



# THE STATE OF HUMAN RIGHTS

IN SIERRA LEONE

2018 ANNUAL REPORT





The State of Human Rights in  
Sierra Leone 2018

**12th Annual Report of the Human Rights Commission of  
Sierra Leone  
Presented to the President and Parliament of The Republic of  
Sierra Leone  
Pursuant to Sections 7(2) (g) & 24(1) of  
The Human Rights Commission of  
Sierra Leone  
Act (No. 9) 2004**





31st March, 2019

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

Your Excellency,

**RE: HUMAN RIGHTS COMMISSION OF SIERRA LEONE 12TH ANNUAL REPORT  
ON THE STATE OF HUMAN RIGHTS IN SIERRA LEONE 2018**

The Human Rights Commission of Sierra Leone (HRCSL) has the pleasure and honour to submit to you its 12th Annual Report in accordance with Sections 7(2) (g) and 24(1) of the Human Rights Commission of Sierra Leone Act (No. 9), 2004.

“The State of Human Rights in Sierra Leone” is a report of activities of the HRCSL, covering the period 1st January to 31st December, 2018. As required by the Act, the report includes the ways in which the fundamental rights and freedoms as enshrined in the 1991 Constitution, International and Regional Agreements to which Sierra Leone is a party, have been observed or violated. It also includes steps taken by HRCSL to protect and promote human rights, individual complaints investigated, and the interventions and recommendations made by HRCSL in respect of matters brought before it.

HRCSL respectfully calls on the Executive, the Legislature, the Judiciary, Ministries Departments and Agencies to take necessary actions towards implementation of the recommendations in this report and all outstanding recommendations in its previous reports.

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

Your Excellency, let me assure you that HRCSL remains committed to its mandate of protecting and promoting human rights in Sierra Leone and looks forward to the continued support of the Government.

Yours faithfully,

A handwritten signature in blue ink, reading 'Patricia Narsu Ndanema', is positioned above the printed name and title.

**Patricia Narsu Ndanema**  
*Chairperson*



31st March, 2019

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

Dear Sir,

**RE: HUMAN RIGHTS COMMISSION OF SIERRA LEONE 12TH ANNUAL REPORT  
ON THE STATE OF HUMAN RIGHTS IN SIERRA LEONE 2018**

The Human Rights Commission of Sierra Leone (HRCSL) has the pleasure and honour to submit to you its 12th Annual Report in accordance with Sections 7(2) (g) and 24(1) of the Human Rights Commission of Sierra Leone Act (No. 9), 2004.

“The State of Human Rights in Sierra Leone” is a report of activities of the HRCSL, covering the period 1st January to 31st December, 2018. As required by the Act, the report includes the ways in which the fundamental rights and freedoms as enshrined in the 1991 Constitution, International and Regional Agreements to which Sierra Leone is a party, have been observed or violated. It also includes steps taken by HRCSL to protect and promote human rights, individual complaints investigated, and the interventions and recommendations made by HRCSL in respect of matters brought before it.

HRCSL respectfully calls on the Executive, the Legislature, the Judiciary, Ministries Departments and Agencies to take necessary actions towards implementation of the recommendations in this report and all outstanding recommendations in its previous reports.

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

Let me assure you that HRCSL remains committed to its mandate of protecting and promoting human rights in Sierra Leone and looks forward to the continued support of Parliament.

Yours faithfully,

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

**Patricia Narsu Ndanema**  
*Chairperson*

Acronyms .....	vii
Executive Summary .....	ix
Methodology .....	xii
Acknowledgement .....	xiv
Commissioners' Profiles .....	1

**Part 1: Background and Historical Context.....7**

1.1 CONTEXT .....	7
1.2 MANDATE OF THE HRCSL .....	7
1.3 VISION, MISSION AND CORE VALUES .....	8
1.4 ORGANOGRAM/STRUCTURE OF THE HRCSL .....	9

**Part 2: Activities of HRCSL in the Protection and Promotion of Human Rights in Sierra Leone .....13**

2.1 COMPLAINTS HANDLING AND MANAGEMENT.....	13
2.2 MONITORING AND RESEARCH ACTIVITIES.....	18
2.3 HUMAN RIGHTS EDUCATION ACTIVITIES .....	28
2.3.1 Institutional Capacity Building .....	28
2.3.2 Public Education and Outreach.....	29
2.3.3 Production of Information, Education and Communication (IEC) Materials and Newsletter.....	33
2.3.4 Launching of Special Elections Report and Newsletter .....	34
2.3.5 Media Outreach.....	34
2.3.6 Library and Documentation Centres .....	35
2.4 STRATEGIC ENGAGEMENTS .....	35
2.4.1 Engagements on Sexual and Reproductive Health Rights.....	36
2.4.2 Roundtable Discussion on the Status of implementation of HRCSL and TRC Recommendations on Women and Children .....	37
2.5 COMMEMORATION OF INTERNATIONAL HUMAN RIGHTS DAY – 10TH DECEMBER.....	38
2.6 FINANCE AND ADMINISTRATION OF HRCSL .....	39
2.6.1 Government Subvention .....	39
2.6.2 Projects:.....	40
2.7 KEY INSTITUTIONAL CHALLENGES AND RECOMMENDATIONS .....	41

**Part 3: The State of Human Rights in Sierra Leone.....43**

3.1 PROTECTION AND PROMOTION OF HUMAN RIGHTS.....	43
3.1.0 Civil and Political Rights .....	43
3.1.1 Right to life, Liberty and Security of the Person .....	43
3.1.2 Death Penalty .....	43
3.1.3 Freedom of Expression and the Press .....	44
3.1.4 Freedom of Assembly, Association and Movement.....	45
3.1.5 Protection from Deprivation of Property .....	
3.2 HUMAN RIGHTS IN THE ADMINISTRATION OF JUSTICE .....	46
3.2.1 The Sierra Leone Police.....	46
3.2.2 The Court System .....	48
3.2.3 Juvenile Justice .....	49
3.2.4 The Sierra Leone Correctional Service.....	50
3.2.5 Juvenile Detention Facilities.....	52



3.3	ECONOMIC, SOCIAL AND CULTURAL RIGHTS .....	55
3.3.1	Right to Just and Favourable Conditions of Work .....	
3.3.2	Business and Human Rights .....	55
3.3.3	Right to Education .....	59
3.3.4	Right to Health .....	62
3.3.5	Access to Clean and Safe Drinking Water .....	63
3.4	WOMEN’S RIGHTS .....	64
3.5	CHILDREN’S RIGHTS .....	68
3.6	VULNERABLE GROUPS .....	69
3.6.1	Persons with Disabilities .....	69
3.6.2	Older Persons .....	70
3.6.3	Persons Living with HIV/Aids.....	71
3.7	YOUTH.....	72
3.8	Important Events in Furtherance of the Protection and Promotion of Human Rights .....	73
3.9	Human Rights Defenders (HRDs) .....	73
<b>4.0</b>	<b>Recommendations</b>	
4.1	PROTECTION AND PROMOTION OF HUMAN RIGHTS .....	75
4.1.0	Civil and Political Rights .....	75
4.1.1	Right to life, Liberty and Security of the Person .....	75
4.1.2	Death Penalty .....	75
4.1.3	Freedom of Expression and the Press .....	75
4.1.4	Freedom of Assembly, Association and Movement .....	75
4.1.5	Protection from Deprivation of Property .....	75
4.2	HUMAN RIGHTS IN THE ADMINISTRATION OF JUSTICE .....	75
4.2.1	The Sierra Leone Police.....	75
4.2.2	The Court System .....	76
4.2.3	Juvenile Justice .....	76
4.2.4	The Sierra Leone Correctional Service.....	76
4.2.5	Juvenile Detention Facilities.....	77
4.3	ECONOMIC, SOCIAL AND CULTURAL RIGHTS .....	77
4.3.1	Right to Just and Favourable Conditions of Work .....	77
4.3.2	Business and Human Rights .....	77
4.3.3	Right to Education .....	78
4.3.4	Right to Health .....	78
4.3.5	Access to Clean and Safe Drinking Water .....	78
4.4	WOMEN’S RIGHTS .....	79
4.5	CHILDREN’S RIGHTS .....	79
4.6	VULNERABLE GROUPS .....	79
4.6.1	Persons With Disabilities .....	79
4.6.2	Older Person.....	79
4.6.3	Persons Living with HIV/Aids.....	80
4.7	YOUTH.....	80
4.8	IMPORTANT EVENTS IN FURTHERANCE OF THE PROTECTION AND PROMOTION OF HUMAN RIGHTS .....	80
4.9	HUMAN RIGHTS DEFENDERS (HRDs) .....	80



## Acronyms

<b>ACHPR</b>	African Charter on Human and Peoples' Rights
<b>ACRWC</b>	African Charter on the Rights and Welfare of the Child
<b>APC</b>	All People's Congress
<b>APPA</b>	All Political Parties Association
<b>C4C</b>	Coalition for Change
<b>CID</b>	Criminal Investigations Department
<b>CSOs</b>	Civil Society Organizations
<b>DHRCs</b>	District Human Rights Committees
<b>DPP</b>	Director of Public Prosecutions
<b>ECOWAS</b>	Economic Community of West African States
<b>EMB</b>	Elections Management Bodies
<b>FBC</b>	Fourah Bay College
<b>GANHRI</b>	Global Alliance of National Human Rights Institutions
<b>GVWC</b>	Guma Valley Water Company
<b>HRC</b>	Human Rights Council
<b>HRCSL</b>	Human Rights Commission of Sierra Leone
<b>ICC</b>	International Coordinating Committee
<b>ICCPR</b>	International Covenant on Civil and Political Rights
<b>ICESCR</b>	International Covenant on Economic Social and Cultural Rights
<b>IESPC</b>	Integrated Elections Security Planning Committee
<b>IFC</b>	International Finance Cooperation
<b>IHRD</b>	International Human Rights Day
<b>IPAM</b>	Institute of Public Administration and Management
<b>IPCB</b>	Independent Police Complaints Board
<b>IOM</b>	International Organization for Migration
<b>IWD</b>	International Women's Day
<b>MEST</b>	Ministry of Education Science and Technology
<b>MLSS</b>	Ministry of Labour and Social Security
<b>MMCET</b>	Milton Margai College of Education and Technology
<b>MoHS</b>	Ministry of Health and Sanitation
<b>MSWGCA</b>	Ministry of Social Welfare Gender and Children Affairs
<b>NASSIT</b>	National Social Security and Insurance Trust
<b>NCPD</b>	National Commission for Persons with Disability
<b>NEC</b>	National Electoral Commission
<b>NGO</b>	Non-Governmental Organization

## Acronyms

<b>NGC</b>	National Grand Coalition
<b>NHRI</b>	National Human Rights Institutions
<b>OHCHR</b>	Office of the High Commissioner for Human Rights
<b>OIC</b>	Opportunities Industrialization Center
<b>ONS</b>	Office of National Security
<b>OP-ICCPR</b>	Optional Protocol to the International Covenant on Civil and Political Rights
<b>OSD</b>	Operational Support Division
<b>PROSEC</b>	Provincial Security Committee
<b>RC</b>	Roman Catholic
<b>RCRC</b>	Ravera Children's Rehabilitation Centre
<b>RSCSL</b>	Residual Special Court for Sierra Leone
<b>RSLAF</b>	Republic of Sierra Leone Armed Forces
<b>SALHOC</b>	Sierra Leone Housing Corporation
<b>SDGs</b>	Sustainable Development Goals
<b>SGBV</b>	Sexual and Gender Based Violence
<b>SiLNAP</b>	Sierra Leone National Action Plan
<b>SLP</b>	Sierra Leone Police
<b>SLPP</b>	Sierra Leone People's Party
<b>SLCS</b>	Sierra Leone Correctional Services
<b>SLLC</b>	Sierra Leone Labour Congress
<b>SLRSA</b>	Sierra Leone Road Safety Authority
<b>SLTU</b>	Sierra Leone Teachers Union
<b>SOHR</b>	State of Human Rights
<b>SRHR</b>	Sexual and Reproductive Health Rights
<b>SRL</b>	Sierra Rutile Limited
<b>TEC</b>	Tertiary Education Commission
<b>TOCU</b>	Transnational Organized Crime Unit
<b>TRC</b>	Truth and Reconciliation Commission
<b>UDHR</b>	Universal Declaration of Human Rights
<b>UMU</b>	United Mines Workers Union
<b>UN</b>	United Nations
<b>UNDP</b>	United Nation Development Programme
<b>UNIMAK</b>	University of Makeni
<b>UPR</b>	Universal Periodic Review
<b>URPMICE</b>	Union of Railway, Plantation, Mineral Industry and Construction Employee

## Executive Summary

**T**he Human Rights Commission of Sierra Leone (HRCSL) in conformity with its functions stipulated in Sections 7(g) and 24 (1) of the HRCL Act 2004, produces its 12th Annual Report on the state of human rights in Sierra Leone.

**The Report is structured into four (4) parts:**

**Part 1** gives a background on Sierra Leone and the establishment of the HRCSL alongside its mandate of protecting and promoting human rights. It also states the jurisdiction and independence of HRCSL; as well as its Mission, Vision and Core Values and relationship with the Courts.

