commenced in June to ensure that the MBSSE, TSC and MoGCA are included in the reviewed Referral Pathway, with clear roles and responsibilities in implementing and enforcing the NRP. The revised version of the NRP 2021 ensures that School-Related Gender-Based Violence (SRGBV) is inscribed as a pathway in the NRP.

2.7.1 Early Marriage

Early marriage is still a problem in the country, despite provisions in Section 34 of the Child



Rights Act 2007 and Article 21(2) of the African Charter on the Rights and Welfare of the Child prohibiting it. According to Statistics Sierra Leone's 2013 Demographic and Health Survey, 13% of girls are married off by their 15th birthday and 39 % before their 18th birthday.

The Child Rights Act, 2007 (CRA) and the registration of Customary Marriage and Divorce Act, 2009 are contradictory in terms of this issue. Whilst the CRA prohibits child/early marriage in its totality, the Customary Marriage and Divorce Act 2009 (RCMDA) makes room for parental consent. Section 34(1)(2) & (3) of the Child Rights Act 2007 states that, (1) "the minimum age of marriage of whatever kind shall be 18 years; (2) No person shall force a child - a) to betrothed; b) to be the subject of a dowry transaction; or c) to be married, (3)- Notwithstanding any law to the contrary, no certificate, license or registration shall be granted in respect of any marriage unless the registrar or other responsible officer is satisfied that the parties to the marriage are of the age of maturity". On the contrary, Section 2(2) of the RCMDA provides as follows; "Where either of the prospective spouses not being a widow or widower, is less than 18 years, it shall be necessary for the parents to give consent to the marriage and if the parents are dead or unable for any reason to give such consent, then the consent is given by the guardians of the prospective spouse or spouses to the marriage, as the case may be".

HRCSL notes that this contradiction in the above-mentioned laws poses challenges for the elimination of child marriage in the country.

In the year under review, HRCSL recorded five (5) cases of early marriages in Tenkatopa Chiefdom, Port Loko District, and one (1) in Bo district. FSU personnel in those localities encountered difficulties in investigating the cases due to compromise and the lack of cooperation from community members. HRCSL believes that the current review of the Child Rights Act 2007 and the harmonisation of marriage legislation will help overcome these issues.

2.7.2 Female Genital Mutilation

Female genital mutilation (FGM), though not expressly mentioned, is considered one of the harmful traditional practices and an act of violence against children under Section 33(1) of the Child Rights Act 2007 which states that "No person shall subject a child to torture or other cruel inhuman or degrading treatment or punishment including any cultural practice which dehumanizes or is injurious to the physical and mental welfare of the child." Article 24 (3) of the CRC also prohibits harmful traditional practices on children.

Female Genital Mutilation is considered by the MAPUTO Protocol, as a fundamental violation of human rights, particularly the rights to the highest attainable standard of health and bodily integrity. Article 5 of the Maputo Protocol directs State Parties to make laws that prohibit FGM in all its forms.

Campaigns have been launched by anti-FGM and human rights activists to outlaw the practice. On March 26th, HRCSL witnessed the handing over of initiating tools by some Soweis in Matotoka Town, which was organized by the Amazonian Initiative Movement (AIM) with the theme "Drop the Knife, Save a Life on Bondo Culture." This was a declaration towards a zero practice of female genital cutting while upholding the culture of the Bondo society.

HRCSL however, believes that age of consent should be given due consideration in the practice of FGM as a starting point towards its abolition. This means that any person of the age of majority (18 years and above) should be allowed to choose to be a subject of FGM.

2.7.3 Sexual and Gender-Based Violence

HRCSL, during its monitoring of FSUs, noted that sexual penetration (SP) cases were the



most reported cases, especially in the Bo West Police Station compared to other offences. HRCSL noted that the challenges encountered by the FSU in tackling SGBV include:

- Mobility constraints which hinder efforts to gather evidence on time, thereby leading to prolong investigation processes;
- Inadequate number of personnel in the Sexual Assault Syndicate Unit to handle sexual offences and its related cases;
- The unwillingness and sometimes non-availability of witnesses to testify during the investigations;
- Victims/complainants of domestic violence pay endorsement fees for their medical reports, and that is a significant challenge for FSU as victims/complainants are either unwilling or unable to pay, and as such abandon their cases;
- Delays in receipt of advice from the Principal State Counsel.

The National Strategy for Response to SGBV 2021-2023

In the year under review, MoGCA in collaboration with key civil society stakeholders developed and launched the National Strategy for Response to Sexual and Gender Based Violence. This strategy is primarily designed to guide the work of MoGCA in leading the response to SGBV. It focuses on concrete activities to support services that are provided to survivors of SGBV by state actors, with support from civil society whilst prioritizing the survivor's dignity, wishes, choices, rights and needs. The strategy is designed to be used alongside the "National Male Involvement Strategy for the Prevention of SGBV" by government institutions and organisations that work with survivors and perpetrators of SGBV.

HRCSL is of the view that this 3-year strategy will bring about a comprehensive country wide response to support survivors of all types of SGBV.

One-Stop Centres

According to the MoGCA, the six One Stop Centres issued 396 medical reports and provided 408 legal and psycho-social services to victims of SGBV.

However, HRCSL noted the following during its September monitoring of these Centres:

- The Centre at the King Harman Road Government Hospital was not operational from April to June because it was being used as a space for Cervical Cancer screening. Victims were therefore referred to the Rainbo Centre during this time. As a result of this, victims found it difficult to promptly access the services of the police which the Rainbo Centre does not offer;
- Inadequate number of medical personnel in Kailahun.

Establishment of Safe Homes

In previous reports, HRCSL has been proffering recommendations for the establishment of Safe Homes for SGBV victims across the country.

HRCSL applauds MoGCA for piloting Community Safe Homes in Kailahun, Koinadugu, Pujehun, and Moyamba Districts, to provide temporary care and shelter for child and adult survivors of SGBV. These Homes provide alternative care for women and girls based on the principles of Foster Care.



Establishment of Sexual & Reproductive Health (SRH) Hubs

HRCSL applauds GoSL, MoGCA, and MoHS for establishing four Sexual Reproductive Health (SRH) Hubs in the Koinadugu District, to help reduce teenage pregnancy rates. According to MoGCA, these hubs are established in government hospitals / healthcare facilities in Kondebaia, Fadugu, Koinadugu-II, and Bafodia to make SRH services more accessible to adolescents in these areas. They offer various SRH services, such as counselling, family planning, STI treatment, public education on adolescents' sexual reproductive health. They also make referrals to One-Stop Centers.

Sexual Offences Model Court

According to MoGCA, since the establishment of the Sexual Offences Model court, SGBV cases are speedily concluded and conviction rates have increased. A total of 322 files were sent to the court: 26 cases were convicted, 45 cases discharged, and 71 cases were completed. A total of 251 cases are still pending before the court.

MoGCA provided other services such counselling, education of victims and their family members about the court processes and procedures and coordinated referrals for further protection services for victims during and after court proceedings.

However, HRCSL's monitoring revealed the following challenges:

- Unavailability of victims and witnesses to attend court;
- Lack of legal representation for some accused persons;
- Difficulties in serving indictments on accused persons.

These challenges led to frequent adjournments by the courts.

Rainbo Centres

Rainbo Centres are found in Freetown, Kono, Bo, Makeni and Kenema. The centres offer free medical services at government hospitals to victims of sexual offences which is in accordance with Section 39 of the Sexual Offences Act 2012.

One major challenge is that of limited space, especially the Rainbo Centre at the Princess Christian Maternity Hospital (PCMH) in Freetown.

In the year under review the Rainbo Initiative recorded 2,966 sexual assault cases and 326 physical assault cases.

2.7.4 The State of Out-of-School Girls in Sierra Leone

On 14th October, Purposeful and partners released a baseline survey which recorded the views of 2,239 out-of-school girls, aged 13 to 19 years old, across six districts: Falaba, Moyamba, Karene, Western Rural, Bombali and Bonthe.

The survey was done in October 2020, with the support of UK Aid. Some of the key findings in the report titled 'The State of Out-of-School Girls in Sierra Leone' revealed that of the girls interviewed:

1. 43% had never been to school;
2. 62% said they could not read at all;
3. 19% stated that sex in exchange for money, goods or services is a reason for girls having sex;
4. 57% had at least one child;

5. 32% were either married or cohabiting, with an average age of marriage being 14.6 years old;
6. 25% said that girls experienced rape as a form of violence in their community, increasing to 92% in the Bonthe District
7. 60% agreed that women should accept violence in the home to keep the family together;
8. Girls were seen as a source of income, whether through working for parents, selling their bodies, or for the bride- price.

The Report highlights reasons for such statistics which include limited access to school education and lack of technical skills training for girls in rural areas.

HRCSL believes that this report will inform MBSSE, the National Council for Technical and Vocational and other academic Awards (NCTVA) and other partners to develop policies that will improve access to schools and technical education especially for girls living in rural communities.

Recommendations

1. MoGCA and the Law Officers Department should expedite the drafting of the Child Rights (Amendment) Bill, and its tabling in Parliament;
2. MoGCA and partners should popularise the National Strategy for Street Children and the national strategy for response to SGBV across the country and commence its implementation;
3. The MoF, MIA and SLP should increase support to the FSU by providing and training more SAS Officers and providing adequate mobility for all stations;
4. MoGCA and MoHS should establish additional hubs for SRH related issues in all districts;
5. MoGCA should establish Safe Homes for victims of sexual and domestic violence across the country;
6. MoGCA, MBSSE and NCTVA should take necessary actions to improve on girls' access to schools and technical training skills, especially in the rural areas.

2.8 Vulnerable Groups

Vulnerable groups include Persons with Disabilities, Persons with Albinism, Persons living with HIV/AIDS, Persons with Mental and Intellectual Disabilities, Women and Children living in poverty, Commercial Sex workers, Older Persons, Little People, the Lesbian, Gay, Bisexual, Transgender, Intersex and Questioning (LGBTIQ) community, Internally Displaced Persons, Refugees and Stateless Persons.

2.8.1 Persons with Disabilities (PwD)

The rights of PwDs are provided for in the Persons with Disability Act 2011, Article 18 (4) ACHPR and the Convention on the Right of Persons with Disability (CRPD).

The Ministry of Social Welfare (MSW) and the National Commission for Persons with Disabilities (NCPD) are the primary institutions mandated by law to ensure the wellbeing of PwDs.

In the year under review, the HRCSL noted both progress and challenges relating to the enjoyment of human rights by PwDs.

To ensure compliance with Section 14 (1) of the PWD Act 2011, which provides for accessible and free tertiary education for PwDs at all educational institutions accredited by the Tertiary Education Commission (TEC), NCPD had engagement with the Fourah Bay College, University of Sierra Leone in July 2020 and the Ernest Bai Koroma University in November 2021 for the admission and acceptance of persons with disability into these institutions without hindrances. Persons with disability can now gain admission into these universities without tuition and other charges.



HRCSL commends the NCPD for such a progressive step as it ensures access to education for all including persons with disability.

On the International Disability Day (3rd December), His Excellency the President launched the Socio-Economic and Livelihood Project, which is geared towards empowering the most vulnerable households through skills training to ensure economic sustainability. The project document was developed by MSW in collaboration with the NCPD.

