



# HRCSL Human Rights Monitor NEWSLETTER

Half Yearly Newsletter by Human Rights Commission of Sierra Leone

## Our Mission Statement

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

## Our Vision Statement

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

## Functions:

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

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## Sustainable Water Restores Rights to Health and Life at Ola During, PCMH and Macauley Street Hospitals

There was public outrage after pictures flooded social media with comments of poor sanitation, lack of electricity and water shortage leading to deaths of pregnant women and children at the Ola During and Princess Christian Maternity Hospitals (PCMH) in Freetown. The Human Rights Commission of Sierra Leone (HRCSL) immediately monitored the facility and engaged hospital authorities and Guma Valley Water Company as well as

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## The Human Rights Commission of Sierra Leone (HRCSL)

on 12th May, 2021 followed the review of the country's human rights records at the 3rd Universal Periodic Review by the Human Rights

Continue to page 4



## Kailahun Bye Elections: Freedom of Participation is Human Rights Concern

Ahead of the bye elections in ward 012 and constituency 010 in Kailahun, tensions arose and footages of women and children made rounds on social media

Continue to page 4alleging that they

## HRCSL Orders Ministry of Sports and SLFA to Apologise, Lift Ban & Expedite Hearing

The Human Rights Commission of Sierra Leone (HRCSL) in April 2021 delivered the decision of the Commission on a complaint filed before it on 14th February 2020 between the complainants Rodney Michael,

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## HRCSL monitors Koidu Limited on Compliance

As part of its mandate to monitor and document violations of human rights in Sierra Leone pursuant to section 7 (2) (f) of the HRCSL Act (No. 9) of 2004, the Human Rights Commission of Sierra Leone (HRCSL)

From front page

undertook a two days monitoring

MAKING RIGHTS REAL



# EDITORIAL TEAM



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This Newsletter is a product of the Human Rights Commission of Sierra Leone highlighting some of its key activities undertaken during the first six (6) months of 2020 and HRCSL's response to the outbreak of Covid-19 Pandemic in Sierra Leone. The Newsletter is one of the main channels through which the Commission disseminates its interventions to the public on a quarterly or half yearly basis. Through this medium, a much wider audience would be reached. It is also the desire of the Editorial Team that through this Newsletter, respect for human rights will resonate with every citizen of Sierra Leone irrespective of age, sex, ethnicity, religion, class, region and status in the society.

We therefore call on all to support the work of the Human Rights Commission of Sierra Leone



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# PHOTO GALLERY 2020 - 2021



HRCSL ASSEMBLES MDAs AND CSOs TO CONSULT ON THE UPR PROCESS



HUMAN RIGHTS COMMISSION ENGAGES STRIKING DOCTORS



UNDP/IRISH AID SUPPORT HRCSL WITH 6 XL MOTOR BIKES



HRCSL JOINS AU OBSERVER MISSION FOR CHAD'S PRESIDENTIAL ELECTION.



HRCSL MONITORS SEFADU CORRECTIONAL CENTRE IN KONO



HRCSL HOSTED YEAR ONE STUDENTS OF BANKING AND FINANCE FROM THE INSTITUTE OF PUBLIC ADMINISTRATION AND MANAGEMENT (IPAM)



MINE WORKERS OF KOIDU LIMITED



HRCSL BIDS FAREWELL TO ITS INFORMATION OFFICER



'CHANGING THE NARRATIVE FOR THE AGED IN THE POST COVID -19 ERA'