**Part 2** encompasses the major activities carried out by HRCSL in ensuring the fulfillment of its mandate. These include: complaints handling, monitoring places of detention and the general elections, human rights trainings, production of various reports and strategic engagements with partners.

For the period under review, HRCSL received 178 complaints of which 24 were admissible and 154 were inadmissible. The inadmissible complaints were referred to HRCSL's appropriate referral partners for redress or were resolved through mediation.

To ensure compliance with national, regional and international standards, HRCSL monitored police stations, correctional centers, the courts, social service institutions and multinational enterprises.

Since 2018 was an election year, HRCSL positioned itself to fully monitor the electioneering process. Commissioners and staff, supported by representatives of District Human Rights Committees (DHRCs) in all the districts, monitored the campaigns and the polls. An Election Situation Room was set up at its headquarters in Freetown to record complaints of human rights violations for onward submission to the Office of National Security (ONS) Situation Room, for appropriate action.

Public education formed part of the HRCSL's engagement in the electioneering process. Staff and representatives of DHRCs were trained on complaints handling and monitoring of human rights violations before, during and after elections. Also, Information, Education and Communication (IEC) materials were produced on human rights and elections, to disseminate human rights messages for free, fair, credible and violent free elections and to promote peaceful co-existence. In addition, using the training manual on Monitoring Human Rights Violations (developed in December 2017), and the Communique adopted at the National Conference on Human Rights and Elections held in 2017, HRCSL engaged local communities on the need to respect human rights before, during and after elections. An Elections Report with a comprehensive analysis of all key incidents and activities of the elections was produced and launched in Freetown in July 2018.

HRCSL also engaged in human rights education and training by establishing Human Rights Peace Clubs in 17 secondary schools in the Western Area and Bombali District, aimed at building a culture of human rights in schools.



Other engagements undertaken included: Engagement on Sexual Reproductive Health Rights aimed at decriminalizing abortion in Sierra Leone; the Universal Periodic Review (UPR) recommendations aimed at receiving updates on the status of implementation in respect of the 177 recommendations accepted by the Government of Sierra Leone (GoSL). Also, the engagement with MDAs and Parliamentary Female Caucus on the status of implementation of HRCSL's recommendations and those of the Truth and Reconciliation Commission (TRC) on Women and Children with the objective of advocating for the full implementation of these recommendations is reported herein.

A detailed account of expenditure of government and donor funds received for operations and project implementation forms part of the narrative in this section. International Human Rights Day was celebrated by raising awareness on the Universal Declaration of Human Rights and HRCSL's work in addressing Sexual and Gender Based Violence (SGBV) issues. This section ends with highlights of challenges faced by HRCSL in the implementation of its mandate.

These include: accommodation with limited space at headquarters and rents for regional offices; inadequate and delays in receiving subvention from government, insufficient and in some cases derelict office equipment and inadequate number of staff, among others.

HRCSL calls on the GoSL to meet its obligations as provided for in the Paris Principles by providing adequate funding and necessary logistical support to carry out its work.

**Part 3** focuses on the general state of human rights in the country with specific reference to the First and Second Generations of human rights (i.e. International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic, Social and Cultural Rights (ICESCR)) respectively.

### **Civil and Political Rights**

Violations of the right to life as a result of police intervention while executing their duty were recorded. Mention is made of the killings in Daru in April, Mile 91 and in Tonko Limba, both in 29th September. The Independent Police Complaints Board (IPCB) is urged to investigate these incidents and take appropriate actions against the perpetrators.

The death penalty is still in force and there were 40 persons on death row. Although the moratorium on the death penalty is still being observed, GoSL is urged to implement the TRC and UPR recommendations for the abolition of the death penalty, and to sign the Second Optional Protocol to the International Covenant on Civil and Political Rights (OP-ICCPR) on the abolition of the death penalty.

Freedom of Expression and the Press was enjoyed by all. However, two journalists were beaten at Lumley by military and OSD officers while doing their job during the run-off elections on 31st March. Also, a Newspaper editor was beaten while covering the bye- election in Ward 169 in the Tonko Limba Chiefdom in the Kambia District by OSD officers. Advocacy for the repeal of Part V of the Public Order Act continued. The draft cabinet paper requesting the amendment of the Public Order Act 1965 was submitted to the Attorney-General and Minister of Justice for her concurrence. HRCSL reiterates its call on government to repeal Part V of the 1965 Public Order Act, as successively recommended in all of its previous Annual Reports on the state of human rights in Sierra Leone.

In April 2018, the country witnessed a free, fair and credible multi-tier elections and a peaceful transition of political power from one party to another. However, there were reported incidents of violence in different parts of the country between and among rival political party supporters during the electioneering period.

HRCSL also noted that Freedom of movement was affected on Election Day as a result of a vehicular ban imposed by the Sierra Leone Police (SLP). This action was considered illegal and unconstitutional and was challenged at the High Court by Lawyers Charles Margai and Pa Momoh Fofana on behalf of Yekini Nasiru Mansaray. The Court rejected the application and the ban remained in place for the 7th March 2018 elections. HRCSL calls on the National Electoral Commission (NEC) and the Sierra Leone Police (SLP) to determine whether it is a viable initiative for future elections by conducting a thorough independent assessment of the impact of vehicular restrictions on polling day.

In the administration of justice, overcrowding and delays in trial have been the key issues in detention and correctional centers due to delays in processing indictment and frequent adjournments of cases in the courts. HRCSL continues to call on the judiciary for speedy trial of cases in order to fight against delayed justice.

Over-detention, overcrowding, poor hygiene and sanitation were identified as challenges in police detention facilities and many correctional centres. In addition, lack of food supply for suspects in police cells, inadequate logistics and personnel were reported as some of the constraints affecting the work of the SLP. Government should ensure that the SLP and Sierra Leone Correctional Service (SLCS) are adequately funded to carry out their work effectively.

Also outlined are challenges in the juvenile justice systems including prolonged trial, insufficient food, and inadequate healthcare. These contravene Article 13 (5) of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (“The Beijing Rules”). The Judiciary should ensure speedy trial for juvenile offenders while the Ministry of Social Welfare, Gender and Children’s Affairs (MSWGCA) should allocate more funds for the effective running of juvenile detention facilities.

### **Economic, Social and Cultural Rights**

HRCSL notes that in spite of the challenges surrounding just and favorable conditions at work, the decision of the Ministry of Labour and Social Security (MLSS) to increase the number of Labour Unions from one to at least two per company is an improvement on the enjoyment of the right to work. The slow progress in the review of some labour laws is highlighted as negatively impacting the enjoyment of the right to work.

An explosion at the Kings Production Factory in Freetown in June led to a suspension of the company’s operations by the MLSS in order for management to improve on its occupational health and safety measures. HRCSL urges the MLSS to intensify its monitoring of factories and related work places to prevent similar industrial or work related accidents.

The launching on 20th August and the subsequent implementation of the Free Quality School Education (FQSE), a flagship programme of the government, and the resultant challenges are discussed under the Right to Education.

Challenges in the implementation of the Free Health Care, which include the non-availability of certain drugs, strategies to improve on service delivery and other findings in the government hospitals and Peripheral Health Units (PHUs) are also outlined.

In spite of noticeable developments, access to clean and safe drinking water still remained a challenge in many parts of the country. The Ministry of Water Resources (MWR) should construct more dams and improve on the distribution network to address the water crisis and improve upon the water systems across the country.

International Women's Day (IWD) was celebrated with the theme, "Time is now: Transforming Women's Lives in Rural Areas in Sierra Leone", to reflect on progresses, challenges and the way forward for promoting gender equality and women's empowerment.

In the 2018 elections, although women participated fully as voters, not many aspiring women candidates were able to win symbols to contest despite advocacy from various women's groups, thus giving the indication that Sierra Leone is far from achieving the TRC recommendation for 30% representation of women in decision making positions.

The "Hands off our Girls" campaign was a strategy by the First Lady, Mrs. Fatima Bio, to address the high rate of sexual violence on girls. The campaign was supported by H. E. President Julius Maada Bio, who did the official launching on 14th December and First Ladies from Ghana, The Gambia, Liberia, Chad and Niger were in attendance. The intervention of HRCSL and Legal Aid Board (LAB) to reverse child marriages in Kathekeyan Kaboli, Paki Masangbon Chiefdom in the Bombali District and at the Fullah Mosque, Grassfield Lumley in Freetown respectively are also explained in this section. MSWGCA, and the Judiciary should ensure that perpetrators of early child marriage face the full penalty of the law as stated in Section 35 of the Child Rights Act 2007.

During the elections, tactile ballot guides were provided by NEC for the visually impaired and Persons with Disabilities (PWDs) were given the preference to cast their vote without joining the long queues at polling stations. However, some polling stations were not friendly to PWDs. The challenge of non-inclusion, which continues to hinder the enjoyment of human rights for PWDs is mentioned. Political parties did not award symbols to PWDs to contest for elective positions during the elections. The FQSE, which is the government's flagship programme did not adequately cater for Special Needs Institutions in the first phase of implementation. The National Commission for Persons with Disabilities (NCPD) should widely popularize the Disability Act 2011 and the United Nations Convention on the Rights of Persons with Disability (UNCRPD) in order to eliminate discrimination against PWDs.

The situation of older persons, Persons Living with HIV/AIDS, Youth, Human Rights Defenders and steps taken by the government to meet its reporting obligations, particularly on the midterm implementation of the Universal Periodic Review recommendations are also catalogued in the report.

**Part 4** This section proffers recommendations to various institutions and stakeholders for adequate implementation, as this will help in building a culture of human rights in fulfillment of HRCSL's mandate.



## **Methodology**

In compiling this Report, data was collected from both primary and secondary sources, which were analyzed using the rights guaranteed in international and regional instruments to which Sierra Leone is a party, the 1991 Constitution of Sierra Leone and other relevant domestic laws.

Primary sources of information included: complaints received, investigations conducted, interviews held, monitoring activities conducted and strategic engagements undertaken. Secondary sources were policies and legislative reviews, media reports, desk reviews and international and regional human rights standards.

Mixed methods involving quantitative and qualitative (questionnaires, observations, interviews and focus group discussions) techniques, were adopted in the development of this report. Staff monitored the human rights situation within their respective regions, supported by information received from the District Human Rights Committees. Commissioners and selected staff from Headquarters joined regional staff to conduct specialized human rights education and monitoring in the regions. The monitoring teams were guided by checklists in order to ascertain whether rights had been respected or violated.

## Acknowledgement



HRCSL would like to acknowledge the effort made by GoSL for financially supporting its operations. HRCSL also gratefully appreciates the technical and financial support from its development partners that aided the successful implementation of its activities and programmes during the first half of the year under review. These partners include the United Nation Development Programme (UNDP), the UN Office of the High Commissioner for Human Rights (OHCHR) and Ipas.

HRCSL recognizes the role of the outgoing Commissioners, the current Commissioners, and all of the staff for their contributions in implementing its mandate and for the successful production of this report.

In a very special way, HRCSL wishes to express profound appreciation to the SoHR Editorial Board including Commissioners Patricia Narsu Ndanema, Victor Idrissa Lansana Esq, Simitie Lavalley Esq, Dr. Gassan Abess and Hassan Samba Yarjah; Joseph Kamara, Josephine Thompson-Shaw, Brima Kelson Sesay, Abu Bakarr Kamara, Ishmael Bayoh, John Peter Fuller, Ann-Marie Balboa and the rest of the staff Directorate of Monitoring and Research (DMR), interns and volunteers for editing the manuscript and ensuring the final production of this report. Thanks also to Doris Sonsiama, Ahmed Wurie, Paul Jesse Moriba, Frederick Kamara and the rest of the staff for contributing to the compilation of this report.

Finally, HRCSL would like to thank MDAs, Human Rights Working Group (HRWG), Civil Society Organisations (CSOs) especially DHRCs and all individuals for their meaningful contributions during the information gathering and consultative processes in compiling this report.



**Joseph Benjamin Manking Kamara**  
*Executive Secretary*

## NEW COMMISSIONERS FROM APRIL 2019

## PROFILES



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

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

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

In 2013, Commissioner Ndanema left the HRCSL as Senior Human Rights Officer following her nomination by the HRCSL to be amongst the first set of African Human Rights Observers to be deployed in Mali. This was as a result of requests from the African Union, the Network of National Human Rights Institutions and ECOWAS and was charged with the responsibility to observe, monitor, document, engage appropriate authorities on human rights violations and report to the African Union and other partners intervening in the field of human rights. In 2015 she was recruited as a consultant by the African Union to perform similar tasks in Burundi and was the Gender Team Lead for the African Union Human Rights Observation Mission where she stayed till her appointment as the Chairperson of the Human Rights Commission of Sierra Leone.

She is a Board member of the Independent Police Complaints Board (IPCB), the Assistant Rapporteur for the Network of National Human Rights Institutions (NNHRI) West Africa and also member of many women's groups promoting the rights of women and children.