H.E. The President also launched the 2019 Accessibility Audit Report which was done by NCPD to assess compliance with section 24 (1) of the PWD Act 2011 which states “Persons with disability shall be entitled to barrier-free environment to enable them to have access to buildings, roads and other social amenities and assistive devices and other equipment to assist their mobility”. The report also gauged the willingness of state institutions to make their facilities accessible to PwDs. Eleven (11) state institutions which are frequently accessed such as the Office of the President, the House of Parliament and the HRCSL’s Headquarter were audited.

The HRCSL noted with concern an incident of inhuman and degrading treatment against PwDs. A group of PwDs including executive members of the Sierra Leone Union on Disability Issues (SLUDI) were allegedly beaten by some personnel of the SLP over ownership of a disputed piece of land at Waterloo.

The HRCSL is still concerned about the challenges impeding the work of the NCPD which include:

- The temporary office space at the horticulture building at New England in Freetown which is not disable friendly and two regional offices located in Makeni and Bo to ensure the wellbeing of over 93,000 PwDs (2015 Population and Housing Census);
- Delays in disbursement of subvention which has impeded the work of the Commission.

2.8.2 Persons with Mental Disability

The United Nations Resolution 46/119 sets the Principles for the protection of Persons with Mental Illness. It recognizes that everyone has the right to the enjoyment of the highest attainable standard of mental health. The Lunacy Act of 1902 legalizes the involuntary incarceration of mentally ill persons.

The HRCSL commends government for commencing the review of the Lunacy Act 1902, which considers mentally ill persons as a “danger to society”.

The draft Mental Health Bill sets the standards for both voluntary and involuntary incarcerations; the role of the Mental Health Council and the need for the provision of mental health services thereby guaranteeing the rights of every citizen to mental health support. The Bill also makes provision for protection from discrimination and assigns that role to the HRCSL.

2.8.3 Persons with Albinism

According to the 2015 Population and Housing Census, Persons with Albinism (PwA) account for 0.5% (501) of the general PwD population of ninety three thousand (93,000). They face discrimination and marginalization in their communities because of the color of their skin, eyes and hair.

The HRCSL noted the efforts made by the Sierra Leone Association of Persons with Albinism



(SLAPWA) and the Medical Assistance Sierra Leone (MASL) in providing over 1800 tubes of sunscreen lotions to PwA to help protect their skins from sunburns.

The HRCSL noted that government health care facilities do not provide adequately for the specific health needs of PwA.

Recommendations

1. The NCPD should continue engagement with other tertiary institutions on inclusive education;
2. The NCPD should engage heads of all institutions audited on the recommendations of the assessment report to ensure they are implemented;
3. MSW should provide a more conducive and permanent office space for the NCPD in Freetown, as well as increase the number of offices in the regions;
4. The SLP should provide more effective and efficient training for its personnel on handling suspects with disability;
5. MoHS should expedite the drafting of the Mental Health Bill and its tabling in Parliament;
6. The MoHS should ensure that Persons with Albinism are provided with specific health needs in all public health care facilities;
7. MSW and NCPD should undertake a nationwide public education on inclusion and non-discrimination of PwA;
8. The MoHS should ensure that Persons with Albinism are provided with specific health needs in all public health care facilities;
9. MSW and NCPD should undertake a nationwide public education on inclusion and non-discrimination of PwA.

2.9 Youth

The National Youth Policy of Sierra Leone (2020-2025) and the African Youth Charter 2006 define youth as persons between the ages of 15 and 35 years. Sierra Leone has a large youthful population accounting for 33.5% of the total population, according to the 2018 Sierra Leone Integrated Household Survey.

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.

In the year under review, creating employment opportunities for youth was one of GoSL's priorities.

In March, The International Organization for Migration (IOM) registered 940 participants for various skills training programmes. In partnership with MoYA, Ministry of Agriculture, Forestry and Food Security (MAFFS) and Ministry of Technical and Higher Education (MTHE), 200 youths were trained in the Tractor and Grader programme funded by the government of Japan. This type of skill has been scarce in Sierra Leone such that companies have had to import skilled migrants from other African countries to do work in this field.

Also, almost 300 youths received training for jobs in the fishing industry and 240 youths received training in entrepreneurship and mentorship.

In collaboration with the Freetown City Council, IOM also trained 220 youths on sustainable waste managements and equipped them with 20 motorized tricycles and other waste collection gears.

These projects are part of IOM's youth empowerment project targeting 2,000 young job seekers by April 2022.

In June, MoYA launched the revised National Youth Policy (NYC). The policy which was revised in 2020 seeks to reaffirm government's commitments to youth empowerment and development as well as to catch up with improvements in other international youth policies. Its specific objectives are to:

- “Include youth and youth concerns in programme design and implementation, monitoring and evaluation;
- Identify, build on, and recognize existing skills, creativity and enhance achievement of youth;
- Ensure that all youth access and utilize opportunities and services provided by government, development partners, youth serving agencies and the private sector at the national, regional, district, chiefdom and community level;
- Foster the imagination and increase meaningful participation of youth in decision making at the central, sectoral and local level, in order to support patriotic attitudes, sustainable activities and healthy lifestyles”.

In commemoration of the Africa Youth Day which is 1st November, MoYA with support from the UN Country Team held a two-day National Youth Summit in Magburaka, Tonkolili District on the theme “Harnessing the future of Sierra Leone through Investment in Youth”. Over 700 young people from the 16 districts participated in this first ever summit. The summit ended with the “Magburaka Declaration” which calls for active involvement of young people in shaping and implementing fundamental changes across all aspects of their lives and societies.

In spite of these efforts by GoSL to increase employment opportunities for youth, HRCSL noted with concern reports of illegal migration of youths from Sierra Leone to notably Europe and the Middle East in search of greener pastures. In the process, many have lost their lives either on the high seas or in the desert (locally known as “Temple Run”), or have been subjected to inhuman and degrading treatment during transition to or at their final destination.

As a step towards addressing this, GoSL lifted the ban on international labour migration in April and in September developed a regulatory mechanism and a training manual for overseas recruitment.

Recommendations

1. MoYA should implement in full the National Youth Policy 2020-2025;
2. MoYA should widely publicized the Magburaka Declaration and ensure the provisions therein are implemented in full.
3. GoSL should identify and clamp down on all agencies and individuals facilitating illegal migration.

2.10 Important Events in Furtherance of Human Rights

2.10.1 The Constitutional Review

HRCSL commends GoSL for re-opening the Constitutional Review Process with the setting up of a committee to review the recommendations of the Justice Cowan Constitution Review Committee Report and produce a Government White Paper.

Recommendation

GoSL should speedily conclude the Constitutional Review process.



2.10.2 The Universal Periodic Review

Sierra Leone participated at the 38th Session of its Third Cycle Universal Periodic Review by Human Rights Council (HRC), on 12th May, wherein 274 recommendations were made by various countries.

During the 48th Session of the HRC (from 13th September to 11th October), the GoSL accepted 216, noted 58 and made 3 voluntary pledges and commitments:

1. to review provisions pertaining to sentencing of children under the Sexual Offences (Amendment) Act 2019;
2. continuation of the Justice Cowan Constitutional Review Process;
3. abolish the death penalty.

2.10.3 Status of Ratification of Treaties

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 shall be respect for International Law and Treaty obligations as well as seeking of settlements of International disputes by negotiation, conciliation, arbitration, or adjudication.”

Sierra Leone has signed all nine of the core international human rights treaties, although it has only ratified seven of them. These treaties cover civil, political, economic, social and cultural rights; racial and gender-based discrimination; torture and disappearances; and the treatment of vulnerable groups, including children and persons with disabilities

On 25th August 2021, the Parliament of Sierra Leone ratified the following eight (8) ILO Conventions:

1. Protocol of 2014 to the Forced Labour Convention, 1930
2. Domestic Workers Convention, 2011 (No. 189)
3. Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)
4. Private Employment Agencies Convention, 1997 (No. 181)
5. Occupational Safety and Health Convention, 1981 (No. 155)
6. Labour Administration Convention, 1978 (No. 150)
7. Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)
8. Migration for Employment Convention (Revised), 1949 (No. 97)

The purpose of these labour instruments is to eliminate the worst forms of child labor, improve harmful working conditions and provide job security for low-paid workers in the nation, while also addressing the atmosphere of good working conditions that both local and migrant workers experience. Ratifying these agreements demonstrates GoSL’s commitment to advancing the realization of the Sustainable Development Goals (SDGs), particularly Goals 1 – no poverty, 3 – good health and wellbeing, 8 – decent work and economic growth and 10 – reducing inequalities.

Sierra Leone also ratified the Treaty for the Establishment of the African Medicines Agency (AMA) on 28th May 2021 and was deposited for accession to the African Union Commission on 14th June, 2021. AMA will supplement the African Centre for Disease Control and Prevention (Africa CDC), which is working to regulate and harmonize medicinal products to improve access to quality, safe, and efficacious medical products for efficient and effective public health protection, particularly in the face of pandemics on the African continent.



Furthermore, GoSL ratified the Economic Community of West African States (ECOWAS) Convention on Mutual Assistance in Criminal Matters in May, joining other West African countries and the rest of the world in the fight against transnational crime.

2.10.4 Treaty Body Reporting

Several steps were taken by the Ministry of Foreign Affairs and International Cooperation to ensure Sierra Leone fulfills its reporting treaty body obligations.

From 24th – 26th August, the Centre for Human Rights, University of Pretoria, in collaboration with MoFAIC conducted a capacity building on state reporting in accordance with the African Charter on Human and Peoples' Rights (African Charter) and the Maputo Protocol in Freetown for representatives of MDAs and CSOs. The workshop aimed to improve the capacity of state representatives in fulfilling the state's reporting obligations. The workshop discussed their roles in developing the country's state reports and shadow reports for submission to the African Commission on Human and Peoples' Rights (African Commission). HRCSL participated in the workshop.

On 15th November, the first-ever National Reporting Mechanism (NRM) to International Treaty Bodies was launched by the Ministry of Foreign Affairs and International Cooperation (MoFAIC) in partnership with UNDP. The objective is to help GoSL fulfill its treaty reporting obligations (to submit initial and/or periodic reports) to treaty bodies for assessment its level of compliance with the respective treaties. The establishment of the NRM would allow Sierra Leone to not only clear all backlog reports, but also ensure that timely submission of its reports obligations.

The United Nations (UN) Treaty Bodies (TBs) Focused Review conducted by the Geneva Human Rights Platform (GHRP) in collaboration with the Commonwealth Secretariat from the 7th – 9th December. This pilot review, in which HRCSL participated, was conducted between national reporting cycles and the ways in which countries implemented specific recommendations issued by UN Treaty Bodies were discussed. The procedure aimed to address some of the system's limitations by reinforcing implementation on the ground, increasing UN Treaty Bodies' visibility at the national level, avoiding a protection gap during two full reviews, and encouraging ownership of the recommendations by all national actors.

The TB delegation discussed how recommendations are implemented on the ground and related challenges with national actors and stakeholders during a two-and-a-half-day workshop. Participants included the Inter-Ministerial Committee (IMC), HRCSL, the National Commission for Children of Sierra Leone, and representatives from CSOs.