RELIGIOUS LEADERS OF MANO RIVER UNION



WITNESSING THE HANDING OVER OF CONTRACT FOR SUSTAINABLE WATER FACILITY IN PCMH, OLA DURING AND MACAULEY STREET HOSPITALS



# Sierra Leone at 60: ‘Changing the Narrative for the Aged in the Post Covid -19 Era’.



The Chair and delegates on

The Chairperson of HRCSL in an engagement organized by DOFA discussed issues around the enjoyment of human rights by all. She noted that the Universal Declaration of Human Rights (UDHR) made it clear that ‘All human beings are born equal and no one should be discriminated against despite their colour, origin, religion, political affiliation and most especially age. she informed all that a series of conferences have been held to discuss issues around the enjoyment of rights for older people since 1982. She cited the 1st and 2nd World Conferences on the Aged in 1982 and 2002, the 1991 UN Principles for Older Persons, the Africa Union Policy Framework and Plan of Action on Ageing, the 2016 AU Protocol on the Rights of Older Persons in Africa and at the national level the National Ageing Policy 2018-2030. She noted that all of the above focuses on rights of older persons and steps that government should take to ensure that older persons i.e. 60 years and above are provided with the enabling environment to live despite their ages and subsequently that older people’s rights are respected and protected. She mentioned also that from the human rights

perspective, age should not be a factor for discrimination. She informed all that discussions on getting the National Ageing Policy to a bill is currently ongoing and will soon become law. She noted government’s support to fifty thousand extremely vulnerable aged through the provisions of quarterly stipend and also support to community farms in some piloted communities being part of the policy provisions for the aged. Participants were further informed that human rights are enshrined in the law and protected by the state. Adding that the state has its human rights obligations of respecting, protecting and fulfilling human rights and encourage all to have a copy of the national policy which will serve as an eye opener for older persons to claim their rights through the provisions in the law. She concluded by saying "the enjoyment of human rights is our collective responsibility" and encouraged all to be part of the process.



From front page

The Human Rights Commission of Sierra Leone (HRCSL) immediately monitored the facility and engaged hospital authorities and Guma Valley Water Company as well as partners including World Vision Sierra Leone and the United Nations Development Fund (UNDP) who had plans to support water supply in the hospitals. This accelerated work by the partners and few weeks later, the HRCSL Chairperson Patricia Narsu Ndanema and Commissioner Simitie Lavaly were invited to witness the handing over of contracts by World Vision Sierra Leone to contractors and Guma Valley Water Company for sustainable water supply to Ola During and PCMh which costs about 400 Million Leones and another to Fackban Construction Company for internal installations of toilet seats, wash hand basins, storage tanks, pipe networks etc. Similarly, World Vision also handed over another project to God’s Gift Construction for rehabilitation of the old building at the Macauley Street Hospital which will also benefit from the Sustainable Water Project to improve health and hygiene in the hospital. Saffa Koroma, National Health Advisor and National Covid-19 Response Coordinator for World Vision Sierra Leone during the handing over said, "pregnant women and children should always have access to clean water when they are in a hospital facility; “our vision for every child is life in all its fullness.” The Deputy Managing Director of Guma Valley Water Company, Francis Lahai said, during the recent water crisis at

Ola During and PCMh, that their team delivered 50 bowsers of water and also checked internal plumbing within the facility. He said the Sustainable Water Project will take water from Guma’s main Kissy Road water line to the hospital which he said has commenced already and will be completed within three weeks. He said hospitals and schools will be prioritized by Guma as they ration water supply in the city because the population has outgrown the facilities available. Meanwhile, he applauded HRCSL for the swift intervention while he encouraged other NGO’s to support government’s effort to “water for all by 2028.” While all the hospital authorities from Ola During, PCMh and Macauley Street hospitals expressed delight on the projects, the Medical Superintendent of Macauley Street Hospital, Amadu Unisa Juana said, they had never received support from any donor and had to rely on government’s support which is not adequate to run the facility. He said currently the hospital pays for water supply from Fire Force from the hospital resources. And when such finance is not available they will have to use the hospital ambulance to bring water from Connaught Hospital. Chairperson of the Human Rights Commission of Sierra Leone Patricia Narsu Ndanema said, “Water is a human rights issue”, and they were happy to see the engagements with the various stakeholders reach a fruitful end. She assured all that the Commission will fully monitor the implementation of the projects to ensure that it meets the standards of rights to health and life.





Council (The Council) at the ongoing 38th review of States by the Council.

HRCSL congratulated Sierra Leone as a State for the overwhelming commendations from other Member States of the Council for the tremendous progress Sierra Leone has made in implementing recommendations from the last review of 2016 and for the effective handling of emerging human rights issues like the Covid-19 pandemic and its attendant state of emergency regulations/restrictions.