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

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





**Commissioner Victor I. Lansana** is a Barrister & Solicitor of the Superior Courts of Judicature of Sierra Leone and is the Vice Chairman of the Human Rights Commission of Sierra Leone. He is an Associate Partner in the Law Firm of Tejan-Cole, Yillah & Bangura where he extensively practiced law both in the criminal and civil courts until his appointment by the President of the Republic of Sierra Leone, Dr. Rtd. Brigadier Julius Maada Bio in February 2019 to serve a five-year term as the Vice Chairman of the Commission.

He attended the Albert Academy Secondary School from whence he proceeded to Fourah Bay College, University of Sierra Leone where he graduated with a Bachelor of Arts (Hons.) in English and later an LLB (Hons.) Degree. He also holds the Utter Barrister (Barrister-at-Law) Degree from the Sierra Leone Law School. He was appointed to serve as a lecturer in Communication skills / Foundation Studies at Fourah Bay College University of Sierra Leone from 2010 to 2016. He also taught at the Lebanese International School and the Government Model Senior Secondary School while serving as Examiner in English for the West African Examinations Council (WAEC).

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

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

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



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

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

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

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

She is the Oversight Commissioner for the Directorate of Complaints, Investigations and Legal Services, but also supports the Southern regional office and the Directorate of Gender & Children's Affairs.



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

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

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

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

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

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



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

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

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

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

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

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

# **HRC SL**

## **Report a Violation to:**

### **Headquarters**

NEC Building, Tower Hill, Freetown  
079-481520

### **North**

65 Magburaka Rd, Makeni  
076-571770

### **East**

67 Blama Road, Kenema  
076-796810

### **South**

13 Old Railway Line, Bo  
078-336306

### **WA-Rural:**

11 Findley St, Waterloo  
076-391978

**Website: [www.hrc-sl.org](http://www.hrc-sl.org)**



## **Part 1: Background and Historical Context**

### **1.1 Context**

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

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

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

Sierra Leone gained a seat at the UN Human Rights Council (HRC) from 2012 to 2015.

### **1.2 Mandate of the HRCSL**

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

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

## Independence of the Commission

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

## Jurisdiction

Under Sections 1 and 7 of the 2004 Act, 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. This can be done by way of complaint investigations, inquiries or tribunal hearings. However, Section 16 of the Act stipulates that HRCSL cannot investigate any matter pending, or already decided by a court of competent jurisdiction or any human rights violation that occurred before 26th August 2004. It also only investigates violations of human rights by public officials.

## 1.3 Vision, Mission and Core Values

### 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:

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

### Core Values

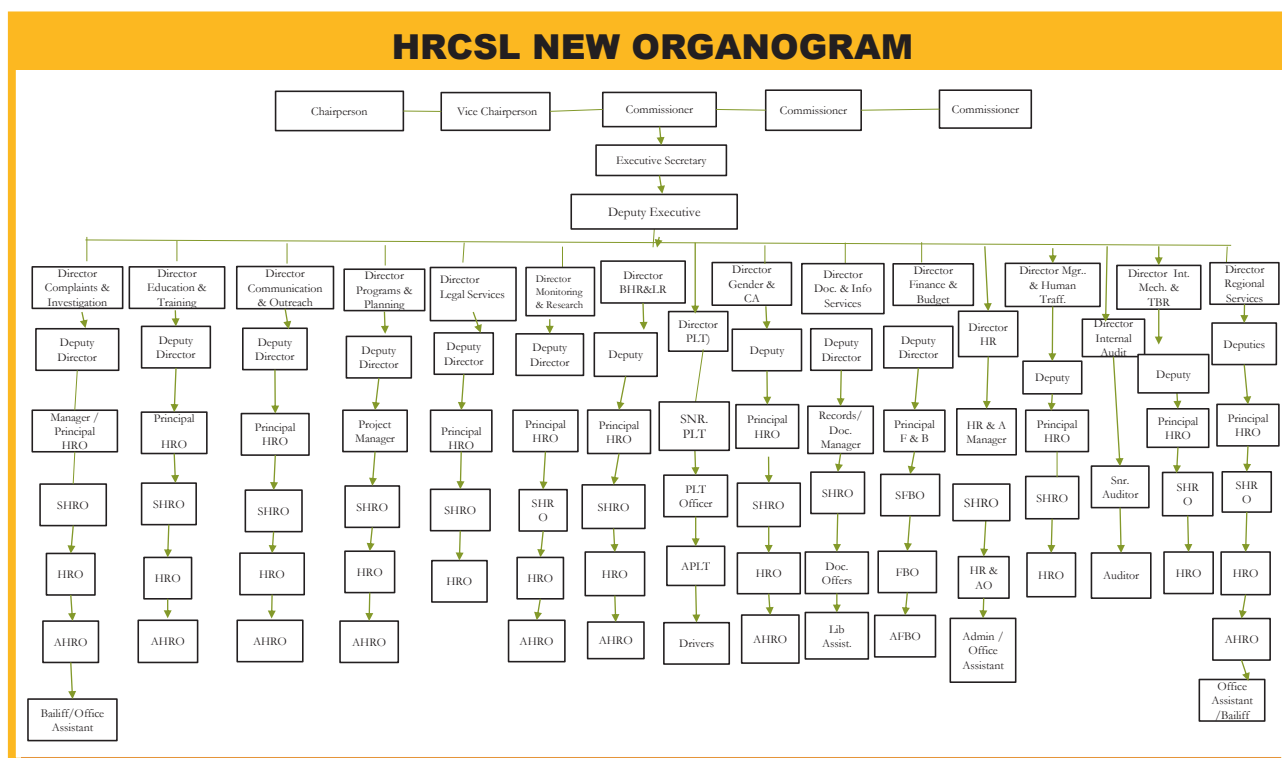
As an Independent Human Rights Institution, the HRCSL is committed to upholding these core values:

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

## Relationship with the Courts

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 its 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 powers to intervene in legal proceedings involving any human rights issue by issuing amicus curiae briefs. HRCSL being a corporate body can sue and be sued in a Court of law.

## 1.4 Organogram / Structure of the Commission



### DIRECTORATES OF HRCSL

#### Directorate of Complaints, Investigations and Legal Services

The Directorate is responsible for carrying out the function of the Commission enshrined in section 7(2)(a) of the Human Rights Commission of Sierra Leone Act (No.9) of 2004 which is to “investigate or inquire into on its own or on complaint by any person any allegations of human rights violations and to report thereon in writing.”

The Directorate also provides support to the Commission in its role of reviewing existing or draft legislations which may affect human rights and advising Government on same. It supports the Commission in effectively collaborating with governmental and non-governmental organisations and other public interests bodies engage in human rights through its Referral Partnership Forum. The Directorate also advises the Commission on any legal and human rights issues.

#### The Directorate of Monitoring and Research (DMR)

It carries out:

1. The monitoring and research functions of the Commission as required in (Section 7(2)(f) of the HRCSL Act 2004) which include monitoring, researching, documenting and reporting on the human rights situation in the country.
2. Coordinating the monitoring and research activities of the Commission including those of the regional offices.
3. Coordinating the Commission’s role in reviewing legislation, draft bills and policies to ensure compliance with domestic, regional and international human rights standards and

principles (Sections 7(2) (c) (d) and (e) of the HRCSL Act 2004)

4. Strengthening HRCSL's partnership in the area of monitoring and research with key stakeholders and implementing partners
5. Monitoring government's compliance with international and regional human rights standards
6. Producing the Commission's annual report on "The State of Human Rights in Sierra Leone" in accordance with Sections 7(2) (g) and 24(1) of the HRCSL Act 2004).

### **There are five units within the Directorate**

1. **Monitoring** - Responsible for monitoring and reporting on human rights issues (violations). The Commission monitors places of detention (Correctional Centres, Police Cells, Remand Homes, Care Giver Homes) and incidences that occur spontaneously.
2. **Women and Children's Rights** - In addition to the general objectives of the Directorate, this unit is responsible for raising awareness and building capacity on the rights of women and children in Sierra Leone, monitor the implementation of gender laws and ensure that the Commission's programmes are gender compliant. It is also responsible for coordinating training on gender, children and women's rights and SGBV; providing technical guidance in promoting the rights of women and children at all levels; collaborating with government, the National Commission for Children, UN agencies, civil society groups, local and international NGOs on woman and children's issues.
3. **Disability and Non-Discrimination** - In addition to the general objectives of the Directorate, this unit is responsible for promoting empowerment for differently-abled and marginalized persons through training and advocacy; developing programs and materials that promote the principle of equality and non-discrimination; creating awareness on contemporary approach to the rights and service needs of differently abled-persons, vulnerable and marginalized persons; supporting government initiatives directed towards supplying the needs of differently abled-persons and promotion of equality and non-discrimination; developing and supporting implementation of a differently-abled policy for the HRCSL in consultation with organizations of differently abled-persons.
4. **Treaty Body and Other Mechanisms** - In addition to the general objectives of the Directorate, this unit is responsible for promoting and ensuring the harmonization of national legislation, regulations and practices with international human rights instruments to which the State is a party. Encouraging ratification of human rights instruments or accession to those instruments, and to ensure their implementation. Contributing to the reports which the State is required to submit to United Nations bodies and committees, and to regional institutions, pursuant to their treaty obligations. and, where necessary, to express an opinion on the subject, with due respect for their independence. The units should cooperate with the United Nations and any other organization in the United Nations system, the regional institutions and the national institutions of other countries that are competent in the areas of the promotion and protection of human rights and Collect data around the implementation of the UPR and reporting.
5. **Business and Human Rights** - In addition to the general objectives of the Directorate this unit is responsible for supporting the Commission's investigation, monitoring and educational mandate as well as its engagement with business entities on human rights. It works with

national and international partners working in the field of business and human rights and also collaborates with statutory institutions regulating business activities in the country.

## **DIRECTORATE OF EDUCATION, COMMUNICATION AND TRAINING**

The Directorate is responsible to carry out the functions of the Commission outlined in Section (7) 2(b) 1-3 of the Human Rights Commission of Sierra Leone Act, 2004 as follows:

### **(b) Promote respect for human rights, through –**

- Public awareness and education programmes aimed at creating a culture of human rights in Sierra Leone;
- Providing human rights information, including locating within the Commission a national human rights resource and documentation centre;
- Publishing guidelines, manuals and other materials explaining the obligations of public officials in the protection of human rights;

The directorate coordinates training and public education programmes on human rights for public officials, civil society organisations and other members of the public. It is responsible to implement the Commission's Communication Strategy. The directorate coordinates public information and media engagements of the Commission. It manages the Commission's website and the Library and Documentation Centres and the Truth and Reconciliation Archives.

## **DIRECTORATE OF FINANCE AND ADMINISTRATION**

This division manages and supervises the finances of the Commission and provides the logistical support required for the work of the Commission. It ensures that financial reports to government and donors are submitted in a timely manner. It further provides support for the development and implementation of projects and fundraising activities of the Commission.

## **DIRECTORATE OF PROGRAMMES, PLANNING, MONITORING AND EVALUATION**

This Directorate is responsible for the management and coordination of all programmes of the Commission as follows:

1. Facilitating the development of project proposals and operational plans, coordinate the development and management of Directorate Annual Work Plan (AWPs),
2. Coordinating development and management of resource mobilization/strategy of the Commission, train program teams to use data collection tools and techniques, including ongoing mentoring and support.
3. Analyzing data to track project and program progress against agreed targets and log-frames, keep up-to-date record on developments in monitoring systems.
4. Monitoring project progress, ensuring that implementation is in harmony with projects/programs specific operational plans, and report regularly on all activities
5. Guiding and coordinate all M&E activities and accordingly assign roles for staff, project



participants and partners.

6. Developing and implementing evaluation plans for all projects, discuss emerging issues from project progress and evaluation reports, and coordinate the development and follow up of action plans for recommendations.
7. Design and implementing a system to identify, analyze, document and disseminate lessons learned from program and project activities, share evaluation results with the staff and ensure that lessons from evaluations are incorporated into the development of all new projects
8. Developing and coordinating an overall framework and calendar (including guidelines and procedures) for program monitoring and evaluation of HRCSL .
9. Ensure that all project M&E plans and log frames align with the organizations overall Theory of Change, goals and targets, and work with other directorate to ensure adherence to HRCSL's principles and promote HRCSL's visibility.

## **DIRECTORATE OF REGIONAL SERVICES**

This Directorate is responsible for extending HRCSL's operations to the regions. Its functions include:

- Extending the Commission's service delivery to the rural communities;
- Facilitating the Commission's work in compliance with the HRCSL Act 2004 and Complaints Investigation and Inquiry Rules 2008;
- Making the HRCSL increasingly invisible, more accessible and responsive to human rights issues at the regional and grassroot levels;
- Capacitating regional staff and partners to implement programmes, create impact and provide feedback on human rights work and service delivery to the public;
- Enhancing the effective collaboration and strengthening the Commission's relationship with state and non-state actors working in the area of human rights at the level of the region; i.e. in particular, MDAs and District Human Rights Committees and Human Rights Defender Network.

