



The State of Human Rights in Sierra Leone 2011

5th Annual State of Human Rights Report presented to the President and Parliament of
The Republic of Sierra Leone, Pursuant to Section 24 (1) of
The Human Rights Commission of Sierra Leone Act (Act No. 9) 2004



31st March, 2012

H.E. Dr. Ernest Bai Koroma
President of the Republic of Sierra Leone
State House
Tower Hill
Freetown

Your Excellency,

I have the pleasure in submitting to you, as required under Section 24 (1) of the Human Rights Commission of Sierra Leone Act (Act No. 9), 2004, the fifth annual report of the Human Rights Commission of Sierra Leone (HRCSL).

“The State of Human Rights in Sierra Leone” is a report of activities of the HRCSL during the period 1st to 31st December, 2011.

As required by the Act, the report includes the ways in which the fundamental rights and freedoms in the Constitution and International and Regional Agreements to which Sierra Leone is a party have been observed or violated. It also includes the steps taken by HRCSL to promote, respect, protect and fulfill human rights; the results of 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 the necessary steps toward implementation of the recommendations in this report.

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.

Faithfully Yours,

Mr. Edward Sam
Chairperson



31st March, 2012

Honourable Speaker
House of Parliament
Tower Hill
Freetown

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List of Abbreviations

ACHPR	-	African Charter on Human and Peoples' Rights
AHRD	-	African Human Rights Day
APC	-	All Peoples' Congress
CAT	-	Convention Against Torture
CDIID	-	Complaints, Discipline, and Internal Investigation Department
CEDAW	-	Convention on the Elimination of All Forms of Discrimination Against Women
CSO	-	Civil Society Organisation
DHRC	-	District Human Rights Committee
DFID	-	Department for International Development
ECOWAS	-	Economic Community of West Africa States
FCC	-	Freetown City Council
FGC	-	Female Genital Cutting
FHC	-	Free Health Care
FOI	-	Freedom of Information
FSU	-	Family Support Unit
GoSL	-	Government of Sierra Leone
GIZ	-	Gesellschaft für Internationale Zusammenarbeit
H.E.	-	His Excellency
HIV/AIDS	-	Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome
HRCSL	-	Human Rights Commission of Sierra Leone
ICCPR	-	International Covenant on Civil and Political Rights
ICESCR	-	International Covenant on Economic, Social and Cultural Rights
IDA	-	Institutional Development Advisor
IHRC	-	Irish Human Rights Commission
IMC	-	Independent Media Commission of Sierra Leone
LUC	-	Local Unit Commander
MDAs	-	Ministries, Departments and Agencies
MDGs	-	Millennium Development Goals
MoD	-	Ministry of Defence
MoDCA	-	Moyamba District Children's Awareness Radio
MoU	-	Memorandum of Understanding
MSWGCA	-	Ministry of Social Welfare, Gender and Children's Affairs
NGO	-	Non-Governmental Organisation
NHRI	-	National Human Rights Institutions
OSI/IWP	-	Open Society Initiative/International Women's Programme
OSIWA	-	Open Society Initiative for West Africa
PWDs	-	Persons with Disabilities
RSLAF	-	Republic of Sierra Leone Armed Forces
SLAJ	-	Sierra Leone Association of Journalists
SLP	-	Sierra Leone Police
SLPP	-	Sierra Leone Peoples' Party
SOHR	-	State of Human Rights Report
TRC	-	Truth and Reconciliation Commission of Sierra Leone



UNFPA	-	United Nations Population Fund
UDHR	-	Universal Declaration of Human Rights
UNDP	-	United Nations Development Programme
UNIPSIL	-	United Nations Integrated Peace-Building Office in Sierra Leone
UN-PBF	-	United Nations Peace Building Fund
UPR	-	Universal Periodic Review
WIA	-	Wounded in Action



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Executive Summary

Sections 24 (1) and 7(g) of the HRCSL Act No.9 of 2004 makes the publication of an annual SOHR Report mandatory. The Commission, in adherence to this mandate, publishes its fifth annual SOHR Report.

Part I gives a synopsis of the historical background of Sierra Leone, the civil war and the post-war recovery and peace consolidation processes. It also highlights the expiration of the term of the first set of Commissioners and the Commission's Mission, Vision, Core Values and statutory mandate.

Part II presents the Commission's institutional capacity strengthening and staff development efforts during the period under review particularly the Directorate of Monitoring and Research, in a bid to strengthen its monitoring and reporting functions. It also outlines the Commission's efforts to exercise its quasi judicial function, which culminated in the holding of the first Public Hearing. This section discusses the activities of the Commission and how its operations were sustained. The work of the Commission in support of GoSL on the preparatory stages that led to Sierra Leone's review by the Human Rights Council and the holding of a National Consultative Conference on the implementation of the UPR recommendations, in partnership with UNIPSIL and GoSL is also highlighted.

This section also highlights the Commission's efforts in staff capacity building and institutional strengthening, and catalogues the Commission's work on gender issues, especially those on sexual and reproductive health rights and gender based violence, with support from UNFPA and OSI/IWP

The Commission's activities as de-facto Follow-up Committee to the TRC, its engagements during its nationwide dissemination of SOHR Report 2010, and strategic interactions with government, development partners, the media and other relevant stakeholders are also reported. Activities commemorating the International Human Rights Day and African Human Rights Day are also reported. The strides made by the Commission to equip its libraries and documentation centers and strengthen its resource mobilization capability as well as its financial status are also highlighted.

Part III

This section highlights the human rights situation in the country for the period under review and how they were observed or violated.

Government's efforts in ensuring that the enjoyment of these rights as well as instances where state



actors and duty bearers violated and/or failed to uphold these rights as guaranteed by domestic, regional and international human rights instruments to which Sierra Leone is a party, are highlighted. The Commission's advocacy around Civil and Political Rights and Economic, Social and Cultural Rights are also catalogued.

Specific issues of human rights concerns that include the retention of the death penalty, excessive use of force by the police on unarmed civilians and arbitrary arrests, prolonged trial, over detention, and poor prison conditions are highlighted. Threats to Freedom of Expression evident by the use of force on journalists by presidential guards and arbitrary detentions of members of the fourth estate are also noted in this section. This section also covers freedom of religion, movement and association and underlines the challenges citizens face to fully enjoy these fundamental human rights.

The enjoyment of ESCRs under which the right to quality health care, basic education and food falls, is also an area of concern. However, it is noted in this section that with the introduction of the Free Health Care (FHC) Policy, there was a decrease in maternal and infant mortality rates. The challenges of the implementation of the FHC are also discussed. Forced initiation, an emerging human rights issue, is also mentioned.

The spate of political violence especially the clashes between SLPP and APC members and supporters that led to the imposition of a blanket ban on all political activities by the SLP is also catalogued. Perennial issues including the delay in the administration of justice in the formal court system, lack of resident Magistrates in some districts, over-detention of remand prisoners and problems in the juvenile justice system are also noted. Issues relating to the adverse impacts of extractive mining on affected communities are mentioned in this section.

Key Challenges and Recommendations

The Commission notes with concern the continued problems in the justice sector. Infrequent court sittings, delayed trials especially for remand prisoners and the placement of juveniles in adult cells continue to rise. Problems in the administration and dispensation of justice are also highlighted last year and this persistent trend infringes on several civil liberties of citizens especially their right to fair trial within a reasonable period of time.

Political intolerance and violence continued to pose a threat to peace and security in the country. HRCSL observed the use of excessive force by the SLP to enforce law and order during political violence. The Commission was however concerned about the blanket ban imposed on all political



activities by the SLP, as it violated the rights to freedom of assembly and association. The Commission urges Government to ensure that citizens enjoy their civil liberties, more especially their civil and political rights as enshrined in national law and international human rights instruments. The Commission also reminds law enforcement agents of their duty to respect human rights as they execute their duties.

HRCSL notes the delay in enacting the law to promote Gender Equality (30% Quota). HRCSL also acknowledges some progress made in the campaign against FGC despite significant challenges. Forced initiation, early marriage and gender based violence continue to be a challenge.

As Freedom of Expression and Freedom of Information are basic tenets of democracy and human rights, the Commission is concerned about the continued delay in enacting the Freedom of Information Bill and the repeal of the Criminal and Seditious Libel provisions in the 1965 Public Order Act.

Strengthening the Commission's institutional and staff capacities continue to be a challenge. The Commission's mandate is broad and inadequate funding from Government to implement its mandate continues to be a challenge. The Commission calls on government to adhere to the Paris Principles and adequately resource and fully support its National Human Rights Institution (NHRI), especially when HRCSL is now an "A" Status NHRI.

The Commission also calls on Government to implement the UPR recommendations. As Sierra Leone has several outstanding treaty body reports to submit, HRCSL pledges its full support in assisting government to uphold its human rights credential by submitting its initial and consolidated report to the African Charter on Human and Peoples' Rights (ACHPR) and outstanding reports on the ICCPR and CAT



Chairperson's Foreword

The State of Human Rights Report of Sierra Leone 2011 is the fifth to be published by the Commission since its establishment in 2004. It is also the third and the last to be published under my leadership as Chairperson of the Commission.

This edition is significant as it covers the expiration of the first term of the first set of Commissioners who took up office in 2006. These Commissioners selflessly nurtured the Commission from its embryonic stage as a National Human Rights Institution (NHRI), to its accreditation in 2011 with a “Grade A” status, under the Paris Principles, by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) in the National Institutions and Regional Mechanisms Section of the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Geneva, Switzerland.

This report also comes after the successful review of Sierra Leone for the first time in September 2009 at the Universal Periodic Review (UPR) at the UN Human Rights Council where the Commission and civil society were represented. The support provided to GoSL by the Commission from the preparatory to the concluding stages of the exercise was immense. This culminated to a National Consultative Conference on the implementation of the recommendations, organised by the Commission in partnership with UNIPSIL and GoSL, in a bid to move the process forward in preparation for the next review in 2016.

The UPR, which is conducted after every five years, is an international human rights monitoring mechanism under the special procedures of the UN. Apart from presenting a comprehensive human rights status report of the country with strategic recommendations, it gives Sierra Leone a unique opportunity to advance its agenda in the promotion and protection of human rights.

As Sierra Leone has several outstanding treaty body reports to submit and other international human rights obligations to fulfill, HRCSL has demonstrated high level of commitment to providing the needed technical support to Government in honouring those obligations.

The year 2011, like every other year in the life of the Commission since it started operations in 2006, was both challenging and promising. A number of institutional capacity strengthening and staff development efforts were undertaken which are outlined herein, including a comprehensive review of the three-year Strategic Plan which expired in 2011.

To strengthen the monitoring, reporting, public education and capacity enhancement efforts the



Commission, two Directors were recruited in June and October respectively for the Directorates of Monitoring and Research (DM&R) and that of Education, Communication and Training (DECT). The National and Regional Libraries and Documentation Centres were also reasonably equipped with computers and accessories and storage and resource materials.

Moreover, for the first time HRCSL held its first public hearing in respect of a complaint of discrimination from ex-servicemen of the Republic of Sierra Leone Armed Forces against their former employers, and a number of conciliation including one between aggrieved employees of the Bo Kenema Power Services and Presidential bodyguards.

As a de-facto Follow-up Committee to the TRC, HRCSL signed an MOU with the Special Court for Sierra Leone (SCSL) to temporarily house the TRC archives which have been in the custody of the Commission since its establishment, pending the establishment of a Peace Museum where they will be eventually preserved for posterity.

Our resource mobilization capacity was also strengthened through the development of a Resource Mobilization Strategy which has proved to be invaluable to the Commission.

Profound thanks and appreciation is extended to my colleague Commissioners, the Executive Secretary and Staff whose passion for service and commitment to the mandate of the Commission led to the successes registered, especially our acquisition of an “A” status at the ICC.

We are also grateful to Government which provided an office space for us at the new National Electoral Commission Building at Tower Hill and continues to support our operations, and to our local and international partners and other relevant stakeholders including the media, for their cooperation and support during the year under review. We hope that our relationship with them will be strengthened even further.

With so many outstanding issues to address in earlier annual reports of the Commission, and the TRC and UPR recommendations among others, some of which await legislative processes, the task ahead of Sierra Leone in the promotion and protection of human rights clearly remains daunting. It is therefore my fervent hope that the solid foundation built under my stewardship will continue to be sustained by my successor and his/her team, especially as we enter into a crucial national elections year.

The Commission was concerned about the blanket ban imposed on political rallies and public meetings by the Sierra Leone Police (SLP) in September which disproportionately limited the



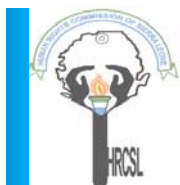
exercise of freedom of assembly and expression, the delay in the repeal of the 1965 Public Order Act and in the promulgation of the Right to Access Information Bill which was introduced in Parliament over one year ago, and the retention of the death penalty in our law books, among others. Government must ensure that the police remain politically independent and that citizens have the liberty to enjoy their fundamental and democratic rights without hindrance.

A special appeal is also extended to Government to fully implement the recommendations contained herein some of which are outstanding backlogs from previous reports. And also to adhere to a core provision of the Paris Principles to adequately resource and fully support the work of the Commission as a means of consolidating its gains and strengthening its institutional and personnel capacity, which had continued to pose a serious challenge due mainly to inadequate funding and the late/irregular payment of quarterly subventions.