Recommendation

1. GoSL should fully comply with its international treaty obligations.

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

This section highlights various interventions undertaken by HRCSL during the reporting year. These include: complaints handling and management; monitoring of places of detention, social service institutions and the general human rights situation nationwide; human rights education, along with media and strategic engagements.

3.1 Complaints Handling and Management

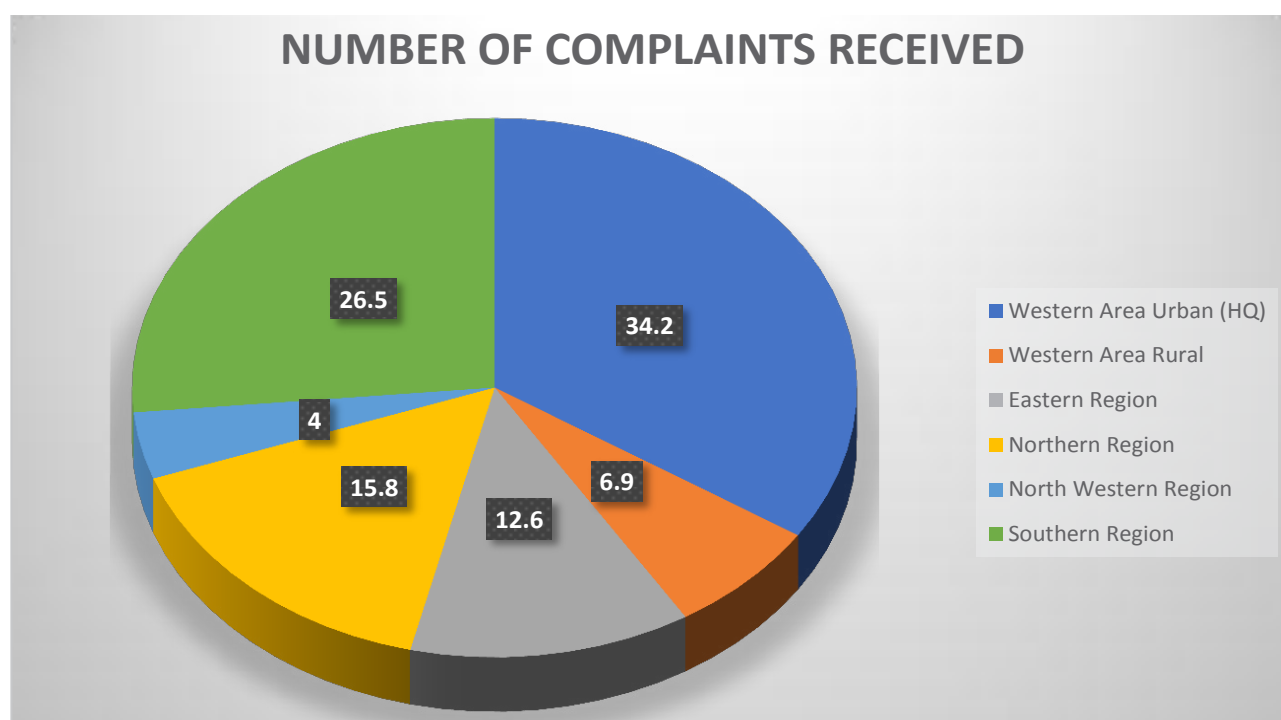
Section 7(2)(a) of the Human Rights Commission of Sierra Leone Act (No.9) of 2004 (HRCSL Act), provides that HRCSL shall “investigate or inquire into on its own or on complaint by any person any allegation of human rights violations and to report thereon in writing.”

In the year under review, HRCSL received and processed a total of 374 complaints as shown in Table 1 and Figure 1.1.

Table 1- Complaints received by Regions

| Region | Number of Complaints received | Percentages |
|-------------------------|-------------------------------|-------------|
| Western Area Urban (HQ) | 128 | 34.2 |
| Western Area Rural | 26 | 6.9 |
| Eastern Region | 47 | 12.6 |
| Northern Region | 59 | 15.8 |
| North Western Region | 15 | 4.0 |
| Southern Region | 99 | 26.5 |
| Total | 374 | 100 |

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



Admissibility Decision on Complaints

HRCSL takes decisions on complaints received and categorises them as admissible or inadmissible complaints pursuant to Rules 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 through its Referral Partnership system. Complaints referred are also closely monitored to ensure that complainants get redress. In an instance where an MDA neglects to take the required action, HRCSL then takes up the matter, viewing it as a violation.

HRCSL can also mediate on cases on request of both parties whether admissible or inadmissible.

Table 2 - Admissibility Decision of complaints per Regions

| No. | Decision on complaints received | W/A HQ | Western Area Rural | Eastern Region | Northern Region | North Western Region | Southern Region | Total | % |
|-------------|---------------------------------|--------|--------------------|----------------|-----------------|----------------------|-----------------|-------|------|
| 1. | Admissible | 48 | 6 | 10 | 20 | 4 | 12 | 100 | 26.7 |
| 2. | Inadmissible | 80 | 20 | 37 | 39 | 11 | 87 | 274 | 73.3 |
| Grand Total | | 128 | 26 | 47 | 59 | 15 | 99 | 374 | 100 |

Table 2 - Explains that out of 374 complaints received, only 100 (26.7%) were admissible and 274 (73.3%) were inadmissible. This large proportion of inadmissible complaints was as a result of the fact that many of the complaints received were abuses rather than violations of human rights.

Table 3 - Summary of outcomes of Admissible Complaints received

| Category of Admissible Complaints Received by region | HQ | WA | ER | NR | NWR | SR | TOTAL |
|--|----|----|----|----|-----|----|-------|
| Investigations Concluded | 3 | 0 | 0 | 0 | 0 | 1 | 4 |
| Investigation ongoing | 6 | 1 | 1 | 0 | 0 | 0 | 8 |
| Mediated and resolved | 17 | 4 | 4 | 12 | 1 | 6 | 44 |
| Referred/Monitored | 9 | 0 | 2 | 3 | 0 | 3 | 17 |
| Complainant who could not be reached for further information / KIV | 4 | 1 | 2 | | 1 | 0 | 8 |
| Withdrawn/ Files closed | 4 | 0 | 1 | 1 | 0 | 1 | 7 |
| Pending | 2 | 0 | 0 | 2 | 2 | 0 | 6 |
| Ongoing Mediation | 0 | 0 | 0 | 1 | 0 | 0 | 1 |
| Advised and Counseled | 3 | 0 | 0 | 1 | 0 | 1 | 5 |
| Grand Total | 48 | 6 | 10 | 20 | 4 | 12 | 100 |

Table 3 shows the status of the admissible complaints received. Four (4) of the admissible complaints were investigated, eight (8) are still ongoing investigation, forty-four (44) were mediated and resolved and seventeen (17) were referred and monitored.

Table 4 - Summary of outcome of Inadmissible Complaints received

| Category of Inadmissible Complaints Received | HQ | WA | ER | NR | NWR | SR | TOTAL |
|--|-----------|-----------|-----------|-----------|-----------|-----------|------------|
| Mediated and resolved | 12 | 5 | 8 | 16 | 6 | 11 | 58 |
| Referred/Monitored | 33 | 4 | 23 | 7 | 3 | 46 | 116 |
| Complainant who could not be reached for further information / KIV | 1 | 2 | 1 | 2 | 0 | 3 | 9 |
| Pending | 1 | 0 | 1 | 3 | 0 | 2 | 7 |
| Withdrawn/ Files closed | 6 | 4 | 2 | 3 | 0 | 6 | 21 |
| Advised and Counseled | 27 | 5 | 2 | 8 | 2 | 19 | 63 |
| Grand Total | 80 | 20 | 37 | 39 | 11 | 87 | 274 |

Table 4 shows the status of inadmissible complaints received. Out of the 274 inadmissible complaints received, fifty-eight (58) were mediated and resolved by HRCSL and one hundred and sixteen (116) were referred to the appropriate institutions mandated to handle such complaints and monitored. Sixty-three (63) received counselling and advice, whilst twenty-one (21) were closed and seven (7) complainants could not be reached for further information.

Table 5 -Nature of Complaints filed by Regions

| No | Nature of Complaints | HQ | WA | ER | NR | NWR | SR | Total | % |
|-----|--|----|----|----|----|-----|----|-------|------|
| 1. | Property Rights | 18 | 8 | 6 | 11 | 3 | 15 | 61 | 16.3 |
| 2. | Workers' Rights | 29 | 2 | 10 | 2 | 1 | 16 | 60 | 16 |
| 3. | Equal Protection Before the Law | 21 | 4 | 3 | 7 | 1 | 8 | 44 | 11.8 |
| 4. | Child Rights | 8 | 3 | 2 | 5 | 2 | 15 | 35 | 9.4 |
| 5. | Crime Related | 7 | 0 | 3 | 3 | 2 | 9 | 24 | 6.4 |
| 6. | Access to Justice | 4 | 1 | 2 | 3 | 0 | 7 | 17 | 4.5 |
| 7. | Matrimonial Disputes | 4 | 0 | 3 | 4 | 1 | 5 | 17 | 4.5 |
| 8. | Domestic Violence | 2 | 2 | 3 | 3 | 2 | 5 | 17 | 4.5 |
| 9. | Unlawful Detention | 5 | 0 | 0 | 5 | 2 | 4 | 16 | 4.3 |
| 10. | Cruel, Inhuman and Degrading Treatment | 7 | 2 | 1 | 0 | 1 | 3 | 14 | 3.7 |
| 11. | Local Court Related | 0 | 0 | 4 | 4 | 0 | 5 | 13 | 3.5 |
| 12. | Unfair Treatment | 3 | 1 | 0 | 7 | 0 | 0 | 11 | 2.9 |
| 13. | Right to Fair Hearing | 5 | 1 | 1 | 0 | 0 | 2 | 9 | 2.4 |
| 14. | Arbitrary Arrest | 2 | 1 | 4 | 0 | 0 | 0 | 7 | 1.9 |
| 15. | Right to Education | 0 | 0 | 3 | 1 | 0 | 1 | 5 | 1.3 |
| 16. | Security of the Person | 1 | 1 | 2 | 0 | 0 | 0 | 4 | 1.1 |
| 17. | Sexual Assault | 3 | 0 | 0 | 0 | 0 | 1 | 4 | 1.1 |
| 18. | Right to Health | 2 | 0 | 0 | 0 | 0 | 1 | 3 | 0.8 |
| 19. | Discrimination | 2 | 0 | 0 | 1 | 0 | 0 | 3 | 0.8 |
| 20. | Mental Health | 2 | 0 | 0 | 0 | 0 | 1 | 3 | 0.8 |
| 21. | Judiciary Related | 2 | 0 | 0 | 0 | 0 | 0 | 2 | 0.5 |



| | | | | | | | | | |
|--------------------|--------------------------|------------|-----------|-----------|-----------|-----------|-----------|------------|------------|
| 22. | Sexual Harassment | 1 | 0 | 0 | 1 | 0 | 0 | 2 | 0.5 |
| 23. | Banishment | 0 | 0 | 0 | 2 | 0 | 0 | 2 | 0.5 |
| 24. | Administrative Injustice | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0.3 |
| Grand Total | | 128 | 26 | 47 | 59 | 15 | 99 | 374 | 100 |

Table 5 shows that the highest number of complaints reported (61) were related to property rights and this was followed by complaints related to workers' rights (60) and complaints of unequal protection before the law (44).