## Part 2: Activities of HRCSL in the Protection and Promotion of Human Rights in Sierra Leone

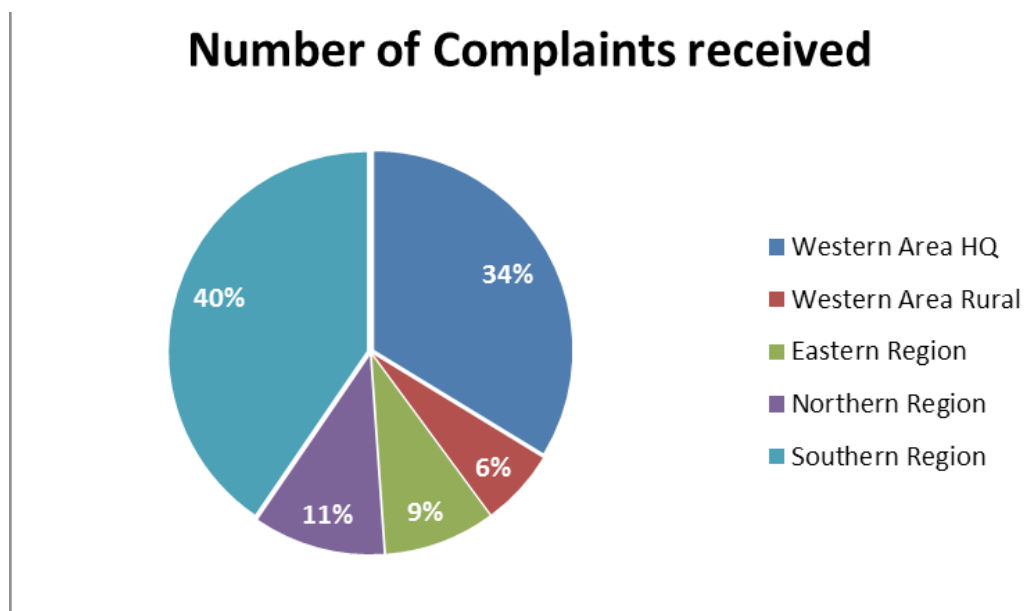
### 2.1 Complaints Handling and Management

Section 7 (2) (a) of HRCSL Act (No.9) of 2004, provides that HRCSL shall “investigate or inquire into on its own or on complaint by any person any allegation of human rights violations and to report thereon in writing”. In the year under review, a total of 178 complaints were received at headquarters and the regional offices, as shown in Table 1 and Figure 1.1.

**Table 1: Complaints received by Regions**

Region	Number of Complaints received	%
Western Area (Headquarters)	60	34
Western Area Rural	11	6
Eastern Region	16	9
Northern Region	19	11
Southern Region	72	40
<b>Total</b>	<b>178</b>	<b>100</b>

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



### Admissibility Decision on Complaints

HRCSL takes decisions on complaints received and categorizes them as admissible or inadmissible. Admissible complaints are complaints that allege violations of human rights by a public official. Complaints that fall outside its mandate are inadmissible and are either referred to the respective MDAs for action or mediated on request of both parties. Complaints referred are also monitored to ensure that complainants get redress.

**Table 2: Admissibility Decision of Complaints per Regions**

No.	Decision on complaints received	W/A HQ	Western Area Rural	Eastern Region	Northern Region	Southern Region	Total	%
1	Admissible	5	2	3	4	10	24	13.5
2	Inadmissible	55	9	13	15	62	154	86.5
<b>Grand Total</b>		<b>60</b>	<b>11</b>	<b>16</b>	<b>19</b>	<b>72</b>	<b>178</b>	<b>100</b>

Table 2 shows that out of 178 complaints received only 24 (13.5%) were admissible, 154 (86.5%) were inadmissible. This large number of inadmissibility was as a result of the fact that many of the complaints received were abuses rather than violations of human rights. Nevertheless, these complaints were referred to the appropriate institutions for redress and HRCSL monitored them until they were resolved.

**Table 3: Outcome of Complaints**

No.	Action on complaints received	HQ	WA	ER	NR	SR	TOTAL	%
1	No. of complaints investigated and completed	1	0	1	1	3	4	2.2
2	No of complaints with investigations ongoing	0	1	0	0	0	1	0.6
3	No. of complaints mediated	10	2	3	5	16	38	19.1
4	No. of complaints referred and monitored	40	6	3	9	44	102	57.9
5	No. of complaints withdrawn	0	1	0	0	0	1	0.6
6	No. of complaints to be closed	1	0	0	1	1	3	1.7
7	Counseling and advice	11	1	9	3	8	32	17.9
<b>Grand Total</b>		<b>60</b>	<b>11</b>	<b>16</b>	<b>19</b>	<b>72</b>	<b>178</b>	<b>100</b>

Table 3 shows the categorization in the number of complaints received. Four (4) of the admissible complaints were investigated. A total of one hundred and two (103) inadmissible complaints were referred to the appropriate institutions mandated to handle such complaints and monitored, and thirty eight (34) mediated. Thirty two (32) of the complaints received required counseling and advice.

**Table 4: Categorization of Complaints Lodged Against Individuals/Institutions**

No.	Respondent	W/A HQ	WR	ER	NR	SR	Total	%
1	Individual	34	2	8	9	30	83	46.6
2	SLP	6	5	1	4	15	31	17.4
3	Private Sector	9	1	2	3	6	21	11.8
4	Judiciary	3	0	0	1	8	12	6.7
5	Local Court	0	0	3	0	7	10	5.6

6	Traditional Authorities	0	1	2	0	3	6	3.4
7	Private School	3	0	0	0	1	4	2.2
8	Correctional Service	2	0	0	0	1	3	1.7
9	Ministry of Local Government	0	2	0	0	0	2	1
10	RSLAF	1	0	0	0	0	1	0.6
11	NGO	0	0	0	1	0	1	0.6
12	Ministry of Labour	1	0	0	0	0	1	0.6
13	NASSIT	0	0	0	1	0	1	0.6
14	NEC	1	0	0	0	0	1	0.6
15	SLRSA	0	0	0	0	1	1	0.6
<b>TOTAL</b>		<b>60</b>	<b>11</b>	<b>16</b>	<b>19</b>	<b>72</b>	<b>178</b>	<b>100</b>

Table 4 is a categorization of respondents for complaints received. The highest number of complaints, (46.6%) was made against private individuals. This is due to the lack of understanding of the HRCSL's mandate by some members of the public. HRCSL conducts public education on its mandate but however does not discourage these types of complaints as the appropriate advice, mediation, referral and/or follow up is done to ensure the complainants get the needed redress. The second highest number of complaints (17.4%) received was against the SLP. Some of the complaints lodged against them constituted human rights violations and were investigated. However, HRCSL recorded complaints against the police for the purposes of monitoring compliance with constitutional requirements regarding arrests, detention, prosecution, police delay and or inaction thereof, because at the time of receiving the complaints they did not constitute a violation. 11.8% of complaints were made against the private sector but were referred to the appropriate institutions for redress as HRCSL does not have the prerogative to handle such matters. 6.7% were against the Judiciary for dissatisfaction with judgment and sentencing outcomes, followed by the Local Court with 5.6% for exorbitant fines that were in contravention of the Local Government Act.

**Table 5 Nature of Complaints Filed by Sex**

No.	Nature of Complaints	Male	Female	Total	%
1	Denial of equal protection before the law	3	5	8	4.5
2	Unlawful arrest	0	1	1	0.6
3	Prolonged detention	7	0	7	3.9
4	Inhuman and degrading treatment	1	3	4	2.2
5	Right to life	1	0	1	0.6
6	Right to Property	24	9	33	18.5
7	Unfair hearing	13	6	19	10.7
8	Discrimination	1	1	2	1
9	Police related	3	3	6	3.4
10	Child rights	4	13	17	9.5
11	Workers' rights	19	4	23	12.9
12	Matrimonial dispute	5	13	18	10

13	Local Court related	2	6	8	4.5
14	Crime related (individual)	8	6	14	8
15	Other judiciary related issues	1	1	2	1
16	Right to education	2	0	2	1
17	Mental health	8	1	9	5.5
18	Election related	4	0	4	2.2
<b>Total</b>		<b>106</b>	<b>72</b>	<b>178</b>	<b>100</b>

Table 5 is a disaggregation of complaints by sex. One hundred and six (106) complaints were filed by men and seventy two (72) by women. The table shows that a high number of complaints reported thirty- three (33) were right property issues. This was followed by workers' rights/labour related issues twenty three (23) and unfair hearing nineteen (19).

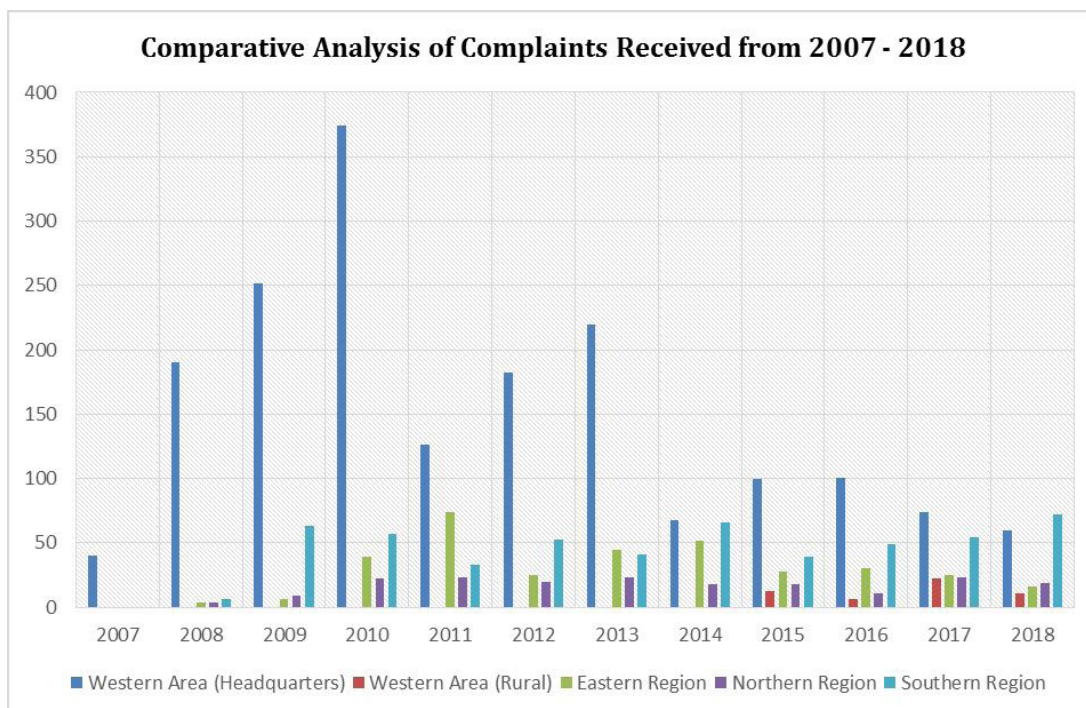
**Table 6 Comparative Analysis of Complaints Received from 2007-2018**

No.	Region	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total	%
1	W.A (HQ)	40	190	252	374	126	182	220	68	100	101	74	60	1787	61.4
2	W.A (R)	-	-	-	-	-	-	-	-	13	6	22	11	52	1.8
3	E.R	00	04	06	39	74	25	45	52	28	30	25	16	344	12
4	N.R	00	04	09	22	23	20	23	18	18	11	23	19	190	6.5
5	S.R	00	06	63	57	33	53	41	66	39	49	54	72	533	18.3
<b>Grand Total</b>		<b>40</b>	<b>204</b>	<b>330</b>	<b>492</b>	<b>256</b>	<b>280</b>	<b>329</b>	<b>204</b>	<b>198</b>	<b>197</b>	<b>198</b>	<b>178</b>	<b>2906</b>	<b>100</b>

N. B. WA(HQ) Western Area Headquarters; W.A(R) Western Area Rural;  
E.R Eastern Region; N.R Northern Region; S.R Southern Region;

Table 6 shows that HRCSL has received a total of 2906 complaints since 2007. The HRCSL received the highest number of complaints in 2010 which is 492. This was mainly due to complaints made by 311 ex-service men. In 2018, 178 complaints were reported. It also noted that the HRCSL's Headquarter Office in the Western Area has cumulatively received the highest number of complaints from 2007 to date which is 1,787 (61.4). This is largely due to the accessibility of Headquarters and increased awareness raising in the Western Area.





## 2.1.2 Mobile Complaints Hearing

On 13th and 14th March, HRCSL conducted one mobile complaint hearing in Port Loko in the newly created North-Western region. The purpose of the hearing was to provide the opportunity to members of that community to present in person to HRCSL, their complaints relating to human rights violations that occurred before, during and after the March 7 general elections. This was done in order to address reported cases of political violence and allegations of human rights violations that needed the intervention of HRCSL, since it does not yet have an office in Port Loko.

On the first day, HRCSL engaged fifty (50) participants and on the second day, complaints were received, all related to the elections processes.



Complaints Registrar explaining the procedures for receiving complaints

## **2.2 Monitoring Activities**

The HRCSL has the responsibility under Section 7 (2) (f) of the Act “to monitor and document violations of human rights in Sierra Leone”. This is clearly outlined in Strategic Priority No. 4 of HRCSL’s Strategic Plan 2016 – 2020.