With a heavy heart, let me take this opportunity to bid farewell to the Commission, following the expiration of our first five-year mandate and the decision by the President, Dr. Ernest Bai Koroma, not to renew the mandate of two of my colleague Commissioners in the persons of Yasmin Jusu-Sheriff, Joseph F. Stanley and myself, despite the huge successes registered during our tenure.

I wish my successor, my colleague Commissioners who were reappointed, the Executive Secretary and the entire staff well.

Edward Sam
Chairperson (2009-2011)



Executive Secretary's Review



The year under review saw the Commission growing from strength to strength. It is heart warming that the zeal to increase on its past activities resulted in the granting of "A" status accreditation to the Commission by the International Coordinating Committee (ICC) of the Human Rights Council. This is no mean achievement for a Commission that became operational in 2006.

Other notable activities where major achievements have been recorded include the support to Government to go through the Universal Periodic Review Process successfully and the holding of the Commission's first public hearing as parts of its mandate - to investigate and inquire into complaints of Human Rights violations.

The Commission, in collaboration with both local and international partners, undertook a number of innovative projects such as the Sexual and Reproductive Health Rights Project with UNFPA and the grant from OSI to increase women's access to justice through the provision of legal aid and to influence the review of the implementation of laws and policies on women's rights by undertaking research and evidence-based advocacy. The Commission also continues to work with the Human Rights Section of UNIPSIL and is currently implementing the PBF II Project Support for the implementation of the eight goals in our 2009 – 2011 Strategic Plan.

The Regional Offices established in 2009 are now well grounded with our services, reaching out to the citizens in the regions at a very fast rate. A testimony of the strength and successes of the regional operations is the award of a certificate of recognition to the Regional Officer, Southern Region by the Bo District Descendant Association for the outstanding work of the Commission in that Region. The Commission is working towards increasing its regional outreach to District and Chiefdom levels in order to cater for all the geo-political zones of the country.

In the area of staff welfare and capacity development, a number of staff benefitted from training programmes not only in human rights arena, but also in areas such as resource mobilization all in a bid to enhance our institutional capacity.

The year was also marked by the end of the five-year term of the first set of Commissioners. I hope that the incoming Commissioners would continue to build on the strong foundations laid by their predecessors so that the Commission would remain the premier institution it is for the promotion and protection of human rights in Sierra Leone

Thank you.

Francess Alghali (Mrs)

Executive Secretary



Commissioners

Edward Sam – Chair



Edward Sam was a former Commissioner in the now separated National Commission for Democracy and Human Rights (NCDHR) in Sierra Leone where he was focal person for human rights, civil society and media relations. He coordinated the Committee on Women and Children that addressed issues affecting women. He is a holder of a Master of Arts degree in Adult Education from the University of Ghana and a Diploma in Transitional Justice from the Institute for Justice and Reconciliation in Cape Town, South Africa. He has

undertaken courses, both local and international, including in Human Rights and Conflict Managements at Hidding Campus, University of Cape Town. A former intern at the Centre for Conflict Resolution, Cape Town, Edward has vast experience in human rights, transitional justice and conflict management.

As a trainer, Edward has organized and facilitated local and international workshops in human rights and conflict management, in the process conducting awareness raising programmes on various international and regional human rights instruments. In 2007, he joined Sierra Leone's delegation in presenting CRC report to the Child Rights Committee in Geneva. He was very instrumental in providing technical assistance to the government of Sierra Leone to report on the Universal Periodic Review on May 11, 2011.

Edward has contributed to the production of a number of publications on human rights including a Child Rights manual. He was strategic in forging links with civil society, and international and local NGOs including the UN System.

Yasmin Jusu -Sheriff – Vice Chair



Recognized as a human rights and gender activist, Yasmin Jusu-Sheriff is a lawyer and human rights advocate with post graduate degree in Human Rights Law from London University, U.K. Her experience cuts across both national and regional initiatives geared towards promoting fundamental freedoms and gender equality. Her contribution to peace building and women's empowerment include service as Executive Secretary, Truth and Reconciliation Commission of Sierra Leone, Sub-regional President and

head of Sierra Leone Chapter, Mano River Women's Peace Network (MARWOPNET) and Coordinator, Network for the Promotion of African Principles of Conflict Resolution and Reconciliation (REPARCOR). She brought to the HRCSL strong organizing and facilitation skills as well as a deep knowledge of national and international human rights and gender issues.

Jamesina King – Commissioner



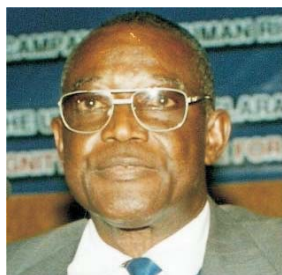
Jamesina King is a lawyer with a post graduate degree from Georgetown University Law Centre, Washington D.C. and a certificate in "Implementing Human Rights Conventions" from Nottingham University School of Law, U.K. She is a LAWA Fellow and past president of Legal Access through Women Yearning for Equality Rights and Social Justice (LAWYERS) - an organisation of female lawyers in Sierra Leone dedicated to enhancing women's access to justice. She was the first Chair of HRCSL, and served in that capacity for 2 years.

Joseph F. Stanley – Commissioner



Joseph Stanley is a lawyer and holds a Master of Arts Degree from the University of Exeter, UK. He is a retired Inspector General of the Sierra Leone Police. He also worked for several years as volunteer advice worker at the Citizens Advice Bureau in the UK where, after several training courses and conferences on human rights, he was transformed into an ardent human rights advocate. He has a wealth of experience gained in assisting and enabling people of all classes and ages to sort out a variety of problems endemic to those who are aged, unemployed, disadvantaged and poor. This experience, in addition to that gained in the police service, makes him an invaluable member of the HRCSL.

Rev. Moses Khanu - Commissioner



Moses Khanu is a cleric of the Baptist Convention. He holds Post Graduate Diplomas from the Academy of Missions, Hamburg, Germany and the Ecumenical Institute, Geneva. He holds a Master of Theology (M. Th.) from Fourah Bay College, and a Master of Education (M. Ed) in Guidance and Counselling, from Njala University.

His illustrious career which spans over 30 years has taken him to the presidency of both the Council of Churches in Sierra Leone (CCSL), from 1992-1999 and the Evangelical Fellowship of Sierra Leone (EFSL), from Sept 2002 - Sept 2005, the General Secretary of the Baptist Convention in Sierra Leone (1991-1999), and Co-Chairman of the Inter-Religious Council of Sierra Leone (1997-1999). He has brought to the HRCSL his skills in mediation, having participated in the Lomé Peace negotiations, and an in-depth knowledge of the diverse religions in Sierra Leone which are required capacities to foster reconciliation, inter-faith dialogue and co-operation.



Part 1: Background and Historical Context

1.1 Context

The Republic of Sierra Leone is located in West Africa. It is bordered by Guinea to the north and east, Liberia to the southeast, and the Atlantic Ocean to the west and southwest. Sierra Leone is divided into four regions for administrative purposes, namely east, west, south and north. The Western Area is sub-divided into Western Area Urban and Rural, while the provinces, comprising the three other regions, are sub-divided into twelve districts.

According to the report of the last National Census held in 2004, the country has a population of 5,696,871 (with an annual growth rate of 1.8). Sierra Leone comprises eighteen ethnic groups, each with its own language and custom. The Mende and Temne are the two largest ethnic groups and spoken widely in the country. The Mendes are predominantly found in the South-Eastern region of the country, while the Temne occupy the North. English is however the official language and Krio, the lingua franca, which is spoken nationwide. Other languages spoken include Limba, Kono, Koranko, Loko, Yalunka, Shebro, Madingo, Fullah, Krim, Vai, Susu, Kru and Kissi.

Sierra Leone has two major religions, Christianity and Islam and enjoys a high level of religious tolerance. There are also traditional religious practices and beliefs. The country has very rich mineral resources particularly diamonds, iron ore, bauxite and rutile.

Sierra Leone experienced a civil war from 1991-2002 that was characterized by massive destruction of lives and property and gross violation of human rights. During the war, an estimated 50,000 people were killed, and over one million displaced or forced to leave their homes or the country. Following the unprecedented brutality of the war, there was clear justification to build a human rights culture in the country. HRCSL was established as provided for in the Lomé Peace Agreement of 1999, and in the recommendations of the 2004 Truth and Reconciliation Commission (TRC) Report.

The Commission was established by an Act of Parliament in 2004 (Act No. 9), to protect and promote human rights throughout Sierra Leone. It is a National Human Rights Institution that fulfills the standards set by the UN Paris Principles governing such institutions. In 2011, the HRCSL was accredited a “Grade A” status by the UN International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) in Geneva.

Sierra Leone is a member state of the Mano River Union (MRU), Economic Community of West African States (ECOWAS), African Union and United Nations, among others. In 2011, Sierra Leone was selected as one of the three pilot countries implementing the 2011 Accra Principles on Electoral Justice and among the 10 pilot countries for the UN Secretary General's Initiative to support the 2015 Millennium Development Goals (MDGs) commitment in Africa.

The first five-year term of the first set of five Commissioners, appointed by the President in 2006 and approved by Parliament as specified by the Act, ended on December 9, 2011. Two were reappointed



by the President for a final second term and the recruitment process for the remaining three Commissioners is ongoing.

As required by law, the Commission is mandated to submit an annual report of its work to the President and the Parliament, entitled “The State of Human Rights in Sierra Leone”, detailing the ways in which the fundamental rights and freedoms contained in the Constitution, and in International and Regional Agreements to which Sierra Leone is a state party, have been observed or violated. It should also contain the steps taken by the HRCSL to promote and protect human rights, including results of individual complaints investigated, interventions and recommendations made by the HRCSL, hence this report, the fifth in a row.

1.2 Vision, Mission and Core Values of HRCSL

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

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

Core Values

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

Professionalism encompassing discipline, competence, dependability, integrity, expertise, team spirit, and tactfulness

Service with humility

Independence including fairness, objectivity, impartiality

Inclusiveness ensuring diversity

Accessibility covering empathy, tolerance, understanding

Accountability embracing honesty

Collaboration



1.3 Mandate of the HRCSL

Section 7 of the Human Rights Commission Act of 2004 stipulates that the main objective for the establishment of the HRCSL is to promote and protect human rights in Sierra Leone, and states the following as the functions of the Commission:

- Investigate or inquire into complaints of human rights violations.
- Promote respect for human rights through public awareness & education programmes.
- Publish guidelines, manuals & 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 & 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

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.

Jurisdiction

Under Sections 1 and 7 of the Act, the HRCSL has the mandate to address all rights guaranteed by the Constitution, or embodied in all international agreements to which Sierra Leone is a party. 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.

Relationship with the Courts

The HRCSL is not a substitute for the courts. It can refer to the High Court for contempt any person who refuses, without justifiable cause, to comply with a decision, direction, or order within a specified time. Any person aggrieved by any decision of the HRCSL may appeal to the Supreme Court. The HRCSL has power to intervene in legal proceedings involving any human rights issue by issuing amicus curiae briefs.

Part 2: ACTIVITIES OF HRCSL

2.1 Review of Engagements on the 2010 SOHR Report

In keeping with one of its functions stated in Sections 7(g) and 24(1), the Commission published its fourth successive report in 2010. The report was disseminated to the public through various media activities and events including workshops, public lectures and radio programmes.



Commissioners Launching the SOHR 2010 Report at HRCSL Headquarters Freetown

In a bid to widen its target audience, the Commission moved away from dissemination in the regional and district headquarters towns, to local communities. A two-day workshop was conducted in rural towns in all 12 districts of the country and Western Area.

The objectives of the engagement were:

- To ensure that the report reached the wider population of the country and engage and inform representatives of Government Ministries, Departments and Agencies (MDAs) and CSOs on the recommendations made to their respective institutions
- To develop strategies for effective implementation and follow-ups on the implementation of the recommendations, in collaboration with partners (DHRCs) and other stakeholders
- To follow up on the status of the implementation of the 2009 recommendations made to the MDAs and other institutions.
- To popularize the UPR Recommendations on Sierra Leone.
- To conduct awareness-raising on the rights of women, children, Persons with Disabilities and framework for HRCSL Strategic Plan 2012-2014



Methodology

- A two day workshop/engagement was organized in each of the 12 local communities selected for the dissemination exercise.
- The teams met with and discussed and presented copies of the report to Local Unit Commanders of the SLP in some of the district headquarter towns.
- Public lectures were held in secondary schools in the local communities
- Radio discussion programmes were conducted in krio, at community radio stations in the evenings



Radio discussion on SOHR Report and recommendations at Radio MoDCA, Moyamba

The workshops began with opening ceremonies chaired by councilors from the respective wards and welcome addresses by the Paramount Chiefs or their chosen representatives.

The expectations of participants included:

- To enable participants to talk openly about human rights
- To know our rights and responsibilities
- To know the issues involved in the promotion and protection of the rights of PWDs
- To equip law enforcement agencies on human rights
- To empower participants to explain to the community people what they have learnt
- Equip CSOs to effectively engage duty bearers on right issues
- To know how to seek justice for detainees,

Presentations on various topics were made by members of the HRCSL dissemination teams and participants were drawn from various sectors of the district – MDA, CSOs, Security Forces, NGOs, farmers, bike riders', 'Ataya Base' Members, religious associations, educationists and the general community. The sessions were interactive and actions points for implementation of the recommendations of the report as well as monitoring of their implementation were developed.