HRCSL noted in particular commendations relating to the repeal of the criminal libel law hitherto contained in Part V of the Public Order Act of 1965, the introduction of the Free Quality School Education, the lifting of the ban allowing pregnant girls in school, the Hands-off Our Girls Campaign, the establishment of a Model Sexual Offences Court, the Gender Equality and Women’s Empowerment Policy, the One Stop Centres for Rape, among others. HRCSL also noted that several recommendations had again been made by Member States including the need to increase budgetary support to the Human Rights Commission of Sierra Leone to enable it effectively perform its mandate, the need to make laws that fully protect women and girls, to criminalise FGM, to pass laws that protect human rights defenders, and

to take steps to curtail the excesses of the Police, etc. The Vice Chair of the Human Rights Commission Sierra Leone Victor I. Lansana therefore said, HRCSL will popularize the recommendations, monitor its implementation throughout, and engage in constructive advocacy for those recommendations to be fully integrated and implemented albeit progressively. He commended the entire Sierra Leone team - from Geneva to Freetown for proper coordination and professional delivery of the materials during the review.



## Cybercrime Bill 2020 Should Guarantee Rights of Citizens

By Ibrahim Tarawallie

The Human Rights Commission of Sierra Leone (HRCSL) has welcomed the draft Cybercrime Bill 2020 which provides for the prevention of the abusive use of computer systems and timely and effective collection of electronic evidence for the purpose of investigation and prosecution of cybercrimes.

The Commission, amongst its various functions is mandated in Section 7(2) (d) of its Act, to “advise the Government concerning draft legislation, which may affect human rights”.

The Cybercrime Bill 2020 generated heated discussions amongst various sectors in the country after it was first tabled in Parliament by the Minister of Information and Communications, Mohamed Rahman Swaray. The Minister was asked by Parliament to initiate discussions and consultations on what the bill was about before it can become law.

According to the Vice Chairperson of HRCSL, Victor Idrissa Lansana Esq., in a much as they welcomed the bill, it was the view of the Commission that the bill had to be reviewed even before it is finally laid before Parliament.

He said having had the opportunity of going through the bill and made valuable inputs; the commission realized that there were several issues with some provisions in the bill.

“There are several provisions in that bill that had to be addressed or reviewed. For example, the bill says that the Minister has powers to make regulations if somebody is found wanting for any cybercrime. We believe that it is not the business of the Minister or any other Minister to prescribe punishment,” he said.

Commissioner Lansana noted that pinnacles have to be embedded in the substantive law as it should not be by a regulation and that it is the view of the Commission that, that aspect of the bill is woeful and as such, must be changed.

Also, the Vice Chairperson noted that the bill should address the right to privacy as the constitution is very clear on the privacy of individuals. According to him, the bill made provision for search to be conducted but noted that sometimes the police officers who have the obligation to do such search may actually misuse their rights, and by so doing they may infringed on the privacy of individuals.

“We are calling for safety measures or guards for police officers that will be actually allowed to do the search. We have recommended that the application for a search warrant before the High Court must have an affidavit that explains clearly why the search is to be carried out. It has to be very clear that the police have to do an undertaking in case they have no authority to carry out any search on somebody’s property. As a Commission, we believe in every rights that an individual has got,” Commissioner Lansana stated.

Commissioner Lansana also stated that another provision in the proposed bill that the Commission noticed was for owners of internet cafes who even as sole proprietors should register their businesses with the Corporate Affairs Commission. He said the Commission view this as burdensome on sole proprietorship. He added that if that provision stayed as it is now, that will take a lot of people from business and they have recommended that instead of the Corporate Affairs Commission, which is a company, the registration of those businesses should be done at the office of the Registrar General because the work of the Registrar General makes it very simple to go through registration.

“We are calling on Parliament to ensure that the freedom of expression is safeguarded because it is a constitutional provision that everybody has the right to express themselves freely. But the Commission has always said that in as much as we promote freedom of expression, it comes with responsibility. There must be responsible speech.”