Table 6 - Categorization of Complaints lodged against Individuals/Institutions nationwide

| No | Institution | HQ | WA | ER | NR | NWR | SR | TOTAL | % |
|--------------------|------------------------------|------------|-----------|-----------|-----------|-----------|-----------|------------|------------|
| 1. | Individual | 39 | 14 | 20 | 23 | 9 | 51 | 156 | 41.7 |
| 2. | SLP | 37 | 7 | 5 | 14 | 4 | 16 | 83 | 22.2 |
| 3. | Private Sector | 17 | 0 | 0 | 7 | 1 | 8 | 33 | 8.8 |
| 4. | Traditional Authorities | 2 | 2 | 8 | 5 | 1 | 2 | 20 | 5.3 |
| 5. | Judiciary | 6 | 1 | 1 | 3 | 0 | 5 | 16 | 4.3 |
| 6. | Local Courts | 0 | 0 | 4 | 4 | 0 | 5 | 13 | 3.5 |
| 7. | Educational Institutions | 3 | 0 | 1 | 0 | 0 | 4 | 8 | 2.1 |
| 8. | Ministry of Health | 2 | 0 | 0 | 0 | 0 | 2 | 4 | 1.1 |
| 9. | Ministry of Education | 0 | 0 | 4 | 0 | 0 | 0 | 4 | 1.1 |
| 10. | RSLAF | 2 | 1 | 0 | 0 | 0 | 0 | 3 | 0.8 |
| 11. | Ministry of Social Welfare | 1 | 0 | 0 | 1 | 0 | 1 | 3 | 0.8 |
| 12. | NGO/INGO/others | 3 | 0 | 0 | 0 | 0 | 0 | 3 | 0.8 |
| 13. | Ministry of Lands | 2 | 0 | 0 | 0 | 0 | 0 | 2 | 0.5 |
| 14. | Ministry of Labour | 1 | 0 | 0 | 0 | 0 | 1 | 2 | 0.5 |
| 15. | Religious Institutions | 1 | 0 | 1 | 0 | 0 | 0 | 2 | 0.5 |
| 16. | Ministry of Foreign Affairs | 2 | 0 | 0 | 0 | 0 | 0 | 2 | 0.5 |
| 17. | NACOVERC | 1 | 1 | 0 | 0 | 0 | 0 | 2 | 0.5 |
| 18. | SALCAB | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0.3 |
| 19. | Ministry of Agriculture | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0.3 |
| 20. | NCRA | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0.3 |
| 21. | Ministry of Local Government | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0.3 |
| 22. | Ministry of Information | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0.3 |
| 23. | Ministry of Mines | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0.3 |
| 24. | Ombudsman | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0.3 |
| 25. | Ministry of Defense | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0.3 |
| 26. | NACSA | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 0.3 |
| 27. | Ministry of Sport | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0.3 |
| 28. | LAB | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 0.3 |
| 29. | Law Reform Commission | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0.3 |
| 30. | HRMO | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 0.3 |
| 31. | NPAA | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0.3 |
| 32. | SLRSA | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0.3 |
| 33. | NASSIT | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 0.3 |
| 34. | SIERRATEL | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0.3 |
| 35. | TSC | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 0.3 |
| Grand Total | | 128 | 26 | 47 | 59 | 15 | 99 | 374 | 100 |

Table 6 is a categorization of respondents for complaints received. The highest number of complaints (41.7%) were made against private individuals, which is a slight decrease from 178 in 2020 to 156 in 2021. Even though there is increased public confidence in HRCSL's ability to address various human rights issues, it continues to conduct public education to raise awareness about its mandate and functions. In addition, HRCSL does not discourage complainants whose complaints do not fall within its mandate as the appropriate advice, mediation, referral and/or follow up is done to ensure that complainants get the needed redress.

The second highest number of complaints (22.2%) received was against the SLP. Some of the complaints lodged against them constituted human rights violations and were investigated, whilst the remaining complaints were monitored because at the time of receiving the complaints they did not constitute a violation.

8.8% of complaints were made against the Private Sector and as they were inadmissible, were referred to the appropriate institutions for redress.

5.3% were made against traditional authorities and 4.3% against the Judiciary.

Table 7- Complaints disaggregated by Sex per Region

| Sex | HQ | WA | East | North | North West- ern | South | Total | % |
|-------------|-----|----|------|-------|--------------------|-------|-------|------|
| Female | 53 | 12 | 22 | 35 | 6 | 46 | 174 | 46.5 |
| Male | 75 | 14 | 25 | 24 | 9 | 53 | 200 | 53.5 |
| Grand Total | 128 | 26 | 47 | 59 | 15 | 99 | 374 | 100 |

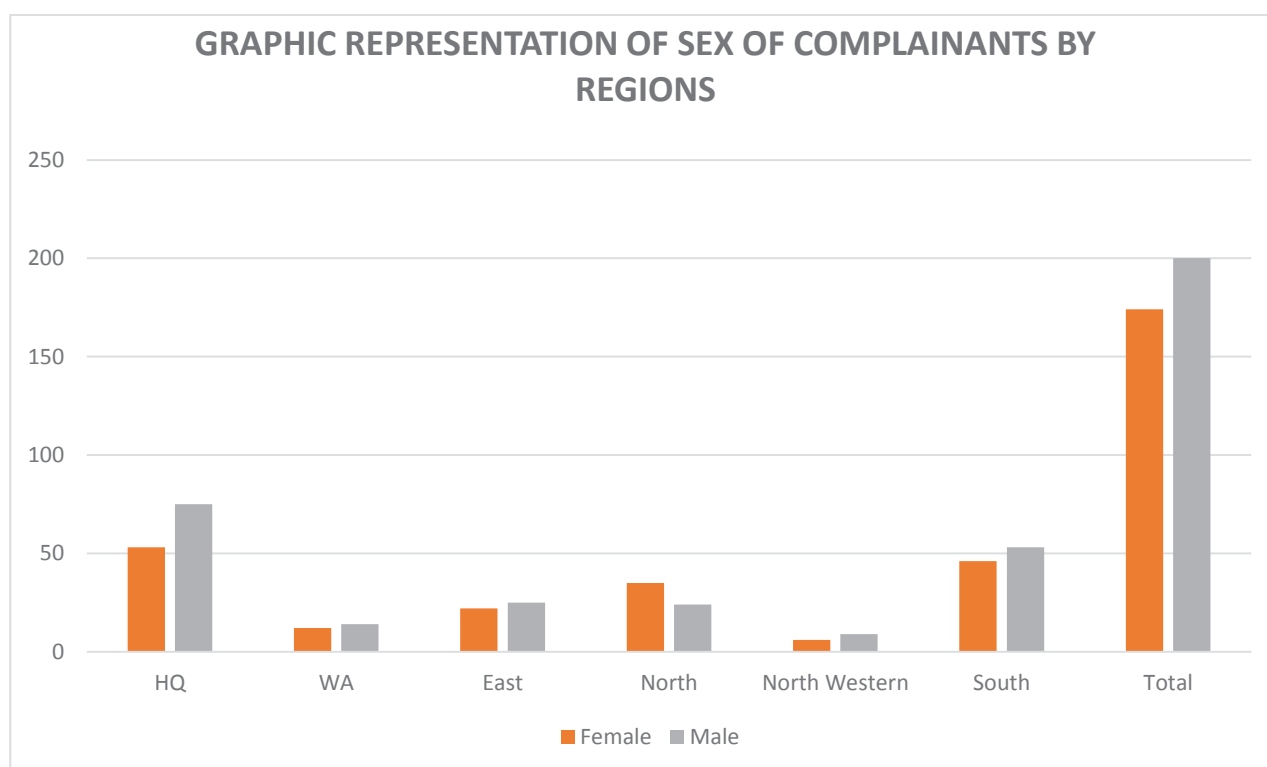


Table 7 is a disaggregation of complaints by sex. One hundred and seventy-four complaints (46.5%) were filed by women and two hundred (53.5%) were filed by men.

Table 8 - Comparative analysis of complaints received by the Regions for past decade (2012-2021)

| No. | Region | 2007-2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | Total | % |
|-------------|----------------------|-----------|------|------|------|------|------|------|------|------|------|------|-------|------|
| 1 | Western Area (HQ) | 982 | 182 | 220 | 68 | 100 | 101 | 74 | 60 | 124 | 126 | 128 | 2,165 | 54.5 |
| 2 | Western Area (Rural) | - | - | - | - | 13 | 6 | 22 | 11 | 12 | 50 | 26 | 140 | 3.5 |
| 3 | Eastern Region | 123 | 25 | 45 | 52 | 28 | 30 | 25 | 16 | 40 | 39 | 47 | 470 | 11.8 |
| 4 | Northern Region | 58 | 20 | 23 | 18 | 18 | 11 | 23 | 19 | 59 | 47 | 59 | 355 | 8.9 |
| 5 | North Western Region | - | - | - | - | - | - | - | - | - | - | 15 | 15 | 0.4 |
| 6 | Southern Region | 159 | 53 | 41 | 66 | 39 | 49 | 54 | 72 | 91 | 101 | 99 | 824 | 20.8 |
| Grand Total | | 1,322 | 280 | 329 | 204 | 198 | 197 | 198 | 178 | 326 | 363 | 374 | 3,969 | 100 |

Table 8 - shows that HRCSL has received a total of 3,969 complaints since 2007, with the Headquarter Office in the Western Area receiving the highest cumulative number of complaints which is 2,165 (54.5%). This is largely due to the accessibility of the Headquarters and increased awareness raising in the Western Area.

3.1.1 Some Success Stories

RTF vs IISL

On 6th January at HQ in Freetown, RTF alleged that an insurance company had refused to pay his benefits after he withdrew his membership from the insurance scheme. HRCSL intervened by engaging IISL and RTF was paid his benefits in full.

JK vs LK

On 12th January at HQ, JK alleged that for ten years, LK with whom she has a child had not been providing maintenance for the child, save for three occasions and that she could no longer shoulder the responsibilities on her own. The matter was mediated and resolved by HRCSL. Respondent is now providing maintenance for the child.

SK vs HQMS of NACOVERC

SK, on 11th January through a telephone call to HQ, alleged that he was placed in quarantine and that he was not provided with food items and sanitary supplies since 6th January. HRCSL immediately engaged HQMS-NACOVERC and the complainant was supplied with food items and sanitary supplies.

WONT vs EG

On 14th January at HRCSL HQ, WONT alleged that the respondent, his wife took their son away from home without notifying him and that she had denied him access to the child. The matter was mediated and resolved by HRCSL.



MJK (a minor) vs DIAK of SLP

On 2nd February, HQ received a complaint wherein complainant who is sixteen years old alleged that she was sexually penetrated by IA. She stated that there was unnecessary delay on the part of DIAK of SLP in handling the matter. HRCSL engaged DIAK of SLP on the matter and the investigation was speedily concluded and charged to court.