Continued advocacy by CSOs was one of the strategies proposed for ensuring successful



implementation of the recommendations. Other action points developed for monitoring the implementation included regular visits to various institutions like police stations, prisons and chiefdom lock-ups, peripheral health units and mining sites. The sessions were also used to gather information for the 2011 SOHR Report.

Interactive radio discussion programmes were held at radio stations in the districts, which provided the opportunity for listeners to participate actively through phoning and SMS to make comments, give suggestions and ask questions. The report was published on HRCSL's website and other social networks.

HRCSL teams held public lectures at various secondary schools and tertiary institutions in the areas visited during the morning or afternoon devotion period.

The expected outcomes of the engagement were:

- The contents of the SOHR Report popularized at grassroot level
- Strategies for the implementation of the SOHRR recommendations developed
- Plan of action by DHRCs and CSOs to monitor the implementation of the recommendations developed
- Recommendations in the SOHR Report implemented

The Commission hopes to achieve these by organizing at least one follow-up meeting of the engagement to assess progress on the implementation and other action points.

EVALUATION

The overall evaluation of the engagement by participants was that they were educative, interactive and very useful to their work. They indicated that their expectations of the engagement were met to a reasonable extent. They however encouraged the Commission to be producing its report in time and comprehensively follow up its recommendations.



Dissemination of SOHR 2010 - Matrix of personnel and towns in districts covered

Team 1	Team 2	Team 3	Team 4	Team 5	Team 6
Commissioner Sam	Commissioner Jusu- Sherriff	Commissioner Khanu	Commissioner Stanley / DES	Commissioner King	Executive Secretary
James Turay	A. Yollah Bangura	Cyphas Williams	Sylvester Kallon	Richard Mbayo James Turay	Tom Sandi
*Josephine Thompson-Shaw	*Ansumana Fabundeh	*Lucian Caulker	*Patricia Ndanema	*Mohamed Tiamieu Fofanah	*Patrick Taylor
Ishmeal Bayoh	Kalie Sillah	Augustine Sahr Musa	Hassan Yarjah	Bankole Morgan	Mustapha M.K. Sesay
Sonnika Kabba	Clariss Karim	Paul Moriba	Henry Sheku	Samuella Conteh	Annisatu Sesay
Driver	Driver	Driver	John Fuller- IT	Driver	Frederick Kamara
*Team leaders					
Towns in districts visited					
BINKOLO <u>Bombali</u> 23 RD - 26 TH OCTOBER	LUNGI <u>Port Loko</u> 16 TH - 19 TH OCTOBER	NJALA <u>Moyamba</u> 16 TH - 19 TH OCTOBER	BLAMA <u>Kenema</u> 16 TH - 19 TH OCTOBER	JAIMA NIMIKORO <u>Kono</u> 23 RD - 26 TH OCTOBER	JIMMI BAGBO <u>Bo</u> 23 RD - 26 TH OCTOBER
FERENDUGU <u>Koinadugu</u> 13 TH - 17 TH NOVEMBER	ROKUPR <u>Kambia</u> 30 TH OCTOBER – 3 RD NOVEMBER	IMPERI <u>Bonthe</u> 30 TH OCTOBER – 3 RD NOVEMBER	DARU <u>Kailahun</u> 30 TH OCTOBER – 3 RD NOVEMBER	MILE 91 <u>Tonkolili</u> 9 TH - 12 TH November	ZIMMI <u>Pujehun</u> 13 TH - 17 TH NOVEMBER
Western Area					
WELLINGTON <u>Urban District</u> 22 nd -23 rd NOVEMBER			REGENT VILLAGE <u>Rural District</u> 27 th – 28 th OCTOBER		

2.2 Institutional Capacity Building

Sustaining the operations of the Commission in the face of serious resource constraints was as challenging in 2011 as it was in preceding years. The Paris Principle obliges the Government to adequately resource and support the Commission, being the NHRI. Unfortunately, Government's subvention to the Commission though appreciable, remains insufficient.



To be able to effectively implement its wide range of activities, the Commission sourced funding from other partners to develop a resource mobilization strategy. As a result, the Commission approached the Irish Human Rights Commission (IHRC) to support its institutional and staff capacity strengthening endeavors. In November 2011, the Commission benefited from a capacity assessment engagement, in which a diagnosis of the HRCSL's institutional capacity strengths and weaknesses were catalogued and recommendations for improvement made.

The Commission at the expiration of the UN-PBF1 sourced additional funding from UN-PBF which approved a second grant of \$ 200,000 (UN-PBF II). The first tranche totaling \$ 101,000 was disbursed to enhance the Commission's capacity to complete outstanding activities in its strategic plan. These funds were used to assist with relocation exercise from the previous premises of the Commission at Wellington Street to Tower Hill, improve the IT infrastructure, help operationalize the newly established Directorate of Monitoring and Research, and overhaul the operations and effectiveness of the regional offices, amongst others.

Through the Open Society Initiative (OSI) and UNFPA grants, the Commission's Womens and Children's Unit was able to engage in the promotion of women's rights, especially as they relate to the fight against Gender Based Violence (GBV), age of consent and the promotion of reproductive health rights.

The Commission sought opportunities to upgrade its staff capacity to deal with emerging human rights challenges in the extractive industries. It embraced the idea of training in business and human rights advanced by Gesellschaft für Internationale Zusammenarbeit (GIZ). In mid-September, two experts in Business and Human Rights were sent by DIHR to train a cross section of HRCSL staff in implementing NHRI Mandate on Business and Human Rights. Other training programmes geared towards strengthening the capacity of staff were held.

HRCSL prioritized the establishment and operationalisation of the Directorate of Monitoring and Research and the filling of the vacant post of Director of Education, Communication and Training (DECT), both of which were achieved.

The Commission's operations were also supported by development partners including UN Agencies and the Human Rights Working Group (HRWG). This forum facilitated the attendance of Commissioners to the UPR and made it possible for the IHRD, AHRD and IDD to be celebrated by the commission.



In March, the Commission also benefited from a Public Lecture on Criminal Justice delivered by a visiting Professor to the Faculty of Social Sciences and Law, Department of Law, University of Sierra Leone, Thomas Reed, formerly of the University of Kentucky.

In the same month, a renowned disability expert, Dr. Tsitsi Chataika, from the Stellenbosch University's Center for Rehabilitation Studies in South Africa, collaborated with the Commission on deepening the knowledge of staff on disability issues and delivered an in-house training on understanding the basic principles in disability mainstreaming.

The position of Director of Complaints, Investigations and Legal Services (DCILS) remains vacant, impacting on the effective and efficient operations of the Directorate.

As a stop gap measure, two investigators were contracted to support the investigation department. The services of an Institutional Development Advisor (IDA) was also procured to provide leadership, in the directorate. The consultant was hired to review HRCSL's expiring strategic plan, and develop a new strategic plan which will include performance bench marking and management tools geared towards improving staff and institutional performance.

The Commission also reviewed the 2009-2011 Strategic Plan and developed a work plan to complete outstanding activities

Capacity Building

INTERNATIONAL TRAININGS

No	Staff	Type of Seminar/Workshop/Training	Country	Duration
1	Raymond Katta & Eburn Thorpe	Project Proposal Formulation and Grants Management Training	Ghana	15 th February - 20 February
2	Raymond Katta	Commonwealth Forum for National Human Rights Institutions Meeting	England	13 th May - 15 th May
3	Sonnika Kabba & Franciss Alghali	Training programme in Human Rights for Representatives from National Human Rights Institutions in Africa	Ghana	29 th May - 9 th June
4	Bankole C.E. Morgan	Training on the Socio-Economic Impacts of Pretrial Detention	Ghana	15 th June - 16 th June,
5	Josephine Thompson-Shaw	Whose Memories Count and at What Cost	Uganda	18 th November - 27 th November
6	Mustapha M.K Sesay	Regional Conference on Justice Impunity and Human Right in West Africa	Mali	2 nd -December - 5 th December



2.3 HRCSL's Finances

The Commission's accounts and financial statement for the year ended 2010 was audited and a very favorable report on the management of its accounts has been produced. The final accounts for 2011, has been submitted to the Audit Service Commission.

During the period under review, GoSL provided budgetary support towards the Commission's participation in the UPR process.

The Commission also received, for the first time, programme support from UNFPA, geared towards the promotion and protection of social and cultural rights of women and girls, focusing on women's reproductive health rights and the age of consent for FGC for girls.

HRCSL received from PBF2 the first installment of \$100,000 towards the implementation of the 2009-2011 Strategic Plan.

The Commission also benefitted from the funds from OSI/International Women's Programme (IWP) for the first time. The programme is geared towards promoting women's rights in accessing justice in Sierra Leone.

Irish Aid continues to support the work of the Commission; funds provided were used among other things to recruit two consultants who provided technical advice to the Commission on resource mobilization strategies. The final activities of the project under the Irish Aid support were concluded in June and the narrative and financial reports have been submitted.

2.4 Staff Issues

Through the application of effective staff retention strategies and sustained efforts by the Secretariat to address a number of issues that culminated in the high staff turnover of the preceding years, the staff turnover rate in 2011 was reduced to a negligible level. One member of staff was terminated and two resigned their positions. Two directors were recruited for the Directorates of Monitoring and Research, and that of Education, Communication and Training in June and September respectively. The position of Receptionist and Research and Documentation Officer were also established and filled to augment the Commission's staff strength.

2.5 Regionalization

For the overall institutional capacity of the Commission to be holistic, the capacities of the regional offices required strengthening. In this regard, regional staff members participated in various capacity



enhancement training on Human Rights Monitoring and Reporting, Business and Human Rights and Sexual and Reproductive Health Rights. The Secretariat continued to provide oversight responsibility and technical support to the regional offices. However, financial challenge and inadequate staffing continued to impact on the implementation on the regionalization process as envisaged.

2.6 Review of Draft Legislation

The Commission was also part of the stakeholder group invited by Adam Smith International, the World Bank Technical Team on the Extractive Industry to review and fine tune the Draft Mining Technical Operating Regulations due to be presented to Cabinet.

2.7 Monitoring Activities

In accordance with Section 7 (2) (f) of the HRCSL Act which states that it shall be the function of the Commission to monitor and document violations of human rights in Sierra Leone, HRCSL embarked on a nationwide prison monitoring exercise.

The implementation of the Free Health Care Policy was also monitored in various communities in the twelve districts and the Western Area.

The Commission also undertook a joint regional pre-testing exercise in November 2011, of the draft human rights monitoring tools proposed by the Human Rights Section of UNIPSIL for the Directorate of Monitoring and Research. As part of this joint technical venture, the team conducted monitoring visits to the Magburaka, Makeni and Kenema prisons in Tonkolili, Bombali and Kenema Districts respectively; the Bo and Magburaka Police Stations; the Bo Kakua Local Courts Numbers 1 and 2 lockup cells and the Makeni and Kenema Government Hospitals.

2.8 Public Education

2.8.1 Launch Of Maiden Newsletter

HRCSL on Friday 25th February, 2011 launched the maiden edition of its newsletter at a press conference at the Commission's conference room, as part of the Commission's public education activities. The Newsletter provides another avenue to inform the public about the activities and programmes of the Commission, and also increase awareness on human right issues. Two editions were produced. A blog of the Newsletter www.hrcslnewsletter.blogspot.com was also created by the DECT to reach out to HRCSL's international partners and audience.

2.8.2 Media Relations

HRCSL held several radio and television programmes across the country. During the celebrations marking International Human Rights Day 2011, the Commission formally re-launched its upgraded website www.hrcsl.org to the public. The website is linked to the Commission's Facebook (Human Rights Commission of Sierra Leone), Twitter @HRCommissionSL and web blog www.hrcslnewsletter.blogspot.com (E-Newsletter). All these pages are interactive and make provision for discussion of not only activities of the Commission, but also issues dealing with human rights in the country. A number of Press Conferences were also held and press releases issued on political violence in Kono and Bo Districts, the attack on police officers at Fisher Street in Freetown and on the 'A' Status accredited to the Commission.

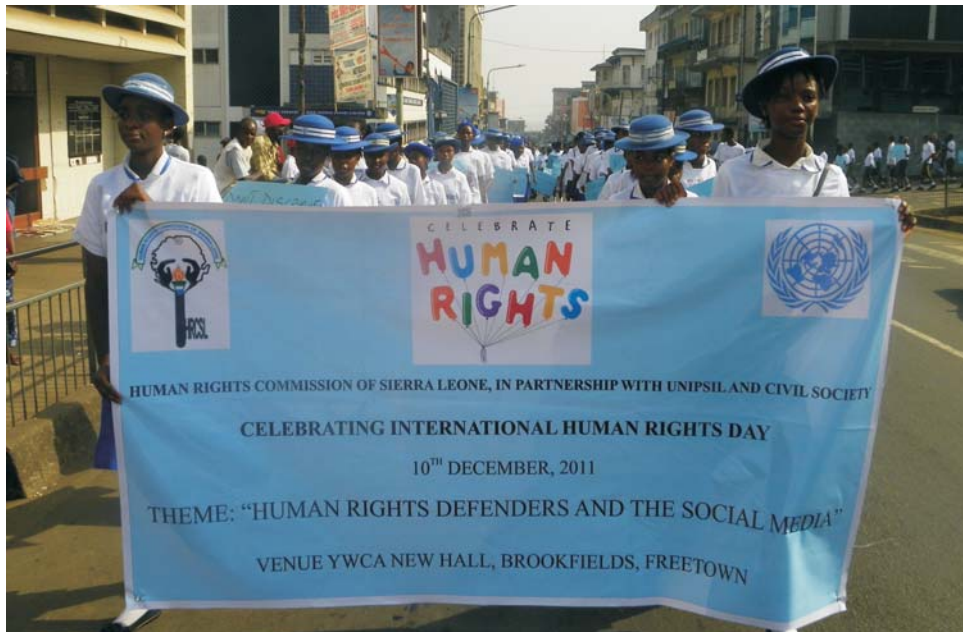
2.8.3 Celebration of African Human Rights Day

The celebration of the African Human Rights Day on 21st October 2011 is gradually becoming a tradition for HRCSL. The activities included radio and television programmes. The discussions were centred around the contents and unique nature of the African Charter on Human and Peoples' Rights.