Samuella is a prize-winning poet who has been published extensively in anthologies around the world. She has had many awards conferred on her, including the Medal of Ambassador of Literature (AOL) and Medal of The Order of Shakespeare (OOS). She is a member of the Sierra Leone Writers Forum and board member of PEN-Sierra Leone. Samuella is the author of two collections of poetry: ‘Love Colours” and “The Unsung Song”, both available on bookstores around the world, including Amazon.



Recover Better: Stand Up For Human Rights

Somewhere in yonderland  
There’s a place called the Past  
A place where all worries go  
The past, a graveyard for lost loves  
Broken hearts and pandemics

By hope, Covid woes  
Will end in the graveyard of the past  
Though we count our loses  
We shall heal, brother  
And we shall recover

Pandemics that reigned in terror  
Raining woes like it’s Monday  
Every day in August  
Flooding human minds  
Eroding their sanity  
Into muddy waters of insanity  
Unsuspecting souls,  
They wash down to eternity

We shall rewrite wrongs to read right  
Our rights to be humans  
Our rights to be treated so  
If we plant seeds of charity  
In spaces left blank  
By social distancing

But see now! See!  
How silent those banes of humanity lay  
Motionless, in the icy hands of memory  
Rotting forever  
In the yellow pages of time

Human rights wouldn’t be battered  
Or smothered into a coma  
Human rights wouldn’t be muted  
Twisted and broken in abuse  
Human rights wouldn’t be wronged  
On the rungs of enjoyments  
If we sanitize our hearts and minds  
Against viruses like discrimination  
Injustice and inequality

Like them, Covid came with a flash  
Like a bolt of lightning  
Threatening the essence of our existence  
Colouring our lives a hue of gloom

Let’s sanitize our ailing humanity  
If we wish to leave a legacy  
Of righted wrongs  
And dignified indignities  
And to that, you and I  
A vow we must make  
Always, to stand up for human rights

At 19, only 19!  
Covid is that bully with no value  
Valuing not our rights to a life  
Where we cough and sneeze  
Paying no price to suspicion  
Now in fear we hide  
Behind walls of masks  
Hideous walls of isolation

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Commissioner Hassan Yarjah

were been terrorized to freely participate in the elections.

On that note, the Human Rights Commission of Sierra Leone (HRCSL) Eastern region office led by the oversight Commissioner for Regional Services, Hassan Samba Yarjah visited the constituency on Friday, February 19, 2021 to assess the human rights concerns of the people.

In his statement, Commissioner Yarjah said the objective of the monitoring exercise was to assess how the elections related activities impact on the enjoyment of peoples’ fundamental human rights. He emphasized that rights goes with responsibilities and therefore urged the aspirants and their supporters to maintain the rule of law and respect for each other while exercising their political rights. Commissioner Yarjah asked that the audience turn to each other and recite “nor cuss, nor fet, nor provoke” meaning don’t insult, don’t fight and don’t provoke in the bye election activities.

The elections which was conducted on Saturday, February 27, 2021 went on peacefully with the Commission’s effective monitoring of the exercise across 17 polling stations in all 7 polling centers in ward 012, and in 47 polling stations across 22 polling centers in Constituency 010. The team noted that some of the polling centres serviced other nearby communities, where voters, some elderly had to walk long distances to cast their vote. The Commission noted that registered voters from 7 villages some as far as 14 kilometers cast their votes at Polling centre 01090 at Go Town Barry in ward 012.

During the exercise, the Commission monitored polling with a view to gauge and ensure that the pre-requisite rights in elections which include; the rights to freedom of association and of peaceful assembly; the rights to freedom of opinion and expression; the right to movement; and the rights to freedom from discrimination as guaranteed by international, regional and national human rights instruments are observed and respected.



From front page

Nasiru Deen Othman and Abdul Kanasieu Rollings against the Ministry of Sports and the Sierra Leone Football Association.

The complaint against the Respondents alleged violation of their rights to fair hearing and their rights to freedom of assembly and association as football stakeholders following their suspension from all football activities in July 2014.

Representative of the Ministry of Sports in the person of the Permanent Secretary, Mr. Adikali Samura told the Commission that the Minister of Sports had no issues with the complainants.