### **2.2.1 Places of Detention**

In the months of May and June 2018, HRCSL monitored detention facilities across the country in fulfillment of its function. The monitoring objective was to assess compliance with the 1991 Constitution of Sierra Leone, Mandela Rules, Beijing Rules, Luanda Guidelines, Bangkok Rules and other international instruments in respect of the treatment of prisoners / detainees / suspects. The monitoring was conducted with the aid of the HRCSL’s Monitoring Tools.

#### **1. The Sierra Leone Correctional Service**

The Mattru and Bonthe Correctional Centres in the Southern Region were monitored on 22nd and 24th May respectively while the Kenema and Kailahun Correctional Centres in the Eastern Region were monitored from 6th – 10th June. The Freetown Male and Female Correctional Centres in the Western Area were monitored on 5th and 26th June respectively and on 19th June, the Port Loko Correctional Centre in the Northern Region was also monitored.

#### **2. Juvenile Detention Facilities**

The Approved School in Wellington was monitored on 22nd May while the Kingtom Remand Home was monitored on 7th June. The Bo Remand Home was monitored in June.

#### **3. Police stations**

Within this same period (May - June), fourteen (14) police stations were monitored in the Western Area Urban district while nine (9) police stations, six (6) police posts and five (5) chiefdom police lockups were monitored in the Western Area Rural, Lungi and Masiaka Communities.

Six (6) police stations, one (1) police post and 3 schools in the Eastern Region; three (3) police stations, one (1) police post, two (2) chiefdom police lockups, in the Northern Region; and four (4) police stations in the Southern Region.

### **2.2.2 Hospitals**

During the year under review, HRCSL visited five (5) hospitals around the country to engage authorities on various human rights issues related to the management of the facilities including the availability or lack thereof of drugs, the implementation of the Free Health Care for pregnant women, lactating mothers, and children under five years, Ebola survivors and persons with disabilities.

HRCSL monitored the Bo Government Hospital in the Southern Region on 28th March while in the Western Area the Rokupa Government Hospital in Wellington was monitored on 22nd May. In the North, the Yele and Magburaka Government Hospitals were visited on 23rd May and the Port Loko Government Referral Hospital on 19th June.

### 2.2.3 The 2018 Elections

HRCSL was fully engaged in the conduct of the multi-tier Elections through monitoring and other engagements. All three phases in the (pre, during and post) electoral cycle were monitored. The overall objective of the monitoring was to assess the enjoyment or limitations on human rights standards (namely: the freedom of opinion and expression, freedom of assembly, association and movement, freedom from political violence and intimidation, freedom from arbitrary arrests, and freedom from discrimination and of participation).

In this regard, monitoring of the 2018 elections was a key component of HRCSL's work plan and it positioned itself to monitor all phases of the electoral process.

As a first step, HRCSL developed an Election Monitoring Strategy for planning and implementation of its elections activities.

Monitoring was carried out with the aid of HRCSL's Checklist for Monitoring elections to document human rights related violations during elections. HRCSL and members of DHRCs were trained in the use of relevant monitoring skills. Commissioners and staff were also trained on the Code of Conduct for Monitoring Elections.

#### Pre-Election Phase

##### 1. Campaigns /Rallies and Nominations

In early February, the National Electoral Commission (NEC) released its campaign schedule for political parties and independent candidates. This campaign period (4th February – 5th March) was monitored by 2 Commissioners, 35 staff and 11 interns/volunteers. General monitoring was done in the first half of the campaign period (4th – 17th February, 2018), when most of the activities of political parties were low key. As the time progressed and the campaign period drew closer to the end (18th February – 5th March 2018), activities of political parties intensified with outdoor engagements and street rallies. To this end, HRCSL heightened its monitoring of electoral activities through regular engagements and physical presence at these events. Particular attention was given to activities of four major parties – the All People's Congress (APC), the Sierra Leone People's Party (SLPP), the National Grand Coalition (NGC) and the Coalition for Change (C4C) as these were the parties that were regarded as the most popular.





NGC rally in Freetown



APC rally in Port Loko





The SLPP rally in the Central Business District of Freetown

Two teams (each comprising 3-4 people) monitored the campaigns in Eastern and Western parts of Freetown, when each of the four political parties were out on their campaign dates. Regional officers were supported by two representatives from each DHRC in their respective regions (Western Area Rural, Northern, Southern and Eastern Regions). Commissioners and staff from HQ also joined the regional staff to monitor the last campaigns of the APC in Bo on 27th February and the SLPP in Kono on 4th March.

## 2. Setting up of the HRCSL Election Situation Room

HRCSL set up its Election Situation Room on the 23rd February in order to gather relevant information across the country that would inform its actions and decisions, in order to ensure that elections were conducted using the right-based approach. It became fully functional after it was commissioned on 27th February.



### ELECTIONS SITUATION ROOM

TEL: 076629663

TEL: 076629665

#### REGIONAL OFFICES

TEL: 076629728 – EAST

TEL: 076629625 – SOUTH

TEL: 076630964 – NORTH

TEL: 076628933 – WESTERN AREA

Launching of the HRCSL Situation Room by Commissioner Rashid Dumbuya



Prior to its commissioning, HRCSL engaged ONS through its Integrated Elections Security Planning Committee (IESPC) and NEC for collaboration and partnership in information sharing for prompt action/intervention on issues that may hinder the enjoyment of human rights in the electioneering process particularly during the campaigns and on polling day.

Contact numbers for the Situation Room were shared with partners and the general public, to send in reports of human rights violations to HRCSL.

A Matrix was developed for documenting complaints/concerns and actions taken by the Commission regarding the complaints.

**SITUATION ROOM MATRIX**

Name of reporter/monitor /institution	Incident summary	Location of incident	Type of HR violation(s) / concern	Alleged Victim(s)	Alleged Perpetrator(s)	Action taken	Referral partner	Update from referral partner	Upd. from repo mon

Page: 1 of 3 | Words: 36

## Matrix for documenting complaints and concerns

A total of 4 complaints were received in the pre-elections monitoring period. One (1) complaint was a threat to security and freedom of assembly and association and it was referred to the ONS Situation Room for immediate action. The remaining three (3) complaints had to do with intimidation, right to property, freedom of association and freedom of movement. These were referred to the regional officers for action.

The Election Situation Room was operational on polling day and it registered the highest number of calls on that day. A total of 15 (fifteen) calls were received: 1 (one) which related to security was forwarded to the

ONS Situation Room while 3 (three) which related to the freedom of participation and the general conduct of the elections. These were forwarded to NEC. HRCSL provided the necessary information or guidance to the callers for the remaining 11 (eleven) complaints which related to the freedoms of participation and movement.

The Situation Room was very useful in the protection and promotion of human rights during the electioneering period. Calls were received from various parts of the country giving an indication of the trust people had in the HRCSL.

HRCSL commends the respective partners for the prompt actions taken on the reports forwarded to them for action. For example, on polling day, additional troops were sent to Kroo Bay after HRCSL forwarded a request made by security personnel stationed for increased security during the counting process. Also, NEC called an immediate press conference within an hour of receipt of information from HRCSL that mayoral ballots were absent for the Bonthe Municipality elections. Staff endeavored to update some callers who had concerns about events in their communities on actions taken or to be taken by the relevant authorities to whom their concerns were forwarded. In the post election period, media monitoring prompted the HRCSL to conduct its independent investigations into reports of violence and mass movement of people from Sewafe, Masabendu and other parts of Kono District into Masingbi, in the Tonkolili District.

### 3. Elections Days

HRCSL deployed 3 Commissioners, 57 Staff (including support staff) 22 interns and volunteers to monitor polling day (7th March, 2018) and the run-off (31st March, 2018). Regional officers were supported by 30 DHRC representatives (two from each district).

The objective of monitoring the elections was to observe adherence to or violations of human rights standards during the electioneering period. Approximately, 1738 polling stations across the country were monitored as follows: one thousand three hundred and forty-four (1344) in the Western Area; thirty-four (34) in the Northern Region; one hundred and ninety-four (194) in the Southern Region and one hundred and sixty-six (166) in the Eastern Region.

The scope of the monitoring teams was to observe the general situation of the polling centres/stations, the comportment of voters, the voting procedures and other technical issues, violence/intimidation, presence of security personnel and freedom from discrimination.



At the end of the first round of voting, HRCSL put out a report highlighting its preliminary findings on the conduct of the elections.

HRCSL observed that there was a greater adherence to human rights standards in spite of some few challenges which did not affect the overall conduct of the elections on 7th March and the run-off on 31st March, as was seen in the Bonthe Municipality, some Wards in Freetown, Kenema and Pujehun Districts where there were delays in voting due to technical problems. Also, the standoff between some security personnel and SLPP supporters in Goderich was resolved through the intervention of international election observers. The situation was the same during the presidential run-off on 31st March except that a few arrests were made by the SLP on allegations of public disorder and electoral offences.

#### **4. Post-Elections Monitoring and Handling of Human Rights Elections-Related Abuses and Violations.**

##### **Post (7th March) Elections**

In order to promote public confidence and ensure respect for human rights standards in the aftermath of the elections, HRCSL continued its monitoring of the two week long campaign for the presidential run-off election. During this period, HRCSL visited “hot spots”, and engaged relevant stakeholders where necessary.

##### **Western Area:**

1. 17th March (campaign date for SLPP)- Kaningo community in Constituency 132, where violence broke out between the SLPP and All People’s Congress (APC) party supporters. The SLP arrested two suspects.
2. 18th March (campaign date for APC) clash between the SLPP and APC party supporters in Kissy. The SLP arrested one suspect.
3. 19th March (campaign date for SLPP) clash between the SLPP and APC supporters in Kaningo.
4. 21st March (campaign date for SLPP) clash between APC and SLPP supporters in Calaba Town.
5. 21st March (campaign date for SLPP) clash between SLPP and APC supporters in Fogbo village in Waterloo.
6. These clashes resulted in injuries to several people and loss of property, thus restricting the freedom of association and assembly and the right to property. The causes of all of these clashes have been attributed to both parties not respecting the campaign timetable set by NEC.

In the aftermath of all of these clashes, and in its effort to ensure the protection and promotion of human rights, HRCSL engaged the Head of the Criminal Investigations Department (CID) Headquarters to ascertain the prevalence of post-election violence in Freetown. HRCSL noted that a total of two hundred and seventy (270) cases were investigated, forty-eight (48) of which were from the Western Area on election related offences (arson, throwing of missiles, assault, wounding, use of threatening language, hate speeches and intimidation). Ten (10) of these were referred by the CID to the Director of Public Prosecutions (DPP) for legal advice.

##### **Southern Region:**

15th March (campaign date for APC) - violent clashes between supporters of SLPP and APC in the city centre of Bo during which two persons sustained various injuries and property destroyed. Eleven (11) arrests were made for further investigations. As a result of these clashes, right to property, freedom of movement, freedom of association and assembly were all affected and a threat to the Right to Life of those injured.

**Northern Region:**

On 19th March, HRCSL received a report that some families were being expelled from their homes in Manewa Village, Mara Chiefdom, Bombali District. The victims reported that they were intimidated and threatened with violence because they were perceived supporters of the opposition SLPP. On the 21st March, HRCSL and other partners joined the SLP in returning the affected families to their homes in Manewa village. The Paramount Chief and the SLP assured the people of their safety and pledged to ensure that peace returned to the community. HRCSL encouraged everyone to obey the rule of law and respect one another's rights in the community.

**Post (31st March) Election****Fact-Finding Mission on Post-Election Violence in Kono District**

On 11th April, HRCSL embarked on a fact-finding mission to Masingbi and some affected communities in Tankoro and Nimiyama Chiefdoms in Kono District. This was to ascertain the situation in the districts where allegations were made that some people fled their homes in Kono district to Masingbi for fear of intimidation and threats of violence after the announcement of the presidential run-off election results on 4th April. The fact-finding mission was borne out of concerns for the fundamental human rights and freedoms of affected persons who fled from their communities.

HRCSL engaged Chiefdom authorities, ONS Coordinators in Kono and Tonkolili Districts, the head of the World Food Programme (WFP) in the Northern Region, the Sierra Leone Red Cross Society, the Programme and Mediation Officer of the Political Parties Registration Commission (PPRC) in Kono, representative of the Republic of Sierra Leone Armed Forces (RSLAF) and SLP in Kono as well as some of the affected persons who fled from Kono.

**Some of the findings were:**

- The affected persons were mostly APC supporters who fled to Masingbi from Kono for fear of retaliation from SLPP supporters whom they had intimidated during the electioneering process. The displaced persons had spent 10 days in Masingbi without adequate shelter and sufficient food supplies. Women and children were among them.
- The dispute between the Paramount Chief and Chiefdom Speaker of Nimiyama chiefdom over the choice of candidate / party was one of the underlying causes of the political tension in the chiefdom.

HRCSL proffered some recommendations for the attention of GoSL and key stakeholders in Kono and Tonkolili Districts.

**Government**

GoSL should investigate the cause of the mass exodus from Kono district into Masingbi and set up a reconciliatory panel between the Paramount Chief and Chiefdom Speaker of Nimiyama chiefdom to arbitrate the ongoing dispute between them in the interest of peace and tranquility in the chiefdom.



**Chiefdom Authorities:**

1. Should provide guarantees for the safe return of persons who had fled in fear of political reprisals.
2. Paramount Chief of Nimiyama Chiefdom and his Chiefdom Speaker should extend olive branches of peace to each other and to include other sub chiefs across the political divide in the Chiefdom.