2.8.4 Celebration Of International Human Rights Day - 10th December



10th December is recognized as International Human Rights Day - the day on which the Universal Declaration of Human Rights was adopted. HRCSL collaborated with UNIPSIL, Civil Society and the Human Rights Working Group to commemorate the day in all four regions of the country. The



March past through the streets of Freetown to celebrate International Human Rights Day

global theme of the celebration, “human rights defenders and the social media” reflected a new trend in which activist and ordinary people around the globe used social media more than ever before to claim their rights and effect change. This year's celebration also coincided with the fifth year of the Commission's operation. March past, thanks-giving services, quiz competition for primary schools, re-launch of the Commission's website and social media networks, as well as the screening of a video documentary highlighting the achievements of the Commission since its inception and awards given to journalists by Journalist for Human Rights formed part of the activities for the celebration. Airtel mobile service Company provided free SMS to popularize it subscribers.



Mrs. Mariama Diarra of UNFPA presenting the keynote address at the YWCA Hall Freetown

2.9 Open Society Initiative/International Women's Programmes (OSI/IWP) Project

The Commission received a grant from the OSI/IWP to undertake activities to promote the rights of women in the country. This support enabled the Commission to develop a gender based strategy, investigate five outstanding complaints of 2010 on alleged violations of women's rights, conducted a survey to map out legal aid clinics, and undertook training on the implementation of Gender Based Advocacy programme for the Promotion and protect of women's rights.

Under this project, the Commission also organised a National Legal Aid Conference on 11th and 12th December, on the theme “**Advancing Legal Aid for Women's Rights**”. The Conference was held at the YWCA Old Hall, Brookfield, Freetown and attracted legal practitioners, para-legal organisations, grassroots women and civil society organisations promoting and protecting women's rights across the country.



Director – NPLA Mrs. Ida Lisk making a statement during the legal aid conference

2.10 Promotion and Protection of the Social and Cultural Rights of Women and Girls in Sierra Leone- UNFPA Project

In January, the Commission also received a grant from UNFPA to implement a project for the promotion and protection of the Social and Cultural Rights of Women and Girls in Sierra Leone. The project is aimed at increasing awareness of communities which included traditional leaders, ‘Soweis’ through community radio programmes and strategic engagements on the age of consent of Female Genital Cutting (FGC) and other sexual and reproductive health rights

The funding enabled HRCSL to organise community consultative conferences for Soweis on the age of consent for FGC on Girls in Kono and Pujehun districts, training soweis on Human Rights and



Sexual and Reproductive Health Rights and GBV prevention in Kono and Pujehun, train HRCSL Commissioners and staff on GBV and how it relates to sexual and reproductive health rights as fundamental human rights.



Com. Jusu Sheriff and Head of Soweis at communiqué signing in Pujehun District

In addition, the Commission signed a communiqué with soweis to abandon the practice of initiating under aged girls (below 18 years).

2.11 Support to the Implementation of the TRC Recommendations

2.11.1 Digitization and Preservation of TRC National Vision Contributions

HRCSL received funding from Irish Aid to digitize and preserve all the artifacts, drawings and picture contributions to the TRC National Vision (now in HRCSL's custody). All contributions and artifacts were digitized and are now in a data base in custody of the Commission. One hundred and nine pictures were framed.

2.11.2 School Tour and Re-launching of the TRC National Vision for Sierra Leone

Goal 8.7 of HRCSL's Strategic Plan is to promote the ideals of the TRC National Vision. The Commission organized a tour of the National Vision to schools in Freetown and Kenema city between March and May. The objectives of the tour were to popularize the National Vision and engender public discussions and debate on its importance and relevance to peace-building and national development. The Vision was re-launched by HRCSL in June through support from Irish Aid.



TRC National Vision School tour- Prince of Wales Secondary School

Vision exhibits were displayed in each of the schools visited. The HRCSL team gave talks and the pupils were given the opportunity to comment on the paintings and make suggestions on how these messages described in the painting could be realised. The Commission plans to continue these tours in 2012.

2.11.3 Transfer and Re-housing of TRC Archives at the Special Court for Sierra Leone

The TRC archives were housed at the FBC. They were formally handed over to HRCSL in 2007. A Consultant was contracted to undertake technical processing of all the documents, significant progress was made but the work was stalled due to challenges not initially considered in the project. The Consultant's contract was terminated in November. All equipment loaned to the Consultant have been returned to the Commission. The Commission decided in November to partner with the Peace Museum Management Team of the Special Court to process and re-house the documents at the Special Court for Sierra Leone, pending the establishment of the proposed Peace Museum where the documents would eventually be archived. Work is in progress and expected to be concluded in June 2012. HRCSL will retain its custodianship of the archives in accordance with the responsibilities conferred on it by the TRC.

2.12 Complaints Handling

One of the core functions of the Commission is the handling of complaints about human rights violations lodged by individuals, institutions or groups. HRCSL received **256** complaints during the year. In accordance with the Complaints, Investigations and Enquiries Rules, 2008, **38** complaints



were considered admissible, whilst **177** were ruled to be inadmissible. **41** were referred to other institutions/agencies for appropriate actions. Those referred were followed up by the Monitoring Directorate as part of their monitoring activities.

Out of the 256 complaints received in 2011, **74** were from the Eastern Region, **23** from North, **33** from South and **126** from Western Area. This breakdown indicates a near double increase in the number of complaints lodged in the East, that is, from **39** in 2010 to **74** in 2011 and a considerable decrease in those lodged in the Western Area from **374** in 2010 to **126** in 2011. The Commission also notes the decrease in complaints received in the South from **57** in 2010 to **33** in the year under review and the marginal increase in the North from **22** in 2010 to **23** in 2011.

Figure1: Pie chart illustrating the number of complaints received by the various regions

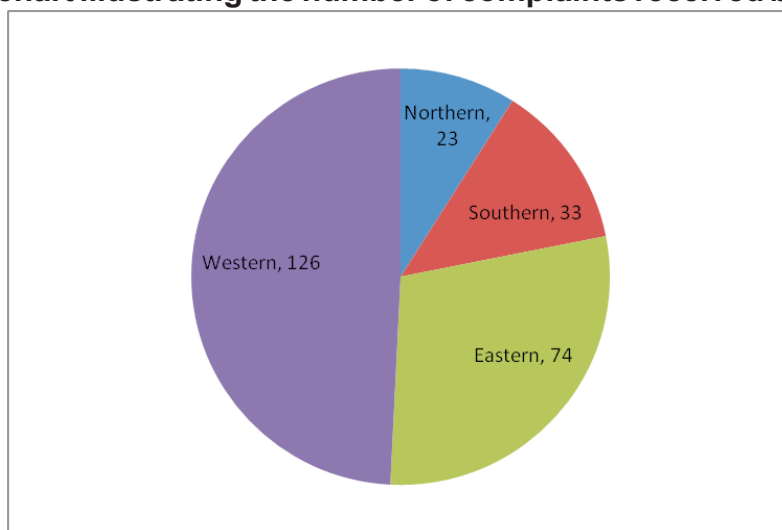


Figure 2: Bar chart illustrating the number of complaints received from 2007 to 2011

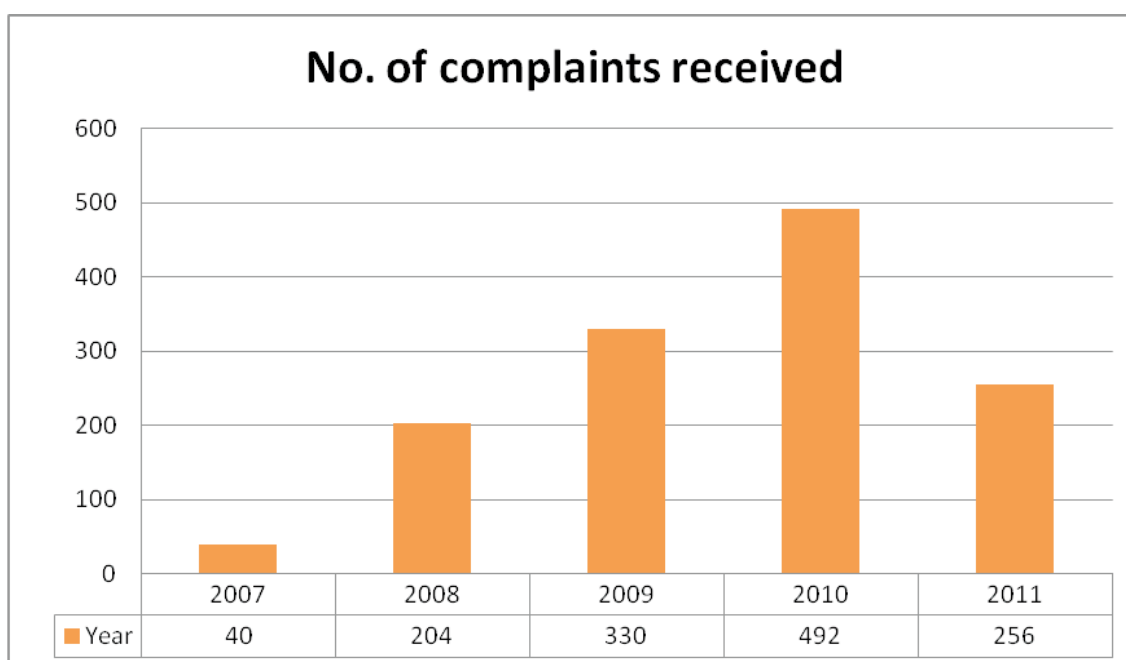




Table 1. 3 Complaints filed against sectors in 2011

No.	Sectors	Eastern Region	Northern Region	Southern Region	West Area	Total	Percentage %
1.	Individuals	22	08	07	51	88	34.4
2.	Sierra Leone Police	17	04	10	23	54	21.1
3.	Other Government Institutions	05	00	02	06	13	5.1
4.	Prisons	02	00	00	01	03	01.2
5.	Private Security Agencies	02	00	00	01	03	01.2
6.	Business, shops, companies etc.	00	02	02	05	09	03.5
7.	Military	00	00	01	06	07	02.7
8.	Judiciary	06	01	00	06	13	05.1
9.	Traditional Leaders	08	06	06	01	21	08.2
10.	Religious Institutions	00	00	00	03	03	01.2
12.	Educational Institutions	02	00	02	04	08	03.1
13.	Local Court	06	01	00	01	08	03.1
14.	District/Town/City Council	00	00	00	01	01	00.4
15.	Public Servants	03	01	03	13	20	07.8
16.	NGOs	00	00	00	02	02	00.8
17.	Secret Societies	01	00	00	00	01	00.4
18.	Others	00	00	00	02	02	00.8
TOTAL		74	23	33	126	256	100

Table 1.3 is a categorization of major respondents in the registered complaints received. The highest numbers of complaints were made against private individuals, with a total of **88**, and the Police **54** respectively. Also, **21** complaints were made against traditional leaders and **20** against public servants respectively. The number of private individual complaints is higher than the other complaints received because there were instances where more than one respondent were accused in a single complaint against one sector or the other. The least number of complaints was registered against the State, City Council and secret societies with a total of one each. During this period, no complaint was received against the Prisons Department, and Religious and Educational Institutions.