Meanwhile, Chris Kamara, General Secretary of SLFA who represented SLFA denied allegations against them and stated that an Investigation Committee was set up to look into allegations by the complainants but they refused to attend the proceedings on grounds that the Committee was illegal.

In order to reach a decision on the complaint, the Commission examined three key issues for determination; right to fair hearing, right to freedom of association and entitlement to any remedy by the complainants if both rights stated above were found to have been violated.

Based on the evidence provided the Commission found that the Ministry of Sport and SLFA breached due processes in suspending the complainants as they failed to inform them of any wrong doing in the press release dated 10th March 2015 that suspended them, nor did they give the complainants the opportunity to be heard for any alleged wrongdoing thereby violating the principle of natural justice and rights to fair hearing contrary to Section 23(2) of the Constitution of Sierra Leone 1991 and Article 20 of the UDHR, article 22 of the ICCPR and article 10 of ACHPR.

The Commission also ruled that the Ministry of Sports failed in its supervisory responsibility to ensure that SLFA lift the suspension imposed on Rodney Michael and the two others as was instructed by the same



Commissioner Victor I. Lansana Delivering HRCSL Position

Ministry in March 2015 and the said suspension prevented the complainants from participating in football activities organised by SLFA. That the SLFA by refusing these football stakeholders to participate in activities and events of SLFA was a violation of their rights to freedom of assembly and association contrary to Section 26(1) of the 1991 Constitution

Human Rights Commission of Sierra Leone therefore ordered the Ministry of Sport and SLFA to apologize to Rodney Michael and the two others, officially lift the suspension, expedite hearing of the allegations on Nasiru Deen Othman, and compensate all three for loss of earnings and psychological hardship suffered from July 2014 to December 2020.

The Commission reserves the right to invoke Section 8(1) (c) of the HRCSL Act of 2004 and Rule 60 of the Complaints, Investigation and Inquiries Rule of 2008 both of which give power to the Commission to refer persons to the High Court for contempt for failure to comply with the Commission's decisions, directives and/or orders.

From front page



HRCSL posed with the PC of Tankoro chiefdom

Affected Persons of mining areas, accused the company for not keeping to it promises, uphold safety measures for its workers, low employment of indigenous people and unsatisfactory relocation packages. Currently, the Affected Persons have filed a lawsuit against the company for not paying adequate compensation for properties destroyed and other environmental abuses they continue to suffer from the hands of the company

Meanwhile, Chief Paul Saquee of Tankoro Chiefdom, the community that hosts the company said, the company to a greater extent has complied with all the provisions in the agreement relating to the resettlement of communities and sometimes he forces them to go beyond their mandate. He said the relocated communities are equipped with all facilities they had in their previous settlements. These include; buildings for clinics, community centers, religious houses, police posts and markets. He noted that for the first time in the history of mining in Kono District, the Community Development Fund paid to the central government was given to the local authorities to implement projects within their districts.

According to him, those funds are currently used to undertake projects such as building of a well-furnished community center for hosting big district events. Other projects include markets, schools and health facilities for the community.

Rocco Vermuelen, General Manager for Koidu Limited, did a presentation on their operations ranging from human resources, safety, security, environment, government regulations and corporate social responsibility. Based on the discussions with the Affected Persons, the Commission sought clarification especially on those issues bothering on human rights.

Sustainable Water Restores Rights to Health and Life at Ola During, PCMH and Macauley Street Hospitals



Mr. Vermuelen further explained that since inception, ‘they have met all the provisions in the agreement as contained in their mining lease and sometimes go above just so they maintain a good relationship with the community.’ He facilitated the tour by members of the Commission to the mining tunnel that is 470 meters below ground level.

At the tour of the tunnel, Commissioners were shown all safety measures put in place including airways at the tunnel. Workers who were interviewed said they

**From page 4**

were happy on the job and that all safety protocols were adhered to by the company including food and medical facilities for them and their families.

The team later inspected previous settlements and the newly relocated settlements of the Affected Persons which are still under construction by the company.

At the close of the engagement with the company, the Chairperson of HRCSL Patricia Narsu Ndanema presented a copy of the Guidelines for Monitoring Business and Human Rights to the company in order to guide their operations towards compliance to human rights standards.