**Fact Finding Mission to Mathibo and Massengbeh**

On 12th and 13th September, HRCSL undertook a fact finding mission to Mathibo and Masenbgeh villages in Tonkolili District, following media reports of a pre-dawn raid by the Transnational Organised Crime Unit (TOCU), in collaboration with the ONS, on two communities (Mathibo and Massengbeh) in the Yoni/Mamaillah Chiefdom, Tonkolili District on 9th September 2018.

The objectives of the fact-finding mission were as follows:

- To identify the rights violated, the perpetrators and the circumstances that led to the violation;
- To engage and gather information from various stakeholders and victims with a view to ascertaining the causes of the violations;
- To proffer recommendations that would prevent future violations of human rights when conducting operations of this nature.

The raid, which was code named “Operation Green Storm Phase 2” resulted in the arrest of thirty four (34) persons; some for unlawful possession of 709 kilograms of leaves of cannabis sativa while others were arrested for riotous conduct, malicious damage, throwing of missiles and assault on police. Some members of the two communities and two law enforcement personnel sustained injuries during the raid. A twenty-three (23) year old Abdul Kombay Kamara was shot on the left leg and later died en route to the hospital in Mile 91.

Among its findings, HRCSL noted the following violations: the right to life, security of the person, freedom from torture, cruel and inhumane treatment and the right to property.

**5. Monitoring Compliance with BHR Standards**

HRCSL carried out monitoring exercises in the communities relocated under the Tonkolili Project by the former African Minerals Limited (AML) company on 22nd June. The affected communities were Ferengbeya, Foria and Wondugu in Kalansongoia Chiefdom, Tonkolili District. Another monitoring exercise was undertaken in Foinda in Sierra Rutile in November.

The purpose of the monitoring was to ascertain whether the re-location exercises were done in accordance with the UN Guidelines on Development-based Eviction, Resettlement and Relocation and to gather information on the challenges faced by the affected communities.

**Monitoring the Relocation of 2017 Flash Flood Victims**

Protection from deprivation of the right to property is provided for in Articles 17 (UDHR),



14 (ACHPR) and Section 21 of the 1991 Constitution of Sierra Leone. HRCSL recognizes efforts by government to promote the enjoyment of this right, yet it notes the challenges to its full realization.

The resettlement of victims/survivors of the 2017 mudslide and flash floods in the Mortormeh in Regent, Juba/ Kaningo, Malama/Kamayama and Lumley communities, commenced in January 2018. However, there have been discrepancies between government and the thirty two families that were resettled, over the resettlement process and payment of rents. While the people claimed that they were initially informed that the government resettlement housing scheme was to be accorded free of cost, the Sierra Leone Housing Corporation (SALHOC) insisted on the policy of an affordable housing scheme whereby the beneficiaries are to pay a stipulated sum of Le 250,000 (two hundred and fifty thousand Leone) for three bed-room flats and Le 150,000 (one hundred and fifty thousand Leones) for two bed-room flats as yearly rent.

SALHOC introduced the affordable house scheme as a strategy to raise funds to support the construction of more affordable houses in the Mile-6 communities to resettle the remaining victims /survivors. However, the resettled victims/survivors claimed that they had no formal agreement with SALHOC to determine their status either as tenants or house owners. Furthermore, out of the 1,400 families registered by the Ministry of Social Welfare, Gender and Children Affairs (MSWGCA) for resettlement, the scheme as of December 2018 had only catered for fifty-two (52) families and of which thirty-two (32) have so far been resettled. The remaining 20 apartments are yet to be occupied and under the supervision of SaLHoC, the statutory housing management entity.

## Recommendations

1. GoSL should provide funding support to SALHoC to expand the housing scheme so that the remaining registered families that are still in need of shelter could be adequately resettled;
2. SALHoC should introduce a Housing Mortgage Scheme to assist the victims/ survivors own the property on completion of payment over time.

## 2.3 HUMAN RIGHTS EDUCATION ACTIVITIES

### 2.3.1 Institutional Capacity Building

#### 2.3.1.1 Records of International Trainings/Workshops/Conferences/ Meetings attended by Commissioners and Staff

No.	NAME	ACTIVITY	ORGANIZER(S)	COUNTRY	DATE
1	Commissioners and the ES	Visit to Morocco Human Rights Commission	Morocco Human Rights Commission	Cassablanca Morocco	6th - 14th - Jan.
2	Cyphas Williams	Participation in Trafficking In Persons (TIP) Course		Accra, Ghana	18th - 23rd Feb.
3	Commissioner Grace Coleridge Taylor	HRC/ International Coordinating Committee on National Human Rights Institutions- GANHRI 2018 Annual Meeting	GANHRI	Geneva, Switzerland	6th - 8th March,
4	Josephine E.A Thompson-Saw	Colloquium on Challenges and prospect of Political Reforms in West Africa	OHCHR	Abidjan, Ivory Coast	26th-27th March
5	Commissioner Rev. Usman Jesse Fornah and Joseph Kamara	Regional Consultation of NHRIs in West Africa	UNOWAS/ NANHRI/ ECOWAS	Dakar, Senegal	12TH-14TH April
6	Commissioner Grace Coleridge Taylor	Commonwealth conference	Commonwealth	London, England	9th -11th April
7	Commissioner Rashid Dumbuya	Regional Consultation on 'the Role of National Human Rights Institution in Promoting Accountability for Sexual and Reproductive Health in Africa	Ipas	Nairobi, Kenya	4th -7th April

#### 2.3.1.2 Training of HRCSL Staff on Complaints Handling Mechanisms

The training on Complaints handling mechanisms was held at the Civil Service Training College Tower Hill, in Freetown, from 12th - 14th June. It was aimed at building the capacity of staff to successfully deliver on one of the core functions of HRCSL which is to investigate or inquire into on its own or on complaint by any person any allegations of human rights violations and to report thereon in writing as provided for in Section 7 (2)(a) of the Act.

Topics covered were:

- ‘Complaints Admissibility Criteria and Drafting Legal Opinion’. This session was co-facilitated by Freda Nalumansi-Mugambe, Rule of Law and Human Rights Officer, UNDP and Commissioner Grace Coleridge-Taylor of HRCSL.
- ‘Monitoring and Documentation of Human Rights Violations’ facilitated by Commissioner Yasmin Jusu- Sheriff, a former Commissioner of HRCSL
- ‘Overview of Human Rights and Customs: How to strike a balance’ – was facilitated by Honourable Justice Monfred Sesay, JA.
- ‘Conducting effective investigations/inquiry into human rights violations and drafting investigation reports’ facilitated by Superintendent Joseph W. Saffa of the National Witness Protection and Assistance Unit of the Sierra Leone Police.
- ‘Violation committed by multinational companies and how to deal with such cases’ facilitated by Abdulai Yollah Bangura - Deputy Director and Head of the Business and Human Rights Unit at HRCSL.

At the end of the training, participants gained more knowledge and skills in complaints handling and investigating alleged human rights violations. Which became relevant to their work.



## 2.3.2 Public Education and Outreach

### 2.3.2.1 Training of Members of District Human Rights Committees

From 6th – 12th February, HRCSL conducted a training of trainers for members of DRHCs, on Monitoring Human Rights Violations during the 2018 Elections. The training aimed at strengthening the capacity of the DHRC representatives in human rights monitoring by providing them with the requisite knowledge and skills to identify and report on human rights violations and abuses during and after the elections.



A total of one hundred (100) members of the DHRCs were trained in 4 regions (25 per region) in the following locations: Port Loko town for the northern, Moyamba town for southern, Kailahun for the eastern and Waterloo for the western regions respectively.

The training sessions were facilitated by Commissioners and staff of HRCSL and the UN Human Rights Advisor, Erica Bussey. Some of the topics covered included:



Training of DHRC Representatives in Makeni

- Rights of citizens to participate in elections
- Sierra Leone electoral cycle activities
- Overview of Human Rights Issues During Elections/Monitoring Human Rights Violations in Elections
- HRCSL Complaints Handling Mechanisms
- Documenting and Reporting of Human Rights Violations

At the end of the training, HRCSL signed an MOU with the various DHRCs in order to strengthen the relationship and establish a formalized working relationship between HRCSL and DHRCs. They were also provided with HRCSL's checklist for monitoring election processes.



Joseph B. M. Kamara, Executive Secretary of HRCSL facilitating a session during the training of DHRC representatives on Reporting Human Rights Violations During Elections

### 2.3.2.2 Establishment of Human Rights and Peace Clubs in Secondary Schools

#### Training of Pupils and Teacher Coordinators

In response to the call by the African Commission on Human and Peoples' Rights for the establishment of 'Human Rights and Peace Clubs' in secondary schools, HRCSL commenced the implementation of the project by organizing training workshops for secondary school pupils and teacher-coordinators. Two workshops on human rights education and guidelines on the establishment of human rights and peace clubs in secondary schools were held in Freetown and Makeni on 25th and 29th May respectively.



Participants & Facilitators during training of Pupils & Teacher- Coordinators at the Peace Museum Hall, Brookfields

Fifty five (55) participants (33 pupils and 22 teachers) from 11 Senior Secondary Schools in the Western Area Urban and Western Rural District attended the workshop in Freetown. In Makeni, 20 pupils and 12 teachers from 6 Senior Secondary Schools benefited from the training.

The aim of the training was to capacitate pupils and teachers on the importance of human rights education and for eventual establishment of human rights and peace clubs in their schools.

In both workshops, the course content of the training included:

- Introduction to the concept of human rights and human rights education in schools
- Introduction to the concept of Peace and conflict studies
- The importance of the national peace museum to students and teachers
- Guidelines for human rights and peace clubs in secondary schools
- Establishing a human rights and peace club in school: functions, benefits, advocacy and programmes



The training further provided opportunity for pupils and teachers to discuss their various roles and responsibilities with regards to:

- Creating and managing school human rights and peace clubs;
- Structure and activities of human rights and peace clubs; and
- Resource mobilization and coordination with HRCSL
- The outcomes of these trainings included:
  - Pupils and teachers had a better understanding of the concepts of human rights, peace, conflict, and became knowledgeable in running of human rights and peace clubs in their respective schools.
  - Schools managements and MDAs embraced the establishment of human rights and peace clubs in schools paving the way for building a human rights friendly environment in schools.
  - The production of Guidelines on the Operations of Human Rights and Peace Clubs in Schools.

### Official Launching of Human Rights and Peace Clubs in Secondary Schools

The training climaxed with the official launching of Human Rights and Peace Clubs in 17 selected secondary schools in the Western Area and Makeni on the 7th and 8th June respectively.

In the Western Area, an official launch was done for 11 selected schools at the Ministry of Foreign Affairs Conference Hall, Tower Hill, Freetown.



Official Launching of Human Rights and Peace clubs in Freetown

Statements were made by various speakers including the Minister of Foreign Affairs and International Cooperation, Dr. Alie Kabba, the Deputy Minister of Social Welfare, Gender and Children's Affairs, Mr. Mohamed Haji-Kella, Chairman Conference of Principals Western Region, Mr. Joko Venn. The





Official Launching of Human Rights and Peace clubs in Makeni

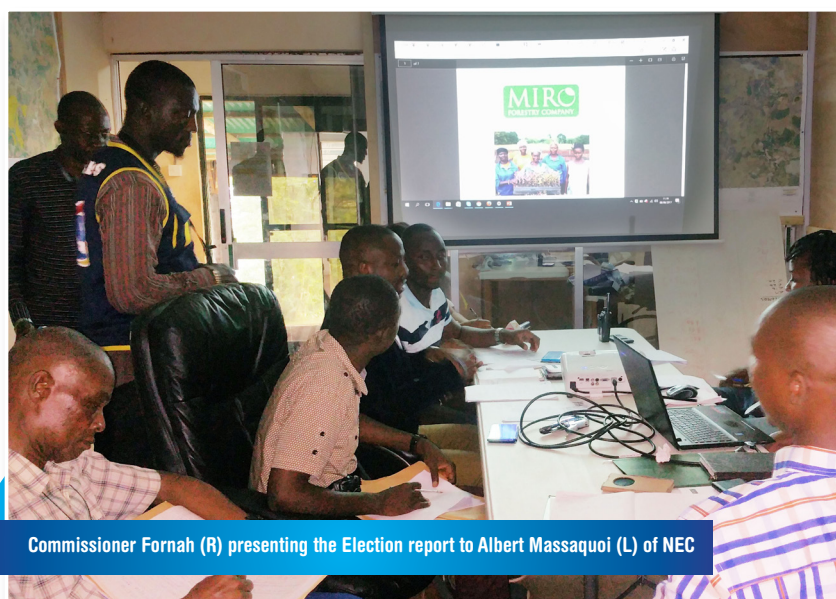
Deputy Minister of Primary and Basic Education, Mrs. Emily Gogra gave the Keynote Address and launched the Guidelines on the Operations of Human Rights and Peace Clubs in Schools, on behalf of the Minister of Primary and Basic Education.