Table 1. 4 Comparison of complaints registered in 2007, 2008, 2009, 2010 and 2011

No.	Violations / Abuse	2007	%	2008	%	2009	%	2010	%	2011	%
1.	Crime Related (by individuals)	02	5.0	29	14.2	44	13.3	18	3.7	29	11.3
2.	Personal Liberty	01	2.5	13	6.4	03	0.9	11	2.2	00	0.0
3.	Maintenance Support	00	0.0	08	3.9	16	4.8	08	1.6	12	4.7
4.	Property Related including Land	02	5.0	28	13.7	48	14.5	34	6.9	30	11.7
5.	Judiciary Related	08	20.0	24	11.8	22	6.7	25	5.1	16	6.3
6.	Right to Life	03	7.5	00	0.0	03	0.9	02	0.4	02	0.8
7.	Right to Education	04	10.0	03	1.5	03	0.9	00	0.0	03	1.2
8.	Discrimination	01	2.5	04	1.9	04	1.2	12	2.4	05	1.9
9.	Children's Rights (including neglect and maintenance)	00	0.0	18	8.8	28	8.5	14	2.8	12	4.7
10.	Civil and Political Rights	01	2.5	01	0.5	04	1.2	00	0.0	02	0.8
11.	Shelter	03	7.5	07	3.4	05	1.5	03	0.6	02	0.8
12.	Police Related	01	2.5	11	5.5	38	11.5	19	3.9	44	17.2
13.	Domestic Violence	09	22.5	09	4.4	15	4.5	10	2.0	12	4.7
14.	Matrimonial Dispute	00	0.0	09	4.4	30	9.1	09	1.8	16	6.3
15.	Labour Related	05	12.5	40	9.6	50	15.2	25	5.1	26	10.2
16.	Abuse of Authority by Traditional Leaders	-	-	-	-	13	3.9	12	2.4	11	4.2
17.	Local Court	-	-	-	-	-	-	10	2.0	12	4.6
18.	District/Town/City Councils	-	-	-	-	-	-	05	1.0	01	0.4
19.	Sexual Assault (Rape)	-	-	-	-	-	-	13	2.6	04	1.5
20.	Military	-	-	-	-	-	-	236	48.1	06	2.3
21.	Forceful Initiation	-	-	-	-	-	-	03	0.6	02	0.8
22.	Right to Health	-	-	-	-	-	-	01	0.2	01	0.4
23.	Request for Assistance	-	-	-	-	-	-			03	1.2
24.	Seizure of passport									01	0.4
25.	Denial of Reparation Package									01	0.4
26.	Prison Related									02	0.8
27.	Family Dispute									01	0.4
28.	Others (including NGOs)	-	-	-	-	04	1.2	22	4.5	00	0.0
	TOTAL	40		204		330		492		256	100%

Table 1.4 shows a comparison between the total numbers of complaints received from 2007 to 2011 and the highest and lowest categories of violations, with their respective percentages.

There is a variance in the nature of violations / abuses during 2011 compared to previous years, as indicated in **Table 1.4** above. Most violations reported were police-related and property-related, including land.

Table 1.4 also shows that a total of **30 (11.7%)** complaints were received on property-related issues, whilst crime-related and labour-related cases were **29 (11.3%)** and **26 (10.2%)** respectively.



Table 1 .5 Summary of outcome of complaints received

No.		Category of Complaints Received	Total	Percentage (%)
1.	Number of Complaints Received for 2011 = 256	Complaints Referred	81	37.7
2.		Complaints Mediated and Resolved	21	9.8
3.		Complaints Monitored	23	10.7
4.		Complaints Withdrawn	04	1.7
5.		Complaints Closed for Administrative reasons	32	14.9
6.		Complainants could not be accessed for further information	06	2.8
7.		Complainants request for non immediate action to be taken	09	4.2
8.		Complaints Investigated	17	7.9
9.		Ongoing Investigations	18	8.4
10.		Complaints Conciliated	02	0.9
11.		Public Hearing	01	0.4
12.		Ongoing Mediation	01	0.4
TOTAL			215	100%



Table 1.6: Complaints filed by sex in 2011

No.	Nature of complaint	Male	Female	Total	Percentage %
1.	Crime Related (by individuals)	21	08	29	11.3
2.	Personal Liberty	00	00	00	0.0
3.	Maintenance for women	00	12	12	4.7
4.	Children's Rights (including neglect, and maintenance)	03	09	12	4.7
5.	Property (including land) related	17	13	30	11.7
6.	Judiciary Related	10	06	16	6.3
7.	Right to Life	01	01	02	0.7
8.	Right to Education	01	02	03	1.2
9.	Discrimination	05	00	05	2.0
10.	Civil and Political Rights	03	00	03	1.2
11.	Local Court	06	05	11	4.3
11.	Right to Shelter	02	00	02	0.7
12.	Police Related	24	20	44	17.2
13.	Domestic Violence	01	11	12	4.7
14.	Matrimonial Dispute	01	15	16	6.3
15.	Workers Rights / Labour Related	21	05	26	10.2
16.	Misuse of authority by Traditional authorities	05	06	11	4.3
17.	Sexual Assault	00	04	04	1.6
18.	Forceful Initiation into secret society	00	02	02	0.7
19.	Military Related	04	02	06	2.3
20.	District/Town/City Councils	01	00	01	0.4
21.	Right to Health	00	01	01	0.4
22.	Prisons Related	01	01	02	0.7
24.	Family Dispute	00	01	01	0.4
25.	Denial of Reparation Package	01	00	01	0.4
26.	Seizure of Passport	01	00	01	0.4
27.	Others (Request for Assistance, UN, and NGOs etc.)	03	00	03	1.2
	TOTAL	132	124	256	100%

2.12.1 Complaints Summary / Success Stories:

i) On 21st June 2011, the HRCSL Regional Office North facilitated the handing over of land in Pamlap, Makarie Gbanti chiefdom, Bombali District, belonging to a group of women from a certain family, through a mediated settlement facilitated by HRCSL. The land in question had been in dispute and the Paramount Chief (PC) prohibited the women from accessing it for 14 years.

ii) The right to education was violated by "Soweis" who were about to forcefully initiate two under-aged primary school girls into their hierarchy. Upon receipt of the complaint, HRCSL intervened and



secured their release from the 'Bondo Shrine' in Makeh Village, Makarie Gbanti Chiefdom, and Bombali District in August. HRCSL facilitated the admission of one of the girls into a secondary school in Makeni.

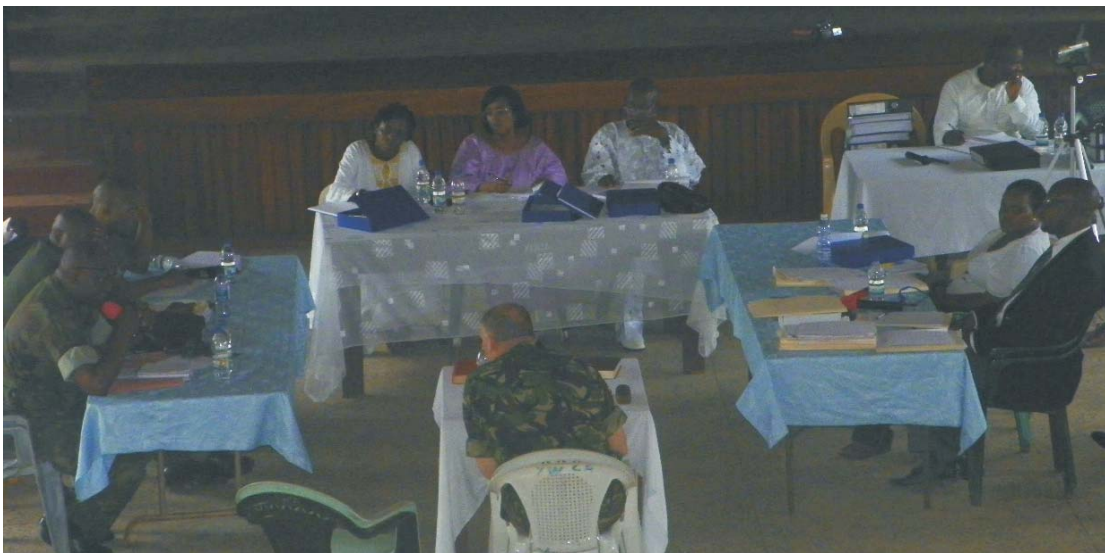
iii) In August, HRCSL facilitated the release of **M.K** who was on prolonged detention at the Makeni Prison for three (3) years without appearing in court. He was discharged by the High Court in Makeni.

iv) HRCSL conciliated a matter between **B.D** and three others against the Metropolitan Police of the Freetown City Council. **B.D** lodged a complaint in February to the Commission alleging that Metropolitan Police officers beat them up and destroyed their property. The Commission admitted this complaint as a violation of their rights to protection against cruel, and degrading inhuman treatment contrary to Section 20 of the 1991 Constitution.

In line with HRCSL Rules of Procedure, the complaint was thoroughly investigated and the Metropolitan Police agreed with the decision of the Commission that they indeed violated the rights of **BD** and three others. At the conciliation meeting, the Metropolitan Police apologized to the complainants and agreed to pay for the medical expenses and property of the complainants destroyed. HRCSL and Freetown City Council agreed to conduct a training for the Metropolitan Police on Human Rights Based Approach to Policing.

2.12.2 Public Hearing

HRCSL held its first public hearing in August, to deal with a complaint received from 235 Ex-servicemen of the Republic of Sierra Leone Armed Forces (RSLAF) in the matter of Blamo Jesse Jackson and 234 others against the RSLAF and Ministry of Defence.



The HRCSL Tribunal Session at YWCA

The Complainants reported to HRCSL in April 2009, alleging that they received less benefits than their wounded in action counterparts and that they were categorized as Chronically Ill and Mentally Imbalanced, which was degrading. The ex-servicemen also alleged that they had been subjected to continuous discrimination, cruel and inhuman treatment and invasion of privacy since they were discharged from service in 2008.



The Minister of Defence , Hon. Paolo Conteh taking oath at the HRCSL's Tribunal

The matter was admitted for investigation and a public hearing was eventually held. The Tribunal ruled in favour of the 235 ex-servicemen and recommended that:

- RSLAF and MoD should take steps to ensure that the complainants receive the same payments as WIA 1 and 2, including the DFID supported package and enhanced Disability Pension. These payments should be made by GoSL, Ministries of Finance and Defense.
- RSLAF and MOD should re – issue Discharged Books to the complainants that make no reference to the label “Chronically ill and Mentally Imbalanced” or to unfitness for employment;
- RSLAF and MOD should effect medical boards to re-examine the complainants who so request to confirm their current mental health status;



- RSLAF and MOD should ensure that ex-servicemen that continue to suffer from mental illness or other illness should continue to receive free medical treatment. This policy should be publicized widely and steps taken to encourage ex-servicemen to utilise the service;
- RSLAF and MOD should review their capacity to identify, treat and manage mental illness and impairment of its personnel even after they have been discharged from active military service. This recommendation is made bearing in mind that Sierra Leone has contingents of personnel serving in UN Peacekeeping missions around the world. That such a review should include equipping and keeping a proper register that would track the lives of those affected;
- RSLAF and MOD should seek to gain more understanding and reconsider their attitudes at all levels towards mental illness through education and counseling.

2.13 Strategic Interactions with Partners

During the period under review, HRCSL strengthened partnerships with COOPI and UNFPA and collaborated with them in a number of activities.

The Commission in January renewed its MOU with COOPI on implementing activities on women's property rights and gender based violence (GBV) in Kono and Western Area. Similarly, UNFPA provided funds to HRCSL to implement activities geared towards the protection and promotion of women's socio-cultural and reproductive rights in Kono and Pujehun. Some activities carried out under this partnership included:

- Community consultative conference to discuss the implications of FGC on the development of girls.
- Community training on human rights issues, focusing on sexual and reproductive health rights, GBV Prevention and Community Response.
- Training of HRCSL staff on GBV and how it relates to sexual and reproductive health rights as fundamental human rights.

In November, HRCSL benefitted from a capacity enhancement project supported by IHRC through the IrishAid programme.

The Commission continued to collaborate with the UNIPSIL Human Rights Section (HRS) on the establishment and full operationalization of the Directorate of Monitoring and Research.

The Commission collaborated with the Danish Institute for Human Rights (DIHR) for the hosting of a one-day training in Business and Human Rights which enhanced staff capacity in this emerging area.



2.14 The Library and Documentation Centers

HRCSL officially launched its Library and Documentation Centres at Headquarters in Freetown and the three other regions.

HRCSL conducted two-day training on basic library management in each of the regions in the provinces for Assistant Human Rights Officers and Office Assistants, in order to enhance their capacity in managing the centres efficiently and effectively.

The libraries and documentation centres were stocked with more books which were donated by Life for Relief and Development, a charitable organisation operating in Sierra Leone.



Part 3: THE STATE OF HUMAN RIGHTS IN SIERRA LEONE

3. Promotion and Protection of Human Rights

3.1 Civil and Political Rights

3.1.1 Right to life

The Right to Life is set out in Article 6 of the International Covenant on Civil and Political Rights (ICCPR), Article 3 of the Universal Declaration of Human Rights (UDHR), and Article 4 of the African Charter on Human and People's Rights (ACHPR), and also provided for in Section 15 and 16 of the 1991 Constitution of Sierra Leone. These instruments guarantee individual entitlements to life, liberty, security of persons and protection of the law.

HRCSL, in its monitoring of the implementation of the Free Health Care Policy, noted the decrease in the rate of maternal deaths in both the government hospitals and the Peripheral Health Units in the provinces. The Commission acknowledges the effort made by Government so far in sustaining the implementation of the policy, despite the challenges confronting its implementation.

HRCSL also noted an increase in infant morbidity rates all over the country as a result of Malaria. According to the Sierra Leone Malaria Control Strategic Plan 2011-2015 published by the Ministry of Health and Sanitation, Malaria was the leading cause of morbidity and mortality amongst children under five years. HRCSL noted that in Blama, Small Bo Community Center, a total of 1,778 cases of malaria on children under five were recorded from January – September.

The health of prisoners in prisons and other places of detention are of concern to HRCSL. In the Kenema Prison, a prisoner was reported dead as a result of ill-health in June. Preliminary findings of the HRCSL investigations revealed that the prisoner did not receive adequate medical attention from the Prison Authorities.

The Commission also noted the alleged murder by an angry mob in November of an unarmed Police Officer P.C.14239 Khalil, at Fisher Street in Freetown, whilst on an official assignment. The HRCSL condemned such action and issued a press statement to the effect calling on the Police to investigate the incident and bring the culprits to justice.