MK (on behalf of MLK) vs LM of FSU

On 22nd March in the Northern Region Office, MK alleged that MLK had been kept in detention for two months by LM of FSU, on a case of alleged sexual penetration without been charged to court. HRCSL engaged LM of FSU and MLK was released on bail whilst LM continued with investigation.

TK vs NC & others

TK reported to the Northern Region office on 30th March that she was accused of killing her nephew through witchcraft and as a result banished from her village. She further alleged that she was also treated in an inhuman and degrading manner by NC and others. HRCSL handled the matter jointly with District Security Committee (DISEC). As a result of the intervention TK was returned to her village and the actions of NC and others were investigated by SLP.

KK (on behalf of UCD) vs LM of FSU

KK on 21st April at the Western Area Rural Office alleged that LM of FSU had delayed in investigating a matter of physical assault against her niece which she reported. HRCSL engaged the LM and the matter was investigated and charged to court.

HA (on behalf of HK) vs MV-IO of CID

On 27th May at HRCSL HQ, HA alleged that HK was arrested and detained by MV-IO of CID and that he had been in detention for four days as at the time the complaint was reported. HRCSL immediately engaged MV-IO and HK was released on bail.

IK vs AM of SLP

On 15th June at HRCSL Northern Region Office, IK alleged that she was assaulted by a police officer and that AM of SLP had delayed in handling her matter after she reported the incident. HRCSL engaged AM and the investigation was speedily concluded and the officer that assaulted IK was charged before a disciplinary tribunal.

EGN vs DD of SLCA

On 13th October at HRCSL HQ, EGN reported a case of unfair treatment by the DD of SLCA. He alleged that he had been stripped of his captaincy and prevented from practicing with his teammates. The matter was resolved after the intervention of HRCSL.

VC (on behalf of FB) vs FSU of MJPD

On 9th November, HRCSL during its Mobile Complaint Hearing in Matru Jong in the Southern Region, received a complaint from VC on behalf of FB alleging unlawful detention. HRCSL engaged FSU of MJPD and FB was released.

3.1.2 Mobile Complaints Hearing

The mobile complaints hearing continues to increase the HRCSL's visibility in hard to reach areas. These hearings enable rural communities to benefit from HRCSL's complaints handling services.

In the period under review, with support from UNDP and Irish Aid, HRCSL conducted four (4) mobile complaints hearing exercises in the following areas: Mile 91 in the Northern Region

(12th -13th July), Lunsar in the North Western Region (22nd -23rd July), Mattru Jong in the Southern Region (8th -9th November) and Kandu Leppiama in the Eastern Region (11th -12th November). The purpose of the hearing was to provide an opportunity to members of these communities to present in person their complaints relating to human rights violations to HRCSL.

On the first day of each hearing, communities were sensitized on HRCSL's mandate and the objectives of the mobile hearings in order to encourage them to present their complaints to HRCSL. A total of one hundred and seventy-two (172) participants (42 females and 130 males) comprising local and traditional authorities, women's groups, youth organisations, disability organisations, law enforcement officials and the media were engaged.

HRCSL received 31 complaints (9 females and 22 males) from all four locations: 8 from Mile 91, 2 from Lunsar, 10 from Mattru Jong and 11 from Kandu Leppiama in the Kenema District.



Mobile Complaints Hearing in Lunsar

Outcome of the complaints received:

- Three were resolved
- ten (10) were referred:
- advise was proffered on four (4),
- seven (7) were monitored/followed-up on
- three (3) were closed as one (1) was pending in court and the complainants for the other two (2) could not be reached.

Four (4) matters are still pending for further information.

3.2 Monitoring Activities

In accordance with Section 7 (2) (f) of the HRCSL Act which states that the Commission shall “monitor and document violations of human rights in Sierra Leone”, HRCSL monitored places of detention, social service institutions and the operations of business enterprises at various times during the year.

3.2.1 Monitoring Places of Detention

Routine monitoring visits were conducted at Correctional Centres, police and juvenile

detention facilities in Freetown and the regions to assess compliance with national, regional and international human rights standards and good practices.

Correctional Centres: A total of 10 (ten) Correctional Centres were monitored on diverse dates as shown in the table below. The general findings include: overcrowding and prolonged detention as a result of prolonged trials.

| No. | Date | Facility monitored | No. of inmates | | Total | Holding capacity |
|-----|-------|---------------------------------------|----------------|--------|-------|------------------|
| | | | Male | Female | | |
| 1 | 07/01 | Freetown Male Correctional Centre | 1463 | N/A | 1463 | 324 |
| 2 | 10/02 | Makeni Correctional Centre | 138 | 3 | 141 | 80 |
| 3 | 16/03 | Magburaka Correctional Centre | 130 | 2 | 132 | 70 |
| 4 | 19/04 | Pujehun Correctional Centre | 109 | N/A | 109 | 76 |
| 5 | 30/04 | Bo Correctional Centre (Male section) | 280 | N/A | 280 | 80 |
| | | Female Section | N/A | 12 | 12 | 30 |
| 6 | 17/05 | Moyamba Correctional Centre | 87 | 1 | 88 | 65 |
| 7 | 30/06 | Makeni Correctional Centre | 215 | N/A | 215 | 80 |
| 8 | | Magburaka Correctional Centre | 133 | N/A | 133 | 70 |
| 9 | 04/08 | Sefadu Correctional Centre | 131 | 8 | 139 | 200 |
| 10 | 23/09 | Mafanta Correctional Centre | 238 | N/A | 238 | 500 |

Police stations:

HRCSL conducted 23 monitoring visits to twenty (20) police detention facilities across the country at various times as shown in the table below.

| District | No. | Date | Police Station | No. of Suspects at the time of visit | | Total | Holding capacity | |
|--------------------|-----|-------|---|--------------------------------------|----|-------|------------------|----|
| | | | | M | F | | M | F |
| Western Area Urban | 1 | 08/03 | New England Police Station | 05 | 0 | 05 | 18 | 10 |
| | 2 | 30/03 | Congo Cross Police Station | 18 | 0 | 18 | 20 | 20 |
| | 3 | 28/04 | Adelaide Street Police Station | 06 | 02 | 08 | 10 | 10 |
| | 4 | 25/05 | Calaba Town Police Station | 11 | 0 | 11 | 20 | 10 |
| | 5 | 13/09 | Eastern Police Station | 12 | 0 | 12 | 15 | 15 |
| | 6 | 13/09 | Ross Road Police Division | 30 | 05 | 35 | 40 | 10 |
| | 7 | 14/09 | Criminal Investigation Department (CID) | 51 | 13 | 64 | 50 | 50 |
| | 8 | 17/09 | Central Police Station | 15 | 0 | 15 | 20 | 15 |
| | 9 | 04/10 | Kissy Mess-Mess Police Division | 30 | 10 | 40 | 20 | 10 |

| | | | | | | | | |
|-------------------------|----|-------|--------------------------|----|----|----|----|-----|
| Western Area Rural | 10 | 31/03 | Goderich Police Station | 19 | 0 | 19 | 20 | 20 |
| | 11 | 09/11 | Hill Side Police Station | 11 | 1 | 12 | 07 | 07 |
| Kono Eastern Region | 12 | 03/08 | Motema Police Station | 12 | 03 | 15 | 08 | 08 |
| | 13 | 04/08 | Tankoro Police Station | 11 | 1 | 12 | 15 | 10 |
| | 14 | 05/08 | Sewafe Police Station | 02 | 0 | 02 | 06 | 06 |
| Bo Southern Region | 15 | 26/04 | Bo West Police | 35 | 02 | 37 | 20 | 10 |
| | 16 | 22/06 | | 19 | 0 | 19 | 20 | 10 |
| | 17 | 18/08 | | 11 | 0 | 11 | 20 | 10 |
| | 18 | 10/03 | Bo East Police | 11 | 0 | 11 | 15 | 10 |
| | 19 | 26/04 | | 08 | 0 | 08 | 15 | 10 |
| Pujehun Southern Region | 20 | 19/04 | Pujehun Police Station | 08 | 0 | 08 | 10 | 10 |
| Moyamba Southern Region | 21 | 16/10 | Moyamba Police Station | 04 | 0 | 04 | 10 | 10 |
| Bombali | 22 | 27/01 | Mena Police Station | 28 | 01 | 29 | 20 | NIL |
| Tonkolili | 23 | 13/07 | Mile 91 Police Station | 01 | 0 | 01 | 10 | 10 |

General findings included: poor and unhygienic conditions of the cells, non-provision of food for suspects in areas without correctional centres and limited access to clean and safe water for drinking and bathing.

Juvenile detention facilities: Six monitoring visits were undertaken to the 3 juvenile detention facilities in the country.

3.2.2 Monitoring of social service institutions

Hospitals

In the year under review, HRCSL monitored eight (8) hospitals to engage authorities in the hospital on the extent to which the Free Health Care system has been implemented and the challenges associated with the system and also to know the causes of the sit down strike by the cleaners at the Connaught Hospital.

On 19th January, HRCSL monitored the Rokupa Government Hospital in Freetown, whilst the Connaught Hospital was monitored on 14th April. In the North, the Makeni Government Regional Referral Hospital was visited on 19th May. Also on 4th August, there was a monitoring exercise at the Kono Government Hospital, in the eastern region, whilst on the 5th and 6th October, HRCSL visited the Government Hospital Macaulay Street, Children and Maternal Hospital, Kingharman Road, Princess Christian Maternity Hospital (PCMH) and the Ola -During Hospital in Freetown.

Schools

HRCSL undertook monitoring visits to eight (8) schools in the Western Area to assess the implementation of the Free Quality School Education (FQSE) programme and its impact on the enjoyment of the right to education.

On 25th -30th June, HRCSL also monitored the Basic Education Certificate Examination (BECE) in the Western Rural District whilst on 2nd – 30th June, HRCSL monitored the West

African Senior School Certificate Examination (WASSCE) in Western Rural District ranging from Peninsular Secondary School, Russel Secondary School and Tombo Secondary School.

3.2.3 Specific Monitoring

Two (2) specific monitoring activities were also carried out during the year:

1. Monitoring of the National Civil Registration and Verification Exercise

HRCSL monitored randomly selected centres where the National Civil Registration and Verification exercises were being conducted by the National Civil Registration Authority (NCRA). The objective of the monitoring was to assess accessibility to the registration centres.

| Date | District | No. of centres monitored |
|---|---|--------------------------|
| 6 th to 14 th May | Western Area Urban and Western Area Rural | 18 |
| 14 th – 22 nd May | Bo | 8 |
| 26 th August-3 rd September | Port Loko | 7 |
| 9 th June | Makeni | 6 |
| TOTAL | | 39 |

HRCSL made some key findings, which include the slow start to the process in the Western Area due to logistical challenges which resulted in long queues under the sun or in classrooms. The slow start also caused panic for some who could not register during the initial ten (10) days period (6th to 15th May).