In Makeni, the official launching was attended by Hon. P.C. Bai Sebor Kasangan of Bombali Sebor Chiefdom, Mr Henry Conteh a representative of the Conference of Principles, North. Her Worship the Mayor of Makeni City, Madam Sunkarie Kabba Kamara, who gave the keynote address launched the Guidelines on the Operations of Human Rights and Peace Clubs in Schools.

### 2.3.3 Production of Information, Education and Communication (IEC) Materials and Newsletter

HRCSL produced different types of Information, Education and Communication (IEC) materials which included posters, stickers, billboards and jingles carrying key messages on human rights and elections. These materials were used in HRCSL's outreach and engagement programmes throughout the electioneering period, to raise public awareness on the need to observe human rights standards during the process.

The overall aim of producing these IEC materials was to promote awareness and increase advocacy for a peaceful, free, fair and credible 2018 Presidential, Parliamentary and Local Council Elections.



Commissioner Fornah (R) presenting the Election report to Albert Massaquoi (L) of NEC

### 2.3.4 Launching of Special Elections Report and Newsletter

On 26th June, HRCSL launched its Special Elections Report and Newsletter, at the Civil Service Training College, State Avenue, Tower Hill, Freetown. The launch was attended by representatives from Elections Management Bodies (EMBs), CSOs, UNDP, Parliamentary Human Rights Committee, Law Enforcement Agencies, the Judiciary, relevant MDAs and 31 media houses including the 4 television stations in the country.

Considering that HRCSL actively participated in the monitoring of all the electioneering processes, it was expedient for HRCSL to produce a report that delineated how human rights were respected or violated, challenges associated with elections and human rights and proffer recommendations to mitigate these challenges in future elections.

The overall aim of producing the monitoring report and newsletter was to update the state and general public on how human rights were respected or violated by all stakeholders throughout the election and to promote awareness and increase advocacy for the respect of human rights during electoral period. The report covers major activities undertaken by HRCSL during the electioneering process including:

- Roundtable discussion with media practitioners on hate speech;
- Inter-senior secondary school debate competition on human rights and elections;
- Symposium on elections preparedness;
- National conference on human rights and elections;
- DHRCs trained in the regions on elections monitoring;
- Establishment of an Elections Situation Room; and
- Monitoring polling day in the first and second round of elections nationwide.

The report also contains key findings and observations during the monitoring of polling days and proffers recommendations for consideration by various actors.

The Election Report and Newsletter were officially launched by the Chairperson, Rev Dr. Usman Jesse Fornah on behalf of HRCSL.

### 2.3.5 Media Outreach

HRCSL held several radio and television programmes on its activities and mandate across the country. In addition, phone-in discussion programmes were held during community engagement and outreach activities in Kambia and Kabala in the Northern Region, Kono in the Eastern Region, Matru Jong in the Southern Region and Adonkia in the Western Rural Area. The programmes aimed at promoting respect for human rights during the electioneering process, sensitizing the wider community on human rights and elections and to get feedback on key human rights challenges prevalent in their communities. Callers were given the opportunity to react to issues and HRCSL gave responses to concerns on human rights and elections raised by community members during the radio discussions. These activities increased HRCSL's visibility and interactive sessions both on the field and social media platforms –Facebook, WhatsApp and [www.hrsl.org](http://www.hrsl.org).





### 2.3.6 Library and Documentation Centres

The Library and Documentation Centres at Headquarters and the regional offices serve as the nucleus of HRCSL's knowledge management and institutional memory as well as provide information services to internal and external users.

A total of 104 external researchers utilized the centre at HQ. These were university students from Fourah Bay College (FBC) Sierra Leone Law School, Institute of Advanced Management and Technology (IAMTECH), University of Makeni (UNIMAK), Njala University, Milton Margai College of Education and Technology (MMCET), Dalhousie University Canada, Institute of Public Administration and Management (IPAM), Limkokwing University and other training institutions of higher learning.

## 2.4 Strategic Engagements

**Engagement with Local Communities on the Need to Respect Human Rights in the 2018 Elections**  
As part of its effort to promote respect for human rights during the electioneering process, HRCSL conducted community engagements in Kambia and Kabala in the north, Kono in the East, Mattru Jong in the south and Adonkia in the western rural area of Freetown from the 16th – 23rd February.

The discussions centered on observance of human rights during elections. Particular reference was to issues highlighted in the HRCSL training manual on Monitoring Human Rights Violations (developed in November-December 2017), and the Communique adopted at the National Conference on Human Rights and Elections on 28th November, 2017.

The engagements targeted thirty community members in each location. Representatives from MDAs, the SLP, political parties, teachers, students, health workers, youth and women's groups, journalists, human rights defenders, commercial bike riders (Okada riders), market women participated in the engagements, which were done in the form of town hall meetings and facilitated by HRCSL.

Some of the outcomes of these engagements included:

- Participants had increased knowledge about the contents of the Communique adopted during the Conference on Human Rights and Elections;
- Community members were educated on their rights and responsibilities during elections;
- Participants were capacitated with the knowledge and skills to identify and raise awareness about human rights issues that often arise in elections such as, freedom of expression, freedom of association, assembly and movement, as well as focus on the inclusion of women and persons with disabilities in the electoral processes.

As part of the engagements, HRCSL also conducted public education in selected secondary schools on the need to respect human rights during the election process. The public education exercise resulted in increased awareness about the role of pupils in the electoral process.

#### 2.4.1 Engagements on Sexual and Reproductive Health Rights

On 27th and 28th June, HRCSL in collaboration with Ipas held stakeholders' engagement on Sexual and Reproductive Health Rights (SRHR) in Freetown and Makeni respectively.

The engagements were advocacy platforms by HRCSL, for the decriminalization of abortion in Sierra Leone, in order to prevent the continued practice of unsafe abortions which resulted in numerous health complications and sometimes deaths.



Participants & Facilitators during the engagement on Sexual & Reproductive Health Rights, in Freetown

The objectives were to:

- Discuss challenges and opportunities women and girls have in the exercise of their sexual and reproductive health rights in Sierra Leone;
- Effectively raise awareness across the country on the need for a safe abortion law; and
- Engage relevant MDAs and CSOs on the need to decriminalize abortion in Sierra Leone and subsequently promote SRHR.

A total of 125 participants from the Western Area attended the engagement which was held at the Atlantic Hall in Freetown. In the Northern Region, the engagement was held at the Sierra Leone Teachers Union (SLTU) Hall in Makeni, and was attended by 110 participants. These participants were drawn from MDAs, NGOs, CSOs, DHRCs, Traditional Leaders, Women's Groups, and UN Agencies. HRCSL Commissioners and staff, reproductive health professionals from the Ministry of Health, the UN Women Advisor and two Ipas officials led the discussions.

The key outcomes included:

- Stakeholders' awareness raised and action points developed to promote SRHR in Sierra Leone.
- UN Women pledged support to HRCSL to continue its advocacy on SRHR in the Southern and Eastern regions.
- Ministry of Health and Sanitation pledged its commitment to promoting SRHR in Sierra Leone.
- Participants called for the enactment of a law on safe abortion, and investments in Family Planning for adolescents and young people in rural communities.

#### **2.4.2 Roundtable Engagement on the Recommendations of the Universal Periodic Review (UPR)-2016**

A roundtable engagement with stakeholders from different MDAs to discuss the Universal Periodic Review (UPR) recommendations put forward by the Human Rights Council in 2016, was organized by HRCSL on 25th June.

The rationale was to acquaint stakeholders with the UPR process and receive updates from them in respect of implementation of the 177 recommendations accepted by the government.

Prior to the engagement, HRCSL grouped the recommendations into themes and developed a thematic matrix indicating institutions responsible for implementation of the various recommendations.

Challenges encountered in the implementation process were highlighted and new strategies for full implementation of recommendations against 2020 when Sierra Leone will again be assessed were also discussed. Participants were given both hard and soft copies of the matrix in order for them to update and return to HRCSL.



### 2.4.3 Roundtable Discussion on the Status of Implementation of HRCSL and TRC Recommendations on Women and Children

On 19th June, HRCSL held a roundtable discussion on the Status of Implementation of Recommendations on Women and Children, made in its annual reports on the SOHRs from 2010-2016, as well as those of the TRC Report.

The roundtable discussion was held at HRCSL's Conference Room and was attended by representatives of the Parliamentary Female Caucus, Freetown City Council and MDAs.

The objectives of the engagement were: to advocate for the full implementation of HRCSL & TRC recommendations with regards to women and children's rights; and to solicit collaboration from relevant stakeholders and partners in the protection and promotion of women and children's rights. The discussion was facilitated by HRCSL Commissioners and Staff.

The Deputy Minister of MSWGCA, Mr. Mohamed Haji-Kella highlighted the issue of child marriage and the Child Rights Act (CRA) 2007, in his opening statement. He reiterated that relevant institutions working on child rights issues should coordinate to form a strong partnership and engage the Judiciary to ensure that perpetrators of child marriage are brought to justice. While acknowledging the diligent work of relevant institutions in addressing issues of child abuse and violations since the enactment of the CRA, he urged all institutions dealing with the protection and promotion of children's rights to consolidate partnership that will not only advocate for the protection of the rights of women and children, but also pursue and prosecute violators of their rights.

At the end of the discussion, stakeholders recommended that Parliament should set up an inquiry to ascertain why recommendations and laws enacted to promote women and children's rights were not being implemented.

## 2.5 COMMEMORATION OF INTERNATIONAL HUMAN RIGHTS DAY - 10TH DECEMBER

On 10th December, HRCSL celebrated International Human Rights Day (IHRD) on the theme; "Stand Up for Human Rights" by hosting a press conference at its headquarters at NEC Building, Tower Hill.

The theme, which was a yearlong campaign that started in December 2017 was localized as "Stand Up for Human Rights and Fight Against Sexual and Gender Based Violence" in reaction to the increase in reported cases of SGBV.

The main objective of the celebration was to raise awareness on the Universal Declaration of Human Rights





and on the Commission's work in addressing SGBV issues.

The Executive Secretary Joseph Manking Kamara, in his message to mark the day, noted that while States are the principal defenders of human rights, citizens should also make human rights their business. He therefore called on everyone to stand up for human rights and fight against SGBV.



Cross Section of Participants at IHRD

Participants were drawn from both print and electronic media and some CSOs working on human rights.

## 2.6 FINANCE AND ADMINISTRATION OF HRCSL

### 2.6.1: Government Subvention

GoSL met its financial obligation to HRCSL as follows:

- **Salaries and other emoluments:** *Le. 15,814,488, 410.00 (Fifteen billion eight hundred and fourteen million, four hundred and eighty eight thousand, four hundred and ten Leones)*
- **Operational costs and programmes:** *Le. 732, 360,000.00 (Seven hundred and thirty two million, three hundred and sixty thousand Leones)*

Some of the activities undertaken included:

- Investigation of complaints
- Monitoring of Human Rights Compliance across Institutions
- Attendance at the Launching of the Mamamah International Airport project
- Monitoring and Investigation of Post Elections Violence
- Production of video documentary on conflict prevention on the 2018 general elections
- Human Rights Working Group meetings
- Validation of the Free Quality School Education Monitoring Checklist
- Monitoring of relocated communities by Sierra Rutile Limited Company
- Land survey for the construction of the proposed Kenema regional office
- Payment of rent for regional offices in Waterloo, Bo, Kenema and Makeni
- Fact finding mission to Mile 91 for alleged human rights violations
- Referral Partnership meetings
- Operational support to HQ and all Regional offices
- International Human Rights Day celebration

## Attendance of Commissioners and staff at international conferences, seminars and meetings

- i. *2nd Policy Forum on the State of African National Human Rights Institutions on their roles in preventing and combating corruption*
- ii. *Visit to Morocco Human Rights Commission*
- iii. *Attendance at International Criminal Court annual meeting in Geneva*
- iv. *Training on Trafficking in Persons (TIP) held in Ghana*
- v. *Participation at the Colloquium and Prospects of Political Reforms in West Africa 2015-2017*
- vi. *Regional consultation of National Human Rights Institution in West Africa-Senegal Dakar*
- vii. *Commonwealth Conference in London*

### 2.6.2 Projects:

As mandated by the HRCSL Act, HRCSL can source funding from partners. Funding was received from UNDP and Ipas.