Recommendations

1. Prison Authorities should improve on medical facilities for Prisoners and a Coroner's inquest must be instituted for every prison death



2. Government should increase access to malaria treatments and put premium on preventive education.

The Death Penalty

Sierra Leone still has the death penalty in its statute books, for treason, murder and robbery with aggravation, however, the moratorium on execution was maintained. The Government commuted the sentences of 16 prisoners on death row to life imprisonment. There were still 9 prisoners on death row (8 male and one female).

Recommendation

Government should implement the Truth and Reconciliation Commission's Recommendations for the abolition of the death Penalty and commute all death sentences to life imprisonment.

Security of Persons

The HRCSL was informed by residents in Yenga of an unexploded bomb close to Yenga in Kailahun District which has been creating fear in the minds of residents.

Recommendation

Government should take immediate steps to detonate the bomb.

3.1.2 Protection from Deprivation of Property

Property rights are guaranteed in Section 21 of the 1991 Constitution and provided for in Article 15 of the African Charter on Human and People's Rights.

HRCSL noted the road construction projects undertaken by the government across the country. However, the Commission continued to receive complaints of inadequate and non compensations by the government to some affected property owners.

HRCSL continued to note conflicts that arose for acquisition of lands from residents for mining and agricultural activities. In Bombali and Tonkolili districts in the north, there were continued complaints against ADDAX Bioenergy Company, African Minerals Limited and other extractive industries for inadequate compensation for the acquisition of their lands. In the Southern region, there was dispute over land transaction between the Government and Societe Financiere des Caoutchoucs (Socfin an international agro-investor) and the people in Pujehun District. Thirty Nine (39) people who protested against the money paid to them for 12,500 hectares of land were arrested.



Recommendations

1. HRCSL should engage the Ministry of Lands and Country Planning to adopt human rights-based approach in land acquisition.
2. SLRA should establish land property compensation redress mechanism.

3.1.3 Freedom of Expression and the Press

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

While the Constitution guarantees Freedom of Expression as a fundamental right, the Public Order Act of 1965 – which allows for prison term for Criminal Libel – continues to threaten the observance of this freedom in practice.

In September, the Commission received report of an attack by Presidential Guards on four (4) journalists who were covering the CAF/African Nations Cup Qualifying Match between Sierra Leone and Egypt at the National Stadium in Freetown. In view of this, IMC and SLAJ called on H.E the President to set up a broad-based investigating committee comprising the HRCSL and some Civil Society organisations.

The IMC with support from UNDP established a Media Monitoring and Research Project Unit in January, aimed at developing a mechanism for effective media monitoring nationwide.

Recommendations:

1. HRCSL calls on the government to repeal the criminal and seditious libel provisions in the Public Order Act, 1965 and promulgate into law the Freedom of Information Bill.
2. The Independent Media Commission (IMC) should strengthen the capacity of its Media Monitoring and Research Unit in monitoring of media output and ensure that journalists adhere to the Media Code of Practice.
3. SLAJ should ensure that its members adhere to the IMC Media Code of Practice at all times.
4. The IMC and SLAJ should undertake massive professional development programmes for journalists

3.1.4 Freedom of Assembly, Association and Movement

Freedom of Assembly/Association is provided for in Article 22 of the ICCPR, Article 20 of the UDHR, Article 11 of the ACHPR, and Section 26(1) of the 1991 constitution of Sierra Leone. In the year under review, members of the 'Poro' and 'Wonde' societies in Nyawa Lenga chiefdom, Bo district, complained that the Paramount Chief imposed a ban which disrupted their activities.



political parties in September as a direct response to politically motivated outbreaks of violence especially in Kono and Bo. The Commission was concerned about the ban which was not time bound, and also imposed a disproportionate limit on freedom of assembly and political parties engagement with their communities.

However, HRCSL noted that the rights to freedom of assembly and association were generally enjoyed by all apolitical groups and associations in the country including some concerned teachers who staged a demonstration in February without hindrance. Also, in April, women in Bumbuna town, Tonkolili District, assembled and demonstrated against a mining company without hindrance.

Recommendation

Government should ensure that individuals and groups exercise their rights to peaceful associate and assemble

3.1.5 Freedom of Conscience

Freedom of Conscience is recognized in Section 24 (1) of the 1991 Constitution which states that: “Except with his own consent, no person shall be hindered in the enjoyment of his freedom of conscience and for the purpose of this section, the said freedom includes freedom of thought and of religion, freedom to change his religion or belief, and freedom either alone or in community with others and both in public and in private to manifest and propagate his religion or belief in worship, teaching, practice and observance.”

HRCSL received complaints from a Christian sect against the Chieftdom authority of Lower Banta Chieftdom, Moyamba District regarding banishment of members of their sect in January from his chieftdom who alleged to have campaigned against the forced initiation of young boys.

A report of alleged disturbances with loud speakers by a mosque at Wilkinson Road in Freetown was made to the Commission. The Commission mediated and the matter was peacefully resolved.

Recommendation

GoSL should continue to work with Inter Religious Council to provide an enabling environment for respect and protection of religious tolerance.



3.2 Human Rights in the Administration of Justice

3.2.1 The Sierra Leone Police

HRCSL recognized the stride taken by SLP to strengthen and improve on its capacity both in human resource and equipment despite the funding challenges confronting them.

The Police Complaints Discipline and Internal Investigations Department (CDIID) continued to regulate the Police force and also respond to complaints from the general public against police officers. The CDIID reported that they received 1589 complaints against police officers. They dismissed 29 officers from the force for unprofessional conducts and over one thousand of them were either suspended their, ranks reduced, or served warning letters.

HRCSL also received 12 complaints against the police including alleged prolonged detention of accused persons and degrading treatment in custody. In Bo, a detainee was found in police cell chained with handcuff under the instruction of the LUC. This act contravenes Section 20 of the 1991 Constitution of Sierra Leone and Article 10 of ICCPR.

The Commission noted the excessive use of force by the SLP to calm down political violence. The Kelvin Lewis Commission of Enquiry Report on political clashes that occurred in September between some members and supporters of the ruling All Peoples Congress and the opposition Sierra Leone Peoples Party in Bo established that the police used excessive force in quelling the violence resulting to injuries and death.

Recommendation

1. SLP should maintain high level of professionalism in crowd control and desist from using excessive or disproportionate force.
2. GoSL should establish an Independent Police Complaint Board in order to ensure Police operational accountability.

3.2.2 The Court System

Formal Court

The 1991 Constitution guarantees the independence of the judiciary through security of tenure and an elaborate dismissal procedure. The delay in the proceedings on the alleged misconduct of three high court judges is a threat to the smooth working of an institution which suffers from shortage of personnel.



HRCSL noted the continued over-detention of accused persons as a result of frequent adjournments and infrequent court sittings particularly by magistrate courts in certain districts.

Some provisions in the Criminal Procedure Act are obsolete and should therefore be reviewed to accord with best practices in criminal prosecution.

HRCSL continued to observe that Bonthe, Kenema and Kailahun did not have resident magistrates.

However, in the Northern Region, HRCSL observed progress in the trial of cases at the Magistrate and High courts. In Bombali District, the resident magistrate in Makeni began court sittings in Batkanu and Kamakwei. In Port Loko District, court sittings are regular with the magistrate running circuit courts in five areas including Kambia District.

The Western Area saw an improvement in the administration of justice as over three magistrate courts started operations at Pademba Road.

HRCSL noted that sittings in the Magistrate Court in Waterloo were brought to a halt during the latter part of the year due to security concerns. This infringed on the rights of detainees awaiting trials. The absence of a holding cell at Waterloo is a serious human rights challenge on both detainees and prison wardens, remand prisoners had to be locked up in the prison vehicle whilst waiting for their cases to come remand up.

Local Court

A survey on legal aid service providers conducted by HRCSL in November revealed that most people resort to the local and traditional courts to resolve their disputes and differences in areas where the formal court system are not accessible. These courts are less expensive, easily accessible and culturally acceptable as compared to the formal court system.

However, the local courts decisions were often not consistent with human rights standards especially with regards the protection of women's rights

Recommendations:

1. GoSL should improve remunerations and administrative services of local court
2. The Judiciary should ensure that Magistrates are resident in every district.
3. As a matter of urgency, GoSL should construct a holding cell in Waterloo
4. Local court officials should be provided with basic human rights training



1.2.1 The Sierra Leone Prisons

HRCSL continued to observe appalling conditions in the prisons including overcrowding, over detention and poor sanitary conditions. Despite recommendations in HRCSL's previous reports, much improvement has not been made. GoSL should proceed with reform of the Criminal Procedure Act and the passage of the Legal Aid Bill and the Correctional Services Bill.

Prisoners had poor access to medical facilities. An inmate in the Kenema Prisons died from Pneumonia due to inadequate drug supplies and poor medical attention in June

HRCSL continued to note that the different categories of prisoners are kept in the same cell without distinction as to age, criminal records, and the legal reasons for their detention. In Kono, immediate steps needs to be taken to ensure a complete separation between male and female inmates.

Though Rule 77 (1) of the UN Standard Minimum Rules for the treatment of prisoners provides that “provision shall be made for the further education of all prisoners.....” HRCSL noted the unavailability of systematic and operational educational facilities in all prisons in Sierra Leone.

In an attempt to decongest various prisons in the Northern region and the Pademba Road central prison Freetown, the Mafantha Correctional Centre in Magburaka was re-opened in September. In spite of this effort, this has not alleviated the problem of overcrowding in these prisons.

Recommendations

1. GoSL should implement the recommendation for the improvement of sanitary conditions made by Commission's 2010 State of Human Rights Report.
2. GoSL should immediately construct a holding cell at Waterloo Magistrate Court and ensure full separation of male and female prison inmates in Kono prison.
3. GoSL should provide educational facilities in all the prisons
4. Prison officials should ensure that prisoners are detained according to categories.
5. GoSL should improve the medical facilities for prisoners and institute a coroner's inquest on the death of any prisoner.

3.2.4 Juvenile Justice

HRCSL continued to observe the detention of juvenile offenders with adult offenders in both the prisons and police cells. HRCSL noted the challenges involved in determining the actual age of alleged juvenile offenders in spite of the age assessment guidelines developed by the Ministry of Social Welfare, Gender and Children's Affairs with support from UNICEF.

The regular primary school which operate within the Approved School system lacked basic educational materials to promote learning. The vocational training centre was also not functioning effectively. The provision of these services had been eroded over the years due to the inadequate support from the Government.

Prolonged trials continued to be a problem due to ineffective transportation to take alleged offenders to court and the non appearance of complainants and witnesses

The MSWGCA complained that the school lacked the budgetary support to effectively promote the rights of children.

Recommendations

1. GoSL should implement diversionary programmes for juvenile offenders.
2. GoSL the judiciary should ensure that imprisonment should only apply in rare or very serious cases to avoid overcrowding of remand homes
3. The condition of existing remand homes and Approved School should be improved with recreational and educational facilities.

3.2.5 The Universal Periodic Review Process on Sierra Leone

In September, Sierra Leone's First UPR Report was adopted in Geneva at the 11th Session of the UN Human Rights Council (HRC). Out of the 129 recommendations made by the review committee on 5th May, 2011, the Government noted that 57 of them had already been implemented.



HRCSL Commissioners in a side meeting with Vladlen Stefanov of OHCHR after the UPR meeting in Geneva

The Government accepted 28 recommendations with a commitment to review and respond to the rest before the adoption of the final report by the HRC. The final report was adopted by the HRC at its 18th Session on the 22nd September, 2011. HRCSL as an NHRI was represented at this session and made a presentation to the Council.

Following the adoption of the report, HRCSL in collaboration with the Office of the Attorney General and Minister of Justice, and the Ministry of Foreign Affairs, with support from UNIPSIL and OHCHR organized a National Consultative Conference at the Bank Complex, Kingtom in Freetown from 14th to 15th November. The two-day conference brought together stakeholders from across the country to acquaint them with the recommendations made on Sierra Leone and to solicit action points for developing a roadmap and strategies for their implementation.



H.E the President Ernest Bai Koroma delivering the keynote address during the opening session of the National Consultative Conference

President Koroma, the Keynote Speaker, stated that Government was already working on a number of the UPR recommendations, most of which will be finalized during the Constitutional Review process after the 2012 General Elections.

Thematic issues in the recommendations were presented and discussed during the group sessions and strategies for their implementation were proposed. A communiqué was drafted and adopted by participants, which is being monitored by HRCSL.

Between October and November, HRCSL embarked on a nationwide dissemination of the UPR recommendations by organizing workshops in each of the 12 districts and the Western Area. Participants discussed the recommendations in groups and came up with suggestions on how they could be implemented by the government.



Cross-section of participants at the UPR National Consultative Conference in Freetown

The Communiqué which was adopted by the participants is as follows:

CONFERENCE RESOLUTION

The Universal Periodic Review National Conference to examine and develop a roadmap and strategies for the implementation of the recommendations of Sierra Leone UPR was convened from 14th to 15th November 2011, by the Human Rights Commission of Sierra Leone in collaboration with Government of Sierra Leone, UNIPSIL and OHCHR, after the adoption of the final report by the UN Human Rights Council in Geneva on 22nd September 2011.