On the 17th May, HRCSL engaged the Director-General of the National Civil Registration Authority (NCRA) Mohamed Massaquoi on the findings of a monitoring exercise and the DG acknowledged the issues raised. He concluded by assuring HRCSL that the findings will be shared with the NCRA management. HRCSL further recommended for an extension of the registration period; this was eventually extended by 7 days.

2. Monitoring of the Access to Clean and Safe Drinking Water In Freetown

From 20th - 21st May, HRCSL monitored GoSL's fulfilment of its obligation to provide access to clean, safe and affordable water in the country after a pilot phase conducted on 29th April. For further details please refer to section 2.3.3 and the full report on www.hrc-sl.org.

3.2.4 Monitoring Compliance with Business and Human Right Standards

Between January and October, HRCSL monitored four (4) multi-national companies to assess their compliance with business and human rights standards.

Monitoring exercise were conducted at Sunbird Bioenergy Company in January, Koidu Limited Company in April, the MIRO Forestry Company and Goldtree Limited Company in October.

HRCSL observed these companies had challenges complying with labour rights standards, Free Prior and Informed Consent (FPIC) principles, Responsible Agricultural Investment (RAI) Principles, protection of the environment and the rights of members of host communities (see section 2.3.5 for further details).



Commissioners and Staff at the Koidu Limited

The proposed Fish Harbour Project site at Black Johnson was visited in May and June.

3.3 Human Rights Education Activities

In compliance with Section 7(2)(b), HRCSL undertook the following activities during the year.

3.3.1 Institutional Capacity Building

3.3.1.1 Attendance at International Workshops, Conferences and other activities

| No. | Name of Participant | Activity | Organiser | Country Held | Date |
|-----|----------------------|--|-----------------------------------|--------------|------------------------|
| 1. | Patricia .N. Ndanema | On Observer Mission on Presidential and Parliamentary Elections | NANHRI-WA | Chad | 2 nd Feb. |
| 2. | Patricia .N. Ndanema | Monitoring of the Presidential and Parliamentary Election | African Union | Burkina Faso | 11 th April |
| 3. | Patricia .N. Ndanema | Sub-regional workshop on how NHRIs should collaborate with the ICC | IHRC and Konrad Adenauer Stiftung | Abidjan | 16 th June |
| 5. | Patricia .N. Ndanema | Meeting - 48th Regular Session of UN Human Rights Council | OHCHR | Geneva | 3 rd Oct |

| | | | | | |
|----|---------------------|--|--|---------|--|
| 6. | Gassan Abess | NANHRI Project Review Meeting on Decriminalization of Petty Offences | NANHRI | Nigeria | 26 th – 27 th Oct. |
| 7. | Abdulai .Y. Bangura | Stakeholder Engagement on Enhancing Responsible Investment in Agriculture and Food Systems. | FAO | Liberia | 14 th – 19 th November |
| 8. | Victor I. Lansana | Monitoring of elections in Banjul | NHRI/WA in collaboration with the Human Rights Commission of the Gambia. | Gambia | 1 st December |
| 9. | Simitie Laval | Symposium on the Role of NHRIs, CSOs and other Key Actors in the Implementation of Decisions of African Courts & Tribunals | Pan African Lawyers Union (PALU) | Nigeria | 6 th -7 th Dec 2021 |

3.3.1.2 Commissioners and Senior Staff Training

Following the capacity assessment conducted in 2020, HRCSL in collaboration with UNDP and Irish Aid, recommended that training be conducted for Commissioners and senior staff of the Commission on Leadership, Procurement, Project Management and Monitoring & Evaluation.

Between 6th and 17th September, the first group comprising 7 Senior Staff and 3 Commissioners were trained on the above at the Institute of Public Administration and Management (IPAM). The next group of ten will be trained in 2022.

The training has enhanced the knowledge and skills of the Commissioners and senior staff in undertaking the work of the Commission.



Commissioners and Senior Staff Training at IPAM

3.1.1.3 Validation and Training on The Revised Human Resource Manual and Other Policies

In October, a consultant was hired to review the following documents: HRCSL's Human Resource (HR) Manual; Transport Policy; Financial Policy; Communication Policy and the Resource Mobilization Strategy.

Following this review, a validation and training workshop was conducted on the 2nd and 3rd November for 25 management staff and Commissioners (19 males and 6 females) in Freetown on the revised documents. The objective of the training was for Commissioners and management staff to be knowledgeable on the contents of the revised and validated documents to enable them to effectively manage the affairs of HRCSL.

3.3.2 Public Education and Outreach



For 16 days of Activism, Gender Directorate engaged vocational institutes within the Western Area.

3.3.2.1 Training of New School Human Rights & Peace Club Members

With funds from the UNDP and Irish Aid, HRCSL from 9th – 16th July embarked on a week-long engagement for the establishment of Human Rights and Peace Clubs (HR&PC) in Western Area Urban, Port Loko, Koinadugu and Kono districts. A total of 136 pupils and 24 teachers from 24 selected schools in the four regions benefited from the training. Key outcomes included the creation of new HR&PCs in 18 secondary schools in those districts. This number adds to the 26 already existing school clubs in the Western Area (Urban and Rural), Kenema, Bo and Bombali Districts.

Members of these HR&PCs in Port Loko later participated in an inter-secondary school quiz competition, whilst those in the Western Area participated in the inter-secondary school debate organized by HRCSL in commemoration of International Human Rights Day.

HRCSL's vision to extend its human rights outreach campaign to schools anchors on the 'catch them young' concept and to imbibe human rights culture, raise awareness in pupils and make them ambassadors for human rights in their schools, homes and communities.



Human Rights and Peace Club in Kono

3.3.2.2 Training of District Human Rights Committees on Gender Justice International Frameworks

Noting the important role of the District Human Rights Committees (DHRCs) in HRCSL's work, on 17th July, HRCSL trained 32 members of the DHRC (14 females and 18 males) from the sixteen (16) districts in Sierra Leone on the Gender Justice International Frameworks. These frameworks include: Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Maputo Protocol and UN Resolutions 1325 and 1820.

The objective of the training was to build the knowledge of DHRC members to monitor GoSL's implementation of the frameworks and submit information to HRCSL to publish a report on the findings. A draft report on "The Status of Implementation of the Gender Justice Frameworks" was produced by HRCSL and submitted to the UNDP for publication.

The training was held in Kambia with funds from UNDP and Irish Aid.



Training Of District Human Rights Committee Members In Kambia

3.3.2.3 Training of Companies and Host Communities on Business and Human Rights

From August 26th to 28th, HRC SL with support from UNDP, conducted capacity training in Bo city for selected companies and members of host communities in Pujehun and Moyamba districts on Business and Human Rights (BHR) and Conflict Mitigation.

The objective was to promote peaceful co-existence between and among companies and members of their host communities, through capacity building and information sharing.

This was intended to make companies undertake responsible and reasonable approach to their operations by respecting rights through compliance with BHR standards.

Thirty-six participants benefited from the training - 20 from host communities and 16 from companies (SOCFIN Agricultural, Natural Habitat, Sierra Tropical and CSE Construction companies in the Pujehun District and the Sierra Rutile and VIMETCO companies in the Moyamba District).



HRCSL Trains Companies and Host Communities on BHR

3.3.2.4 Popularization of UPR Recommendations

During the Universal Period Review (UPR) assessment by the Human Rights Council in October, member states proffered 274 recommendations to Sierra Leone, of which 216 were adopted and 58 noted. As a way to popularize these recommendations, HRCSL held 5 separate and simultaneous public engagements in Waterloo, Makeni, Port Loko, Bo and Kenema. Two hundred and twenty-three (223) participants (147 males and 76 females) from the five regions were engaged.

These simultaneous engagements took place on 5th November with representatives of DHRCs, Security Forces, MDA CSOs and other human rights groups in attendance. The recommendations of the UPR and strategies for their implementation alongside those of the Sustainable Development Goals (SDGs) and the African Vision 2063 were discussed.

Participants assured HRCSL that they would cascade the knowledge gained to their respective organisations and community members.



HRCSL Popularizes UPR Recommendations in the Regions

3.4 The Library and Documentation Centre

The structure of the Library and Documentation Centre at headquarters was overhauled in which every essential collection was listed into a spreadsheet, catalogued and classified for ease of access and speedy retrieval of information when needed. The center has a total collection of 1,548 reading and research human rights related materials. In addition to its critical support to the information needs of Commissioners and staff, the centre has been particularly very useful to university students and scholars working on their dissertations, theses and scholarly papers from various tertiary institutions including FBC, IPAM, Njala University, IAMTECH, Limkokwing University, UNIMAK, MMCET, and other Polytechnic training institutions. In all, a total of 50 external researchers used the centre during the year under review.

3.5 Strategic Engagements

3.5.1 Engagements with the Chief Justice and the Sierra Leone Correctional Service

On 1st February, HRCSL engaged the Chief Justice (CJ), Honourable Justice Desmond Babatunde Edwards at his Law Court Office, Siaka Stevens Street in Freetown on findings of its monitoring of the Freetown Male Correctional Centre (FMCC) on 7th January. Issues of overcrowding, delays in processing indictments and the continued detention of discharged inmates due to the delay in processing the release order from court were discussed.

In his response, the CJ expressed concern and attributed these to the process involved and the limited resources available. He highlighted efforts made by the judiciary to decongest the correctional centres such as the introduction of the Judicial Week in 2019 which led to the discharge of about 45 inmates without indictments at the FMCC. He informed HRCSL that the Judiciary will continue with the Judicial Week, during which the cases of remand inmates will also be reviewed.

On 2nd February, HRCSL also engaged the Director General (DG) of Sierra Leone Correctional Service (SLCS), Mr. Joseph Lamboi and a cross section of the SLCS management team to discuss the findings of the monitoring of correctional centres across the country in November 2020 and the FMCC in January 2021. Key among the findings included overcrowding at

some CCs, lack of production orders for discharged inmates, continued incarceration of 2 blind inmates at the Mafanta Correctional Centre and the poor accommodation conditions for inmates and staff.

The DG thanked HRCSL for the report and noted that the findings and recommendations will enable the SLCS to chart a clear way forward.

3.5.2 Engagement with Stakeholders for Sustainable Water Supply to Ola During, PCMH and Macauley Street Hospitals

Following reports in the media of acute shortage of water at the Princess Christian Maternity Hospital (PCMH) and the Ola During Hospital in Freetown, on 23rd February HRCSL conducted a fact-finding visit to both hospitals to ascertain the causes and proffer recommendations to address the problem. HRCSL was informed by authorities at both hospitals of the reasons for the shortage and that plans were underway to address it.

On the 2nd March, HRCSL made a follow-up visit to the hospital authorities and also engaged their key partners - Guma Valley Water Company (GVWC), the World Vision Sierra Leone (WVSL) and the United Nations Development Programme (UNDP) – on the projects in place to address the shortage and ensure sustainable water supply in the hospitals.

On 21st April, HRCSL witnessed the handing over by WVSL to GVWC and private contractors, a project for the supply of sustainable water to these health facilities and the rehabilitation of the old building at the Macauley Street Government Hospital, which also benefitted from the project, to improve health and hygiene in the hospital.

HRCSL monitored the project implementation phase. The project was eventually completed and handed over to the management of the three hospitals in December.



HRCSL Monitors Rights to Health and Life at Ola During, PCMH

3.5.3 Engagement with Ministry of Mines and Mineral Resources

On Wednesday 9th June, HRCSL visited the Ministry of Mines and Mineral Resources to discuss the findings of HRCSL's monitoring visits to Koidu Limited in Kono District and China Railway South Group (CRSG) in the Western Area and Port Loko District. In his response, the Minister assured HRCSL that he would take the appropriate measures to address HRCSL's concerns.

3.5.4 Engagements on the Decriminalization of Petty Offences

From 14th to 15th July, the HRCSL engaged MPs, MDAs and affected persons at its conference room on the contents of the draft National Action Plan (NAP) for the Decriminalization of Petty Offences and give their inputs into the document. Following this, a validation workshop was held at the Sierra Palm Hotel in Freetown on the 22nd July, with support from the Network of African National Human Rights Institutions (NANHRI).

HRCSL has since used the NAP to engage the Office of the Attorney-General & Minister of Justice as well as the Parliamentary Committee on Human Rights to decriminalize petty offences.



Validation of National Action Plan on Petty Offences at Sierra Palm Hotel

3.5.5 UNDP, IRISH AID and the CHINESE EMBASSY Donate to HRCSL

On the 8th July and 21st December, HRCSL received fifteen (15) new laptops and a brand-new Toyota Land Cruiser vehicle respectively from Irish Aid and UNDP. This was part of the ongoing support from these two institutions.

In December, HRCSL also received three motor bikes (two new and one second hand), two desktop computers and Fifty Million Leones (Le.50,000,000) from the Chinese Embassy. The cash was to purchase generators for the regional offices.

On behalf of the HRCSL, the Chairperson, Patricia Narsu Ndanema expressed gratitude to these institutions for their continued support and acknowledged that the donations were timely.



Logistics Boost from UNDP



UNDP and Irish Embassy presented a brand-new Toyota Hilux to the Commission.

3.6 Commemoration of Special Human Rights Days

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

On 16th June, HRCSL commemorated the Day of the African Child on the theme “30 years after the adoption of the Charter: accelerate implementation of Agenda 2040 for an Africa fit for children,” by engaging in public education in schools and on radio and television stations nationwide. The day was celebrated in order to raise awareness on its significance and educate students and members of the public on the African Union’s Agenda 2040, HRCSL’s mandate and functions, and on laws protecting children.



HRCSL, East sensitizing the Segbwema community members on children’s Rights and Responsibility.



Pupils of Manaratha Christian Secondary School in Makeni

3.6.2 Commemoration of The International Day of The Girl Child – 11th October

HRCSL commemorated the International Day of the Girl Child on the 13th October by hosting an interactive session for 80 pupils from 14 secondary schools in the Western Area.

The discussion centred on the localized theme “Promoting Girl’s Digital Literacy” which was derived from the international theme - “Digital Generation, Our Generation”.

In total 65 girls, 15 boys and 14 teachers from primary and secondary schools across the Western Area attended the workshop at the Sierra Leone Library Board in Freetown. The workshop was facilitated by a representative from the Directorate of Science Technology and Innovation (DSTI) and various dignitaries delivered statements on the theme followed by a keynote address from the Chairperson of HRCSL.

By the end of the session, participants were able to:

- Differentiate between the positive and negative uses of digital technology and how these impact on their lives;
- Understand that as children (particularly the girls), they have the individual responsibility to use the digital space safely.



Commemoration of International Day of Girl Child

3.6.3 The 16 Days of Activism Against Gender- Based Violence

The 16 Days of Activism against Gender- Based Violence is an annual international campaign. It runs from November 25 and ends on December 10. During this period, several International Days are commemorated including International Day for the Elimination of Violence against Women, the commemoration of the International Day for Persons with Disability, and it is climaxed by the commemoration of the International Human Rights Day. The Global theme for the campaign was “Orange the World: End Violence Against Women Now!”

HRCSL observed this period by raising awareness on the provisions of: the Sexual Offences Act 2012 (as amended in 2019); the Gender Empowerment Bill 2021; and other related laws.

Four vocational institutions in the Western Area were engaged, namely, Young Women Christian Association (YWCA); Rapid Engagement in the Acquisition of Practical Skills (REAPS); Government Technical Institute (GTI) and Community Empowerment for Rural Development (CEFORD).

The engagements enhanced the knowledge of over 400 women and men on the Gender Empowerment Bill, and the human rights implication of gender-based violence.



Gender Directorate engaging Vocational Institutes during 16 Days of Activism

3.6.4 International Human Rights Day - 10th December

HRCSL commemorated the International Human Rights Day (IHRD), in the Port Loko City, North Western Region with the global theme 'Equality: Reducing Inequalities, Advancing Human Rights.'



International Human Rights Day Commemoration in Port Loko

Prior to the IHRD, HRCSL held a series of activities to commemorate the day. These included the Freetown Inter-secondary school debate competition with technical support from the Sierra Leone Debating Council and a Quiz Competition for secondary schools in the Port Loko City. The purpose of these engagements was to build the culture of human rights among school pupils through discussing emerging topical issues and basic human rights.



Inter-Secondary School Debates Competition in Freetown

Thirteen (13) schools participated in the preliminary rounds of the debate, with six schools qualifying to participate in the grand final, which was hosted at the Sierra Leone Library Board on 9th December. The winning school was Darul Salam Islamic Secondary School followed by the Prince of Wales Senior Secondary School.

Five (5) schools within Port Loko participated in the quiz competition on 9th December. The winning school was Schlenker Senior Secondary School. The Movement of Faith Senior Secondary School took second position.

On 10th December, HRCSL invited major stakeholders to a formal event which was hosted at the Port Loko District Council Hall. The keynote address was delivered by the Resident Minister North-West. The Chairman Parliamentary Committee on Human Rights and representatives from the Sierra Leone Police and the Judiciary made statements committing their institutions to respect, protect and fulfill human rights in Sierra Leone.

The event ended with the launching of the HIV/AIDS 2020 Report by the Director of the National AIDS Secretariat. Certificates were also awarded to all the schools that participated in the quiz competition and prizes awarded to the winning school and best quizzers.

3.7 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, UNDP/Irish Aid and Chinese Embassy for operations and project implementation.

Government Support

GoSL provided financial support to HRCSL as follows:

- **Salaries and other emoluments:** Le19, 141,980,529 (Nineteen Billion, One Hundred and Forty-One Million, Nine Hundred and Eighty Thousand, Five Hundred and Twenty-Nine Leones).



- **Operational costs and programmes:** Le1, 499,629,231 (One Billion, Four Hundred and Ninety-Nine Million, Six Hundred and Twenty-Nine Thousand, Two Hundred and Thirty-One Leones).

The activities undertaken were:

Monitoring:

1. Monitoring of correctional centres, Police stations, hospitals, social service and free quality school education and Juvenile detention facilities across the country.
2. Monitoring of the National Civil Registration and Verification Exercise
3. Monitoring of the access to clean and safe drinking water in Freetown
4. Monitoring of four (4) multi-national companies under business and human rights
5. Monitoring at the Sunbird Bioenergy Company
6. Monitoring of early child marriage at Waterloo
7. Monitoring in small Bo chiefdom right to education
8. Community engagement on access to clean and affordable water supply
9. Engagement on the proposed fish harbor at Black Johnson community
10. Monitoring visit to Koidu limited mining company
11. Monitoring visit to Yenga
12. Bye election monitoring in constituency 010 and ward 012 in Kailahun
13. Monitoring visit to Micro Forestry Company at Mile 91

Investigations:

1. Fact finding mission on alleged HR violations in the Yigbeda Town Chiefdom elections disturbance
2. Investigation of complaints nationwide
3. Mobile complaints hearing in the regions
4. Facts finding at Sahn Malen and Basaleh Malen Pujehun
5. Mobile complaints hearing at Mile 91
6. Mobile complaints hearing at Lunsar

Public Education:

1. Community outreach campaign to schools and the establishment HR school clubs
2. Capacity building training of District Human Rights Committee
3. Media engagement on the abolition of the death penalty
4. Inter Secondary School quiz competition held in Port Loko in commemoration of International Human Rights Day Celebration
5. Training of participants on inter-high school debating championship
6. Public lecture, training and establishment of HR clinic at University of Makeni

International Days:

1. Commemoration of the day of the African Child
2. Commemoration of the International Day of the Girl Child
3. HRCSL observes the 16 days of activism
4. HRCSL commemorates international human rights day
5. Support to international albinism awareness day

Gender:

1. Public education on 16 Days of activism
2. Monitoring of early child marriage at Waterloo
3. Quarterly monitoring of the status of the implementation of the sexual offences Act 2019 as amended.



General Office Operations:

1. Internal audit review of the regional offices
2. Induction training of staff
3. Printing of State of Human Rights Report 2019
4. Consultative Conference on National Action Plan for the Decriminalization of Petty Offences in Sierra Leone
5. Rent for regional offices in Bo, Port Loko, Makeni and Western Area
6. Website hosting
7. Retreat for editing of 2020 State of Human Rights Report
8. Commemoration of March 23rd state of the civil war in Bomaru, Eastern Region
9. Operational support to regional offices in Bo, Makeni, Waterloo, Port Loko and Kenema
10. Attendance at National Consultative Conference of IPCB on Regulations Review held in Kenema
11. Annual subscription for hosting HRCSL website
12. Official opening of North-West regional office in Port Loko
13. Engagement of stakeholders on the Grafton/ Jui junction issue
14. Annual staff retreat held at Occasions Resort
15. Training of regional staff on Donor Reporting and Monitoring and Evaluation
16. Support to MARWOPNET-SL for 30th anniversary of the 1st gun-shot in Bomaru
17. Support to Human Rights Network Defenders

International travelling

1. Monitoring of Chad Presidential and Parliamentary Election on 2nd February
2. Monitoring of Burkina Faso Presidential and Parliamentary Election on 11th April 2021
3. Attendance at the Sub regional workshop on how NHRIs should collaborate with the ICC held in Abidjan on 16th June 2021
4. Attendance at the 48th Regular session of UN Human Rights Council held in Geneva on 3rd October
5. Attendance at the NANHRI Project Review Meeting on Decriminalization of Petty Offences held in Nigeria from 26th – 27th October 2021.
6. Attendance at a Stakeholder Engagement on Enhancing Responsible Investment in Agriculture and Food Systems in Liberia from 14th – 19th November
7. Attendance at meeting in Abuja on Africa Court implementation & Tribunal from 6th -7th December

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, UNDP Mitigation Projects and Chinese Embassy.