Recalling the various efforts by the GoSL as the primary stakeholder, the work done by other stakeholders including the HRCSL, CSOs, NGOs and the International Community building up to the review process, and the adoption of the final report on Sierra Leone UPR with recommendations;

Recognizing the demonstrated commitment of the GoSL since the launch of the review process on the 30th August 2010 by H.E President Ernest Bai Koroma, and the organized level of representation of the government during the review at the concluding session in Geneva which received high commendation from the international community;

Having reviewed and reflected on the recommendations in the thematic areas, just about two months after the adoption of the final report;



Being mindful of the enormous challenge ahead of Sierra Leone towards effective implementation of the UPR recommendations, including awareness raising and monitoring of the implementation process;

Being aware of the fact that the next UPR process comes up after four years, which will focus on the implementation of the 2011 UPR recommendations;

Focusing on the theme of the Conference: “Developing a Roadmap and strategies for the implementation of the UPR recommendations” as well as the objectives, namely to receive feedback, increase awareness and cultivate stakeholder commitment to the implementation of the UPR recommendations;

Re-affirming the link between the UPR recommendations and those of the TRC, and the opportunity to take forward the implementation of the remaining TRC recommendations which have not been implemented also featured in the UPR report;

Acknowledging the commitment of GoSL to implement the majority of the UPR recommendations;

Now therefore resolves as follows:

Recommendations under Treaty Ratification, Treaty Bodies Reporting and Interaction with UN Human Rights Mechanisms

1. Calls on GoSL to ratify the remaining UN Human Rights Treaties and Optional Protocols, especially the one on Economic, Social and Cultural Rights;
2. Urges the GoSL to take immediate steps to submit all overdue reports to treaty bodies, beginning with the International Covenant on Civil and Political Rights and the Convention Against Torture and the African Charter on Human and People's Rights, a process which the GoSL has already begun;
3. Calls on the GoSL to strengthen the capacity of the Human Rights Secretariat at the Ministry of Foreign Affairs in order to effectively implement the Treaty Bodies Reporting Strategy of Sierra Leone;
4. Also calls on all Ministries, Department and Agencies involved in the reporting process to cooperate with the Human Rights Secretariat and actively participate in the process, including timely provision of inputs as requested;
5. Calls on the International Community to continue providing technical support on the implementation of the recommendations relating to this thematic area;

Recommendations on Constitutional and Legal Reform

6. Welcomes the GoSL commitment to review the Constitution immediately after the elections in 2012:



7. Urges Parliament to speedily enact the Freedom of Information Bill, while recognizing the important role of accessing information including fighting corruption;
8. Calls on the Law Reform Commission to address the recommendations of the Universal Periodic Review which the Government has accepted subject to constitutional review;
9. Appreciates that in more than a decade now there has not been any execution in Sierra Leone and calls on the Government to consider declaring a de jure moratorium on executions in affirmation of its commitment towards the abolition of the death penalty;
10. Notes Government's rejection of the recommendations to bring its legislation into conformity with equality and non-discrimination for all by prohibiting discrimination based on sexual orientation or gender identity and repeal of all provisions which may be applied to criminalize sexual activity between consenting adults. We however remind stakeholders and the general public to observe the rule of law and to desist from violent attacks on persons based on their sexual orientation or gender identity.

Recommendations on strategies to address women, girls and children's rights

11. Commends the Ministry of Social Welfare, Gender and Children Affairs for successes in advancing equality and fighting discrimination against women, and recognizes its proactive leadership in the implementation of the UPR recommendations linked to the Ministry on strategies to address women, girls and children's rights;
12. Recognizes the contribution of civil society in monitoring progress in the implementation and calls on the Government to consult further with civil society towards effective realization of gender equality in Sierra Leone;
13. Supports concrete steps to prohibit female genital cutting in girls below 18 years old, while recognizing the position of the Government in enabling a frank discussion on eradication of FGM in which all views are heard;
14. Recognizes the challenges on the rights of children, including the delivery of juvenile justice, and calls on Government to increase the number of remand homes in the country;

Recommendations on measures and institutional mechanisms on economic, social and cultural rights and poverty reduction

15. Recognizes that economic, social and cultural rights are equally important as civil and political rights and the need for concrete policy and institutional measures by the Government with the support of other stakeholders;
16. Acknowledges that the UPR provides an opportunity to promote real improvement of economic, social and cultural rights, and that recommendations in this area should be used to guide and monitor the implementation of economic, social and cultural rights in Sierra Leone;
17. Affirms the need for empowering strategies to fight poverty, which are sustainable and ensure access to productive resources for the poorest in the population;

18. Acknowledges the principle of progressive realization of economic, social and cultural rights, but calls on the Government to take tangible steps with available resources in the next four years to achieve progressively the full realization of such rights;
19. Stresses the importance of education in addressing poverty and promoting development, and calls on the Government to meet the commitment to allocate 20% of the national budget to education;
20. Appreciates the achievements in the provision of free health care and calls on Government to address the remaining challenges towards the realization of the right to quality health care in Sierra Leone;
21. Calls on the Government to operationalise the TRC follow up Committee and to implement the remaining recommendations of the TRC which have been reiterated by the Human Rights Council;

Linking the UPR and TRC Recommendations



Former Chairperson of the TRC discussing the link between TRC and the UPR Recommendations during the UPR National conference in Freetown

22. Urges GoSL to support the establishment of national structures on reconciliation mechanisms and strengthen human rights and peace education;

Implementation process

23. Calls on the Human Rights Commission of Sierra Leone, the Attorney General Office and the Ministry of Foreign Affairs and International Cooperation to convene a national conference in 2013 to review the progress in the implementation of the UPR recommendations;
24. Calls on the Human Rights Commission, the civil society and other partners to disseminate information on the UPR recommendations and to monitor the implementation of the recommendations;
25. Calls on government to set up a monitoring mechanism for the implementation of the UPR recommendations.



Adopted on the 15th day of November 2011 at Bank of Sierra Leone Complex, Kingtom, Freetown

Recommendations

1. GoSL should ensure that the UPR recommendations are implemented before the next review session in 2016.
2. The Constitutional Review process should commence immediately after the 2012 elections
3. HRCSL and civil society should continue advocacy for the implementation of all the recommendations and constantly monitor the implementation process.

3.3 ECONOMIC, SOCIAL AND CULTURAL RIGHTS

3.3.1 Right to Education

HRCSL acknowledges Government's efforts in providing books and other teaching and learning materials to schools throughout the country. School authorities however complained that these materials were inadequate.

HRCSL noted the slow implementation of the recommendations of the Gbamanja Commission of Enquiry in 2009 to improve on the educational system in Sierra Leone.

HRCSL was concerned that during the course of the year, WAEC announced that pregnant girls would not be allowed to take the Basic Education Certificate Examination and as a result some pregnant girls were removed from the examination hall during the exams in Kenema district without any alternative provision for them to take the exams. HRCSL views this as a denial of the right to education.

HRCSL was concerned about the limited number of Junior Secondary Schools and the absence Senior Secondary School in communities outside the district headquarters towns. Jimmy Gbagbo, in Bo District has only one Junior Secondary School which caters for pupils from 96 villages around the community. Children attend Senior Secondary School away from their communities and some discontinue their education at the JSS level.

Further obstacles to the enjoyment of this right included insufficient classrooms, limited number of sitting accommodation, and inadequate number of trained and qualified teachers.

Certain school authorities continued to add financial burden on parents and guardians to pay for extra lessons and pamphlets. In the Eastern region, the Deputy Director of Education held series of radio programmes to sensitize parents and guardians on the illegality of such financial demands by teachers.



Furthermore, the demand by lecturers in universities and teacher training institutions for improved salaries and conditions of service led to the late reopening of these institutions.

Recommendations

1. Government should implement the recommendations of the Gbamanja Commission of Enquiry to ensure effective operation of the educational system in Sierra Leone.
2. WAEC should review its policy on forbidding pregnant girls from taking exams and should provide alternative facilities to ensure that every girl irrespective of their status can write their exams.
3. Government should construct more secondary schools and improve on the existing structures across the country.
4. GoSL should address the problems that lead to frequent strike actions in tertiary institutions

3.3.2 Right to Health

HRCSL noted the strides taken by Government and its partners to improve on the health sector particularly in the implementation of the FHC. The completion of the Regional Referral Hospital in Makeni, the extension of the government hospital in Port Loko, the rehabilitation of the female and maternity ward in Kenema, the rehabilitation of the theatre in Bo district and the construction of hospitals in Kabala, Makeni and Magburuka in the North were some of the improvements made to the Medical infrastructure in the country.

However, HRCSL observed that maternal and child health remained a challenge. There were inadequacy of human resources, equipment and infrastructure. According to the Service Availability and Readiness Assessment (SARA) survey (2011) conducted by Ministry of Health and Sanitation, revealed that average hospitals have less than 50% of the necessary items such as drugs, equipment, trained staff and diagnostics required to provide a minimum level of comprehensive obstetric care.

In October HRCSL was informed that a store keeper at the Kenema Government Hospital was arrested for illegal possession of drugs meant for hospital supply.

Recommendations

1. Government should review its decision on the non inclusion of TBA's in the FHC programme to fill the gap caused by the shortage of medical personnel.
2. Government and CSOs should intensify their monitoring of hospitals nationwide to ensure effective delivery of service.



3.3.3 Clean and Safe Drinking Water

Despite Sierra Leone's favorable climate of high rainfall, good natural vegetation and numerous rivers and creeks. Unreliable supply of pipe-borne water, poor maintenance of pipes, illegal connections, unofficial and nonpayment of bills continued to undermine the right to clean and safe drinking water. This acute shortage impacted negatively on the wellbeing of children as many of them had to be out in the street as early as 5:00am to fetch water. There still challenges of getting pipe borne water to the districts and provincial towns. In Freetown, inhabitants in the Eastern mountainous areas faced the challenge to access clean and safe drinking water and the majority of them walk long distances to fetch water.

Recommendation

GoSL should take steps to provide pipe borne water supply to all the districts and Western Area

3.3.4 Human Rights Concerns in the Mining Sector

HRCSL observed that mining operations caused environmental problems in rural communities. In Bonthe District, the dredge extraction of Rutile resulted to land degradation, flooding and pollution with associated health risks. Waterborne diseases were very common in Rutile mining communities as a result of artificial lakes left behind after dredging. Also in Kono District, abandoned mining pits have created public health concerns. When the pits are filled with stagnant water, they become infested with mosquitoes, spreading malaria and other waterborne diseases.

HRCSL noted the steps taken by Government and other stakeholders to reform the extractive industry having reviewed the Mines and Mineral Act and the drafting of the Operational Regulations for the mining sector.

Recommendations

1. The Ministries of Mines, Labour, and Health and Sanitation should ensure that all health and safety laws and regulations are strictly adhered to.
2. GoSL should enact the Operational Regulations for the Mining Sector and ensure its implementation.

3.3.5 Right to Just and Favourable Conditions of Work

HRCSL continued to observed that some of the major issues highlighted in previous State of Human Rights Report such as inadequate staff in the Ministry of Labour, Employment and Social Security and the absence of industrial court in the regions remained unaddressed and continued to pose a serious challenge to the enjoyment of the rights of workers.



HRCSL also noted that due to shortage of labour officers in the regions the Ministry responsible for labour is unable to carry out its monitoring functions to ensure that workers are not exposed to unsafe and unhealthy work environment and working conditions below national minimum standards

Recommendation

GoSL should ensure that the labour commissioner's office is properly staffed to handle the resolution of complaints and regular monitoring of work conditions throughout the country

3.4 Women's Rights

The Sexual Offences Bill is yet to be presented to Parliament for enactment. MSWGCA and other women's organisations supported the Sierra Leone Female Parliamentary caucus to draft the Gender Equality bill for the minimum 30% representation quota of women and men in Governance. The MSWGCA in collaboration with the UN Gender Theme and other NaC GBV members had completed the 6th CEDAW Report and submitted to the Committee of Experts on CEDAW in New York.

Violence against women persisted throughout the year under review. A significant number of complaints received by the HRCSL bordered on violence against women such as domestic violence (wife beating), and rape of young girls.

There were still only 17 female Members of Parliament out of a total 112, and only 18.9 percent of female councilors in local government. There are only two female ministers out of a total of 24 and four deputies out of the same number. There was one female ambassador and only five state institutions are headed by women.

Recommendations

1. Parliament should pass the Sexual offenses and Gender Equality bill in to Laws.
2. MSWGCA should plan for effective supervision and monitoring of these laws

3.5 Children's Rights:

The Ministry of Social Welfare Gender and Children's Affairs, UNICEF, Save the Children UK, and some other child protection agencies finalized the draft Alternative Care Policy. The policy is yet to be sent to Cabinet for approval. The moratorium on adoption continued.

The 2005 Anti Human Trafficking Act and the 1989 Adoption Act were reviewed by MSWCGA in



collaboration with Child protection agencies and both are yet to be tabled in Parliament for enactment.

The temporary shelters provided for street children by MSWGCA were abandoned by the children because Government could no longer provide funding for the running of the shelters. However the Don Bosco Fambul, a local NGO continued its assistance to street children especially in Freetown and Lungi.

Child Labour

HRCSL observed that child labour in mining areas continued. This was also confirmed by Human Rights Watch Report 2011.

Child miners are denied education and were exposed to health hazards.

Forced Initiation

HRCSL, NGOs UN bodies (UNIPSIL and UNFPA), registered some gains in the campaign to stop the initiation of girls below the age of 18 into the Bondo Society. Some traditional leaders imposed sanctions and developed by-laws in their communities outlawing the practice of initiating children under 18 years.