HRCSL received funding from UNDP Access to Justice Projects in the sum of Le. 686, 228,080.00 (Six Hundred and Eighty-Six Million, Two Hundred and Twenty-Eight Thousand and Eighty Leones) for the implementation of the following activities:

1. Support short courses for 10 Senior Management staff including Commissioners on leadership, procurement, project management and Monitoring and Evaluation from the Institute of Public Administration and Management
2. Training of 50 Parliamentarians in human rights based approach on legislative review
3. Support pre-legislative (Lobbying) process and popularisation of the HRCSL Act



4. Support HRC to organise a 5-day workshop to validate and train 25 staff on its Finance Policy, Communication Policy and Strategy, Resource Mobilisation Strategy and Human Resource Manual
5. Organise 5 community outreach mobile complaints hearing for 500 community people
6. Training of 21 persons (16 DHRC, 5 Regional Officers and 2 staff in situation room) on the Human Rights App to support real time reporting
7. Organise 4 quarterly referral partnership meetings
8. Build the capacity of 32 members of the DHRC to monitor, and publish a report on the implementation of gender justice international frameworks (CEDAW, Maputo, UN Resolution 1325 and 1820)
9. Conduct validation workshop on the report of a comprehensive baseline study of all businesses impacting on human rights in Sierra Leone
10. Support 13 monthly Human Rights Hour (HRH) radio discussion programme on COVID-19 and human rights, SGBV and Sexual Offences (Amended) Act 2019, women's rights in the administration of justice etc.
11. Conduct 4 human rights community awareness outreach campaigns to schools and facilitate the establishment of human rights and peace clubs, develop MOU, Bye-Laws and establish 5 regional networks (Executive bodies) to coordinate the activities of the Peace Clubs.

UNDP Mitigation Project

HRCSL received funding from UNDP Mitigation Projects in the sum of Le343,250,000 (Three Hundred and Forty-Three Million, Two Hundred and Fifty Thousand Leones) for: Trainings of Selected Companies and Members of Host Communities in Pujehun and Moyamba Districts on Business and Human Rights.

Chinese Embassy

HRCSL received funding from Chinese Embassy in the sum of Le50, 000,000 (Fifty Million Leones) for procurement of generators for regional offices.



PART 4: RECOMMENDATIONS

4.1 Covid-19 Pandemic and Human Rights

The Ministry of Health and Sanitation (MoHS) and NaCOVERC should continue its public education on the dangers of the COVID-19 and how it can be curtailed.

The Ministry of Health and Sanitation (MoHS) and NaCOVERC should promote alternative measures such as vaccination to curb the spread of Covid-19 in order to avoid impacting on the enjoyment of the rights to freedom of assembly, association and movement

4.2 Civil and Political Rights

4.2.1 Rights to Life, Liberty and Security of the Person

The GoSL should set up a task force to investigate the fire incident at Old Wharf Community and implement the recommendations of the committee to prevent a recurrence.

4.2.2 Death Penalty

GoSL should sign the Second Optional Protocol to the International Covenant on Civil and Political Rights on the abolition of the death penalty.

4.2.3 Freedom of Expression and the Press

HRCSL strongly encourages media houses to be professional by cross checking information before publication.

The IMC should ensure that journalists practice their trade responsibly.

IMC should ensure full enforcement of provisions in its Act.

GoSL should uphold the commitment of the Global Pledge on Media Freedom to promote media freedom in the country.

4.2.4 Freedom of Thought Conscience and Religion

In future, GOSL should engage or consult with religious bodies on religious matters before adopting measures that would affect the enjoyment of the right to freedom of conscience and religion.

4.2.5 Protection from Deprivation of Property

MLHCP should implement in full the recommendations of the Complaints Committee on Land Disputes in the Western Area, with a view to putting to an end the perennial problem associated with land ownership in the Western Area;

All eviction and demolition exercises should be carried out using the human rights-based approach.

4.3 Economic, Social and Cultural Rights

4.3.1 Right to Education

MBSSE should make available braille machines to all visually impaired students taking public exams;

MBSSE should conduct an audit of community schools and provide them with assistance to meet basic educational standards;



MBSSE should work with the Ministry of Health and Sanitation to improve the WASH systems in schools;

MBSSE should ensure that learning institutions are accessible to persons living with disability as provided for in the Persons with Disability Act 2011;

GoSL should expedite the construction work for the completion of the University of Science and Technology in Kono.

4.3.2 Right to Health

GoSL should endeavour to increase its budgetary allocation to the health sector to meet the 15% benchmark set out in the Abuja Declaration of 2001;

MoHS should ensure the provision of adequate and regular supplies of Free Healthcare drugs in all hospitals.;

MoHS should ensure that electricity and water supply are available in all government hospitals;

MoHS should procure X-Ray, Ultrasound, CT Scan and ECG equipment for all government hospitals.

4.3.3 Access to Safe and clean drinking Water and sanitation

GoSL should establish catchment committees in other communities where there are unprotected water catchments so as to intensify the monitoring and protection of the water catchment areas;

SALWACO should conduct more sensitization in Bo, Kenema and Makeni on the health benefits of pipe borne water as compared to those from other untreated sources;

GoSL through the Ministry of Finance should make funds available to SALWACO for the completion of the Bonthe Municipality Programme;

GVWC should regularly refill existing water tanks;

GVWC should install more tanks especially in communities where accessing water is a challenge.

4.3.4 Right to Just and Favourable Conditions of Work

MLSS should submit its 26 outstanding report on the ILO Conventions to the ILO Secretariat;

MLSS and MIC should popularize the regulatory mechanism on Labour Migration;

NASSIT should ensure that MIRO Forestry complies with NASSIT registration requirements for its workers;

The Ministry of Environment and the Environmental Protection Agency (EPA) should regularly monitor air quality at all underground mining sites and at MIRO Forestry company;

MLSS and the Sierra Leone Labour Congress should undertake joint and effective monitoring of the activities of trade unions in the country in a bid to promote effective and efficient service delivery to their members.



4.3.5 Business and Human Rights

The Sierra Leone House of Parliament should enact all outstanding bills related to improving the investment climate in the country, such as the Customary Land Rights and the Lands Commission Bills;

MoF should strengthen the operations of SMEDA to support activities of SMEs in the country.

4.3.6 The Right to Development - Energy

GoSL should continue its efforts in providing consistent and reliable electricity for those communities which already have access and to extend its facilities to other unserved areas across the country;

GoSL should provide robust security for electricity installations across the country to forestall any theft or vandalism;

Citizens should desist from engaging in illegal connections.

4.4 Human Rights and the Administration of Justice

4.4.1 The Sierra Leone Police

The Office of the DPP should expeditiously proffer legal advice in order to ensure speedy prosecution and avoid prolonged detention of suspects.

Medical reports should speedily be processed by the relevant medical authorities in order to avoid delays in the investigation of cases and prosecution where necessary.

GoSL should provide adequate financial and logistical support to the SLP to effectively carry out its duties including the upkeep of the cells.

4.4.2 The Judiciary/Court System

The Judiciary should assign Resident High Court Judges to the remaining 7 judicial districts to speed up trials and improve access to justice.

The Judiciary and the Office of the Attorney General and Minister of Justice should continue to liaise with the local court administrators for the full implementation of the Local Courts Act 2011 in order to increase access to justice in the rural areas.

4.4.3 Juvenile Justice

The Diversion and Alternatives to Detention Framework should be fully implemented by all child justice sector actors, particularly law enforcement officials to ensure that imprisonment of juveniles should only apply in rare or very serious cases.

The State Counsel should proffer advice on files speedily in order to expedite trial and avoid prolonged detention of inmates and delay of justice for juvenile victims

The Judiciary should take action on complainants and witnesses who refuse to attend court sittings without reasonable justification in order to avoid prolonged trial.

Ministry of Social Welfare should allocate more resources to juvenile administration guided by minimum international standards, to enable them acquire the needed logistics (fuel, vehicles,) for the Remand Homes so that children are transported to their court sittings regularly in order to avoid delays in trial, among others.

GoSL should increase budgetary allocation to MSW to meet basic welfare issues such as



food and non-good items.

MSW should ensure that juvenile detention facilities have sustainable supply of water by constructing boreholes within the KRH and rehabilitate the ones at Approved School and the BRH.

MSW should regularly pay electricity bills to ensure regular supply to the Homes.

MSW should construct more dormitories at the BRH to address the overcrowding.

MSW and MoHS should provide functioning health care units within the juvenile facilities.

MSW should increase the height of the perimeter fence at the KRH and to ensure that juveniles enjoy their right to recreation.

MSW should ensure that each district has a Remand Home and at least one Approved School in every region.

MBSSE should:

Ensure that the juvenile centres have equipped and functioning educational structures within the facilities.

Coordinate with the Teaching Service Commission to assign trained and qualified teachers to the juvenile centres.

4.4.4 The Sierra Leone Correctional Service

MIA to construct additional cells in correctional centres that are overcrowded.

MIA should ensure access to safe water at the Pujehun and Magburaka Correctional Centres.

SLCS and MTHE should provide educational and vocational opportunities for inmates at correctional centres across the country.

MIA should provide foam mattresses and improve the ventilation at the Makeni Correctional Centre.

4.5 Women's Rights

Parliament should expedite the enactment of the Gender Empowerment Bill into Act so that it will enable women's empowerment and active participation in public and private spheres.

4.6 Children's Rights

MoGCA and the Law Officers Department should expedite the drafting of the Child Rights (Amendment) Bill, and its tabling in Parliament;

MoGCA and partners should popularise the National Strategy for Street Children and the National strategy for response to SGBV across the country and commence its implementation;

The MoF, MIA and SLP should increase support to the FSU by providing and training more SAS Officers and providing adequate mobility for all stations;

MoGCA and MoHS should establish additional hubs for SRH related issues in all districts;

MoGCA should establish Safe Homes for victims of sexual and domestic violence across the country;



MoGCA, MBSSE and NCTVA should take necessary actions to improve on girls' access to schools and technical training skills, especially in the rural areas.

4.7 Vulnerable Groups

The NCPD should continue engagement with other tertiary institutions on inclusive education;

The NCPD should engage heads of all institutions audited on the recommendations of the assessment report to ensure they are implemented;

MSW should provide a more conducive and permanent office space for the NCPD in Freetown, as well as increase the number of offices in the regions;

The SLP should provide more effective and efficient training for its personnel on handling suspects with disability;

MoHS should expedite the drafting of the Mental Health Bill and its tabling in Parliament.

The MoHS should ensure that Persons with Albinism are provided with specific health needs in all public health care facilities;

MSW and NCPD should undertake a nationwide public education on inclusion and non-discrimination of PwA.

The MoHS should ensure that Persons with Albinism are provided with specific health needs in all public health care facilities;

MSW and NCPD should undertake a nationwide public education on inclusion and non-discrimination of PwA.

4.8 Youth

MoYA should implement in full the National Youth Policy 2020-2025;

MoYA should widely publicized the Magburaka Declaration and ensure the provisions therein are implemented in full.

GoSL should identify and clamp down on all agencies and individuals facilitating illegal migration.

4.9.1 Importance Events in Furtherance of Human Rights

4.9.2 The Constitutional Review

GoSL should speedily conclude the Constitutional Review process.

4.9.3 Treaty Body Reporting

Recommendation

GoSL should fully comply with its international treaty obligations.

**FAITHFULLY SUBMITTED BY THE HUMAN RIGHTS COMMISSION OF
SIERRALEONE**

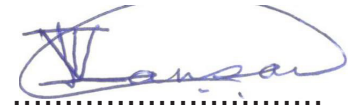


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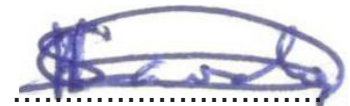
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