In collaboration with the Soweil Council, HRCSL advocated for the observance of the age of consent for girls on FGC and supported advocacy groups to continue the campaign against child initiation in Kono and Pujehun Districts.

However HRCSL recorded complaints of forced initiation in some districts. In June, three children were abducted to be initiated into the Woman's society in Makeh village in Makeni. These children were held in the shrine for nearly three months. HRCSL engaged the chieftdom authorities and members of the society until two of them were finally released in August unharmed. Unfortunately the other girl was initiated due to consent subsequently given by her family members.

Recommendations

1. GoSL should fast track the tabling and approval of the already developed Alternative Care Policy for Children
2. Ministry of Social Welfare should be supported by Child protection donor agencies to receive provision of temporary shelters for street children
3. GoSL with support from Child protection agencies should look into the issue of Child Mining in the Country to protect their rights.



4. GoSL to pass into laws the amended Adoption and Anti Human Trafficking Acts and lift the moratorium on adoption

3.6 Vulnerable Groups

3.6.1 Persons with Disability

According to the United Nations World Report on Persons with Disabilities 2011, it is estimated that there are 825,000 Persons with disability in Sierra Leone. In March, the Parliament of Sierra Leone enacted the Persons with Disabilities Act 2011, This Act when implemented would address the human rights concerns of Persons With Disability.

However, HRCSL observed that this Act has not been popularized and not much has been done to implement it, particularly the establishment of the National Commission for Persons with Disability.

Persons with disability continued to encounter difficulties in accessing education, justice, employment, shelter, Health, information and participation in politics and other decision making processes.

HRCSL also noted that in spite of the free tuition policy, persons with disability still faced difficulties in accessing tertiary institutions and the provision of special needs materials.

Recommendations

1. The GoSL through the Ministry of Social Welfare, Gender and Children Affairs should fast track the implementation of the Persons with Disability Act -2010.
2. MEST should provide teaching, learning and research materials that will meet the needs of PWDs in tertiary institutions.

3.6.2 Persons with Different Sexual Orientation

The GoSL was one of the 85 countries that signed a statement at the UN Human Rights Council in Geneva, in March entitled 'Ending Acts of Violence and Related Human Rights Violation based on Sexual Orientation and Gender Identity', which calls on states to take steps to end acts of violence, criminal sanctions and related human rights violations committed against individuals because of their sexual orientation or gender identity. HRCSL noted that GoSL rejected the recommendations made during the UPR that called on government to bring its legislation into conformity with its commitment to equality and non-discrimination for all by prohibiting discrimination based on sexual orientation or gender identity and to repeal all provisions which may be applied to criminalize sexual activities between consenting adults.



HRCSL notes the growing hostile comments on this issue in the media and by religious communities that have the tendency to incite discrimination and violence against persons with different sexual orientation.

Recommendation

GoSL should clarify its position on the rights of persons with different sexual orientation and continue to protect them from violent attacks and discrimination.

3.6.3 Aged

The National Safety Net Programme National Survey and Verification Project carried out in November – December recorded 35,000 Aged people. The essence of the exercise was to ascertain their number for immediate financial support assistance. GoSL had developed a National Social Protection Policy which is at the Law Officers Department awaiting approval of the Attorney General for onward submission to Parliament for enactment.

Recommendation

GoSL through the Ministry of Labour, MSWGCA, and Office of the Attorney General and Minister of Justice should collaborate to fast track the enactment of the National Social Protection Policy.

3.7 YOUTH

In Sierra Leone, the youth sector constitutes 32% of the national population and 45% of the voting population. The major challenges still faced by youths in Sierra Leone are unemployment, limited educational opportunities, inadequate housing, and challenges in accessing to justice and the lack of participation and representation in decision making processes. PRSP II estimate shows that about 70% of youth are unemployed.

The National Youth Commission was operationalized to deal with youth empowerment and unemployment. One of its main functions is to develop a comprehensive national youth development plan consistent with national poverty reduction strategies. It has also established youth structures at district levels country wide to coordinate youth activities. The Commission is however constrained with adequate funding to fully carry out its functions.

The 10% quota recommended by the TRC for youth in political positions is yet to be implemented.

Recommendations

1. GoSL and the Private sector should collaborate to facilitate the employment of youths, and where necessary, provide them with the necessary skills to qualify them for employment.
2. GoSL should implement the 10% quota for youth in political position as recommended by the TRC report



3.8 Implementation of the TRC Recommendations

No funding was provided by the Government of Sierra Leone for the implementation of the Reparations Programme. Only few pledges made by various institutions were paid in to the account of the Trust Fund for War Victims. The funds were used to support 330 beneficiaries with micro grants of Le.300,000.00 each

The UN Peace Building Fund also provided \$450,000 which was used to provide micro grants and emergency medical assistance to 2,310 beneficiaries. Of this total, 1,172 beneficiaries in the residual case load category (those who did not receive the Le. 300,000.00 grant in 2009) received a grant of Le. 300,000.00 each. 1,138 amputees and 1055 war wounded and sexually violated victims received Le.940, 125.00 each as micro grants to engage in economic activities. Thirty one beneficiaries received various forms of emergency medical assistance.

In March, 296 women in the sexually violated category of beneficiaries that underwent various life skills training with funds provided by the UN Women, received certificates, tool kits and a \$500 grant each, to start up their businesses.

Recommendations

1. GoSL should without any further delay set up the Follow –Up Committee of the TRC to ensure the full implementation of the TRC recommendations
2. Government of Sierra Leone and Sierra Leoneans should consider the implementation of the Reparations programme as an emergency and contribute meaningfully to the Fund.
3. The Board of Trustees of the Victims' Trust Fund should engage in a robust fund raising drive to ensure that funding is sustained for effective implementation of the Reparations Programme
4. The International Community should continue to support the Reparations programme.

3.9 Human Rights Defenders in Sierra Leone

Human rights defenders in Sierra Leone have generally been able to undertake their work without interference by GoSL. No case of killings or long term detentions of HRDs was reported in the period under review.

However, Human Right Defenders often faced difficulties from traditional authorities in carrying out their work particularly on issues related to customs and traditions

Furthermore, the government has so far failed to repeal the criminal libel provisions or amend the Public Order Act 1965, which has been used to restrict the activities of HRDs and prevent them from carrying out their work.

Recommendation

GoSL should repeal the criminal libel provision in the Public Order Act 1965.



1. HRCSL 2011 Budget Unaudited Financial Statement

Source of Funds

GOSL

Salary Grant

2,062,589

Subvention & Other Charges

968,578

Others

127,814

Total

3,158,981

Donors

UNDP

26,100

IRISH AID

174,286

GIZ

23,759

UNFPA

348,421

Open Society Initiative(OSI)

195,990

UN PBF 2

435,000

IRC

-

Current
Budget
2011

Projected
Budget
2012

2010

1,281,644

862,538

-

2,144,182

197,450

1,459,007

12,000

-

-

-

45,721

2,062,589

744,200

-

2,806,789

-

-

-

-

195,900

-

3,135,000



SUMMARY RECEIPTS FROM GOSL & DONORS - FIGURES IN THOUSANDS OF LEONES

UNIPSIL

GOSL CONTRIBUTION	DONORS CONTRIBUTION	TOTAL CONTRIBUTION	BUDGET ALLOCATION	YEAR
Justice Sector Coordinating Office				98,892
3,158,981	1,203,556	4,362,537		
JSDP			2,806,789	43,995
2,106,803	1,845,066	3,951,869		2,011
UNIFEM			3,117,753	
2,443,000	3,330,900	-	5,773,900	2,010
Concern Worldwide				2,012
				-
Total		1,203,556		1,857,065
Overall Total		4,362,537		4,001,247
				5,773,900

Disposal of Funds

Salaries & Allowances	1,246,090
Operational Costs	759,805
Programme Costs	1,761,198
Total	3,767,093
	234,154

SUMMARY RECEIPTS FROM GOSL & DONORS - FIGURES IN THOUSANDS OF LEONES

GOSL CONTRIBUTION	DONORS CONTRIBUTION	TOTAL CONTRIBUTION	BUDGET ALLOCATION	YEAR
3,158,981	1,203,556	4,362,537	2,806,789	2,011
2,106,803	1,845,066	3,951,869	3,117,753	2,010
2,443,000	3,330,900	-	5,773,900	2,012



Human Rights Commission of Sierra Leone
Financial Statements for the year ended 31st December, 2010

REPORT OF THE HUMAN RIGHTS COMMISSION OF SIERRA LEONE

STATEMENT OF THE COMMISSION'S RESPONSIBILITY FOR THE FINANCIAL STATEMENTS

The Constitution of Sierra Leone Act No. 6 of 1991, the Government Budgeting and Accountability Act of 2005 and Human Right Commission of Sierra Leone Act, 2004 require the Commission to prepare Financial Statements for each financial year which should show a true and fair view of the state of affairs of the Commission and of its surplus or deficit for that year. In preparing these Financial Statements the Commission is required to:

- ↓ -select suitable accounting policies and apply them consistently;
- ↓ -make judgements and estimates that are reasonable and prudent;
- ↓ -state whether applicable accounting policies have been followed, subject to any material departures disclosed and explained in the Financial Statements;
- ↓ -prepare the Financial Statements on a going concern basis unless it is inappropriate to presume that the Commission will continue its activities

The Commission is responsible for the truth and fairness of the Financial Statements and for the records, controls, procedures and organization that support the preparation of those Statements which disclose with reasonable accuracy at any time the financial position of the Commission. The Commission is also responsible to ensure that the Financial Statements comply with Section 22 (1) of Human Rights Commission of Sierra Leone Act, 2004. The primary responsibility for the prevention and detection of fraud and error rests with the Commission.

Financial Statement

The financial position and result of activities are set out in the attached Financial Statements.

Auditors

The Constitution of Sierra Leone Act No. 6 of 1991, Human Right Commission of Sierra Leone Act, 2004 and the Government Budgeting and Accountability Act 2005 confer upon the Auditor General the mandate to carry out the audit of the Commission annually.

By order of the Commission

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Chairman/Commissioner



REPORT OF THE AUDITORS - AUDIT SERVICE SIERRA LEONE TO THE GOVERNMENT OF SIERRA LEONE

Scope

We have audited the accompanying Balance Sheet of the Commission as at 31st December, 2010 and the related Statement of Income and Expenditure for the year then ended, as set out on pages 4 to 5.

Respective responsibilities of the Commission and the Auditors


The production of the Financial Statements is the responsibility of the Commission as indicated on page 2. Our responsibility is to express an opinion on these Financial Statements.

We conducted our audit in accordance with the Standards of the International Organization of Supreme Audit Institutions (INTOSAI) and International Federation of Accountants (IFAC). Those Standards require that we plan and perform the audit to obtain reasonable assurance as to whether the Financial Statements are free from material misstatement. The audit procedures include examination of the entity's records and its control environment, information systems, control procedures and statutory disclosure requirements. Evidence supporting the amounts and disclosures in the Financial Statements is examined on a test basis, and accounting policies and significant accounting estimates are evaluated.

The primary responsibility for the prevention and detection of fraud and error and other irregularities rests with the management of the Commission. An audit conducted in accordance with INTOSAI and International Auditing Standards is designed to provide reasonable assurance that the Financial Statements, taken as a whole, are free from material misstatement(s), whether caused by fraud or error.

Opinion

In our opinion, the Financial Statements present fairly, in all material respects, the financial position of the Commission as at 31st December, 2010 and the results of its activities for the year then ended in conformity with generally accepted accounting principles.


Auditor General



Human Rights Commission of Sierra Leone
Financial Statements for the year ended 31st December, 2010

Income and Expenditure Statement

<i>In thousand of Leones</i>	Note	2010	2009
INCOME			
Government Subvention	2	2,144,181	1,259,762
External Grant	3	1,845,065	
Refund		37,377	644,763
Release from Capital Grant		348,148	
Total Income		<u>4,374,771</u>	<u>1,904,525</u>
EXPENDITURE			
Staff Cost	4	1,246,089	1,121,135
Administrative Expenses	5	1,087,268	441,273
Program Expenses	6	64,047	223,635
IRISH AID	7	1,231,567	-
UNIFEM	8	50,734	-
UNIPSIL	9	100,549	-
CONCERN WORLDWIDE	10	50,789	-
GTZ		12,000	-
JSCO		3,995	-
IRC	11	46,320	-
UNDP (Access to Justice)	12	<u>201,197</u>	
Total Expenditure		4,094,555	1,786,043
Results for the year		280,216	118,482

These Financial Statements were approved on 29th May.....2012

M. J. K. K......Chairman/Commissioner



Human Rights Commission of Sierra Leone
Financial Statements for the year ended 31st December, 2010

Balance Sheet

<i>In thousand of Leones</i>	Notes	2010	2009
Assets			
Fixed Asset			
Property, Plant & Equipment	13	573,433	526,032
Current Assets			
Cash and Cash Equivalent	14	379,939	120,408
Total Assets		<u>953,372</u>	<u>646,440</u>
Liabilities			
Accumulated Fund	15	380,624	100,408
Capital Grant		462,793	526,032
Creditor		87,955	-
Accrued Audit Fees		<u>22,000</u>	<u>20,000</u>
		<u>953,372</u>	<u>646,440</u>

These Financial Statements were approved on 29th May 2012

M. Williams Chairman/Commissioner