#### UNDP ACCESS TO JUSTICE:

HRCSL received funding from the UNDP Access to Justice Project in the sum of Le308, 550,000 (three hundred and eight million, five hundred and fifty thousand Leones) for the implementation of the following activities:

- Retreat for editing the 2017 SOHR report held in Makeni
- Printing of 500 copies of the 2017 SoHR Report
- Monitoring of Human Rights Compliance Across Institutions in the Western Area, Bo, Kenema, Makeni.
- Round- Table Engagement with Stakeholders on the Mid-Term Review on the Status of Implementation of UPR Recommendations
- Round -Table Discussion on the Status of the Implementation of HRCSL and TRC recommendations on Women and Children
- Training on Human Rights for Pupils and Teacher-Coordination on the Establishment of Human Rights and Peace Clubs in Secondary Schools in the Western Area and Northern Region
- Establishment of Human Rights and Peace Clubs in the Western Area and Makeni
- Monitoring of Post Run-off Election Violence in Kono
- Mobile Complaints Hearing and Public Awareness Raising in Masingbi, Moyamba and Daru
- Referral Partnership meetings
- Training on Complaints Handling and Procedures for HRCSL staff

## OHCHR/ UNDP Conflict Prevention and Mitigation during Electoral Cycle:

Additional funding was also obtained from the OHCHR/UNDP Conflict Prevention and Mitigation during Electoral Cycle in the sum of Le297, 847,050 (two hundred and ninety seven million, eight hundred and forty seven thousand, fifty Leones) for the implementation of the following activities:

- Elections Mobile Complaints Hearing in Port Loko and Kabala
- Training of Trainers for DHRCs
- Monitoring of Elections in Moyamba, Kenema and Port Loko
- Training of members of Western Area Human Rights Committee (WAHRC) on Monitoring Human Rights Violations and Abuse during the electioneering process in Western Areas and the Regions
- Community Engagement on Human Rights and Elections in the regions-Bonthe, Kono, Kambia, Kabala and Adonkia
- Monitoring of Political Party Campaigns
- Monitoring of the Conduct of the Presidential, Parliamentary, and Local Government Elections held on 7th March
- Production and launch of Special Election Report and Newsletter for 2018 Elections
- Monitoring the Human Rights Situation in the Post 7th March Election
- Monitoring of Presidential Run-off Election March 31st 2018

### Ipas:

The sum of Le62, 800,000 (Sixty-Two Million, Eight Hundred Thousand Leones) was received by HRCSL to implement the following activities:

- Engagement with the relevant stakeholders on Sexual and Reproductive Health Rights (SRHR) in the Western Area and Makeni
- Conduct Media Broadcasting Coverage on Sexual and Reproductive Health Rights

## 2.7: Key Institutional Challenges and Recommendations

**Accommodation:** HRCSL's Secretariat is still housed on two floors at the NEC Building, Tower Hill and this continues to pose a serious challenge in having a conducive working environment. This situation not only limited the number of staff recruited, but also the intake of interns and volunteers.

The huge sums of money paid for rented offices in the regions affected the operational budgetary allocation of HRCSL. Plots of land secured in Makeni and Kenema were not developed because of lack of funding. HRCSL continues to call on government to provide funding for the relocation of the headquarters to a more spacious and permanent accommodation, as well as the necessary financial support for the construction of its offices in the five regional headquarter towns / cities.

**Logistics and Finance:** HRCSL's operations and smooth functioning were hampered by logistical and financial challenges. Inadequate number of vehicles and office equipment, inadequate budget

allocation and late disbursement of funds affected effective implementation of activities. In 2018, the budget submitted in line with the budget ceiling was Le 2,714,500, 000 but only Le 2,520,800,000 was approved which accounted for a short fall of Le.193, 700,000. Unfortunately HRCSL received only Le 332,360, 000 out of the Le. 2,520,800,000 approved as subvention for its operations. HRCSL calls on the GoSL to meet its obligations as provided for in the Paris Principles by providing adequate funds to HRCSL to carry out its work.

**Staffing:** Despite the increase in the demand for HRCSL's services, the corresponding recruitment of staff to meet the demand was a challenge. Even though HRCSL has functional and administrative independence, the moratorium on recruitment seriously affected its operations. In this regard, HRCSL calls on government to give it special consideration to enable it to increase its human resource base.

**Dissolution of Oversight Boards and Commissions:** The Dissolution of Oversight Boards of Parastatals and State Institutions through a Public Notice issued by State House on 26th June seriously affected the smooth operations of HRCSL. Following the release of the Public Notice, the Ministry of Justice (MoJ) commenced the reconstitution process in August 2018 by advertising and requesting for nominations from the public for the existing vacancies.

## **Part 3: The State of Human Rights in Sierra Leone**

### **3.1 Protection and Promotion of Human Rights**

#### **3.1.0 Civil and Political Rights**

##### **3.1.1 Right to life, Liberty and Security of Person**

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

Incidents of the violations of the Right to Life by the SLP were reported at specific times during the period under review.

On 22nd April, a violent confrontation ensued between SLP and Commercial bike riders in Daru, Kailahun District resulting in the death of one person and the destruction of houses and vehicles.

On 9th September, a raid called "Operation Green Storm Phase 2" was conducted by a combined team of SLP, military personnel and TOCU in two Communities of Mathibo and Massengbeh in the Yoni/Mamaillah Chiefdom, Tonkolili District, Northern Region. The purpose of the operation was to arrest persons involved in the illegal cultivation of cannabis sativa. According to IPCB the use of force by the security personnel involved in the operation resulted in the death of one Abdul Kombay Kamara. Some residents and two law enforcement personnel also sustained injuries.

On 29th September, violence during the conduct of bye elections in Ward 196 in Kambia District resulted in the death of a 14 year old boy. The victim was found to have been shot after fighting broke out between supporters of APC and SLPP.

#### **Recommendations:**

1. *HRCSL calls on SLP to implement the recommendations of the IPCB on the incident in Mile 91, investigate the incidents in Daru and Kambia and take appropriate action against those found culpable.*
2. *The SLP should regularly train its personnel, especially those responsible for maintaining public order on the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.*

##### **3.1.2 Death Penalty**

During the visit to the Freetown Male Correctional Centre on the 5th June, HRCSL noted that there were forty (40) inmates on death-row. In spite of the ongoing moratorium on the death penalty, HRCSL is concerned that GoSL has still not signed the Second Optional Protocol to the International



Covenant on Civil and Political Rights (OP-ICCPR) on the abolition of the death penalty, despite HRCSL's repeated recommendations in its SOHR Reports.

### **Recommendation:**

1. *HRCSL continues to urge the GoSL to implement the TRC and UPR recommendations and also sign the Second Optional Protocol to the International Covenant on Civil and Political Rights on the abolition of the death penalty.*

### **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.

HRCSL observed that on the whole, greater access to the media was given to the various political parties and CSOs during the electioneering period.

Although freedom of expression was enjoyed for most part of the year, on the day of the run-off elections, 31st March, two (2) Journalists; Ibrahim Samura of the New Age Newspaper and Patrick Jaiah of Concord Times Newspaper were beaten at Lumley in the course of duty. Ibrahim Samura was brutally whipped with chains and died later in the year. The SLP are yet to arrest or charge anyone in relation to the incident.

During the bye- election in Ward 169 in the Tonko Limba Chiefdom in the Kambia district, the Editor of the Awareness Times Newspaper John Koroma was beaten up while covering the elections. In a statement condemning the attack, the Guild of Editors in Sierra Leone called on government to investigate and prosecute the perpetrators. Since then, GoSL is yet to take any action.

In a meeting with the Minister of Information and Communication (MIC), the Sierra Leone Association of Journalists (SLAJ) continued its advocacy for the repeal of Part V of the 1965 Public Order Act which criminalizes defamation and seditious libel.

In September, the MIC held consultations with key stakeholders including the Law Officers Department, and SLAJ amongst others to adopt the appropriate strategy as a way of demonstrating government commitment to repeal Part V of the Public Order Act 1965.

The draft cabinet paper requesting the amendment of the Public Order Act 1965 was submitted to the Attorney-General and Minister of Justice in August for her concurrence.

### **Recommendation**

1. *HRCSL reiterates it call on government to repeal Part V of the 1965 Public Order Act, as recommended in 10 of its previous annual reports on the State of Human Rights in Sierra Leone.*

### 3.1.4 Freedom of Assembly, Association and Movement

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

HRCSL, through its various monitoring activities, recorded reports of outbreaks of violence in different parts of the country, between and among rival political party supporters during the electioneering period that limited the enjoyment of the right to freedom of assembly and association during this period. *See details in 2.2.3 in this report*

In addition, freedom of movement was affected on Election Day as a result of a vehicular ban imposed by the SLP. This ban raised concerns among political parties, CSOs and some members of the public. Nine political parties, including the Sierra Leone Peoples Party (SLPP), the National Grand Coalition (NGC), Coalition for Change (C4C) and the National Democratic Party (NDP), vowed to refuse the ban. The Sierra Leone Bar Association called on the SLP to observe and respect the fundamental human rights of freedom of movement as enshrined in Section 18 (1) of the 1991 Constitution. Yekini Nasiru Mansaray, who was represented by Lawyers Charles Margai and Pa Momoh Fofana challenged this ban in the High Court, describing it as illegal and unconstitutional. The Court rejected the application and the ban remained in place for the 7th March elections.

However, the government provided buses to enable persons access polling stations, in some areas. Buses were insufficient and there were some delays in people accessing polling stations. Later in the day, registered tricycles (Kekehs) plied the routes even without accreditation. HRCSL observed that, vehicles carrying the aged (70 years and over) and PwDs that were without NEC's accreditation were allowed through check-points, once they convinced the SLP of going to vote.

During the run off Presidential elections, some flexibility was made as tricycles and motor bikes were permitted to ply the routes, in order to ease movement.

#### Recommendations:

1. *The Political Parties Registration Commission (PPRC) must ensure that political parties comply with its code of conduct.*
2. *NEC, PPRC and SLP should ensure that political parties adhere to NEC's campaign timetables.*
3. *NEC and SLP should do a joint and thorough independent assessment of the impact of vehicular restrictions on polling day in a bid to determine whether it is a viable initiative to continue with in future elections.*

## **3.2 Human Rights in the Administration of Justice**

### **3.2.1 The Sierra Leone Police**

#### **3.2.1.1 Thirteen Recruits Discharged for Mutiny**

Between 26th and 29th January, thirteen (13) recruits who had undergone training at the Police Training School in Hastings were arrested and detained at the Central Police Station on allegations of incitement, mutiny and insubordination. The 13 recruits who were enlisted into the Force under the Graduate Management Scheme, claimed they were informed that they will attain the rank of an Inspector after successful completion of the training. The SLP on the other hand claimed that the recruits were only to be promoted after a successful service of one year in the Force. However, HRCSL learnt that their discontent was based on the understanding that only Lawyers, Doctors and Engineers would immediately attain the rank of Inspectors, while other graduates were to start off as Police Constables.

The 13 were charged to court on 12th February, refused bail and remanded at the Male and Female Correctional Centres in Freetown. The trial lasted for 3 months and was thrown out of court for insufficient evidence. All 13 accused persons were dismissed from the SLP.

HRCSL is concerned about the failure of the SLP to reinstate the 13 recruits who had been found not guilty by the court.

#### **3.2.1.2 Police Detention Facilities**

During the year, HRCSL monitored the Calaba Town, Congo Cross, Aberdeen, Lumley, New England Ville, Adelaide Street and Kissy Divisional Headquarters Police in Freetown. Monitoring was also conducted in the Yele Police Station and in Bo, Kenema, Kailahun and Port Loko Police Stations between 23rd May to 7th June.

The monitoring team observed as follows:

##### **Provision of Food:**

HRCSL observed that the provision of food for suspects in police custody remained a challenge. Food should be provided by the Sierra Leone Correctional Services (SLCS) and collected by police detention facilities on a daily basis but this was neither regular nor provided on time. For example on 23rd and 31st May, food was not supplied to the Kissy Dockyard and the Kissy Divisional Headquarters in Freetown and the Yele Police Station in the Tonkolili District. This was attributed to funding, logistical constraints and at times traffic congestion to and from the SLCS. To supplement the services of the SLCS, suspects survive through generous humanitarian gestures from police officers; relatives and friends; and sometimes complainants.

##### **Over detention and overcrowding:**

HRCSL continued its monitoring of police detention facilities in May. With the exception of the Lumley Police Station, where over detention and overcrowding were noticed, the police detention facilities in Calaba Town, Aberdeen, and Congo Cross were free of over detention and overcrowding. At the Calaba Town Police Station, there was a juvenile who was held separately in open detention

for allegedly sexually penetrating another juvenile. Despite the felonious allegation, it indicates that police detention facilities are challenged by the lack of separate cells for juvenile offenders, thereby leaving them in full view of the public.

### **Hygiene & Sanitation:**

Poor hygiene and sanitation were observed at the Kissy Dockyard Police Station, the Kissy Divisional Headquarters and the New England Police Stations monitored in May and June. Suspects used buckets for passing urine and faeces, which gave the cells a bad smell. Poor toilet facilities were also observed at the Magburaka Police Station.

The availability of clean and safe drinking water was a challenge as police stations lacked pipe-borne water. In May, suspects detained at the Calaba Town Police Station complained to HRCSL that no provision was made for safe drinking water and that they used dirty water from a gutter at the back of the cell to flush off the pit latrine in the cell. It was observed that water was fetched from a nearby water-well which suspects used for bathing purposes. Suspects reported that the water used for bathing was smelly and caused itching on their bodies. The absence of a pipe-born water system and poor sanitation was also observed during a monitoring visit at the Magburaka Police Station in May.

At the Congo Cross, Lumley and Aberdeen police stations monitored in May, the monitoring team observed that the toilet facilities were poor, cells were dark and without proper ventilation.

Poor sanitation is not only a threat to the health of suspects but also for police personnel interacting with suspects. HRCSL observed that some cells in the Western Area and the regions had card boards and suspects confirmed that they slept on them. Suspects also reported that they were not supplied with toiletries. Police stations across the country lack health care units.

### **Profiling and Legal Advice:**

The system of profiling suspects was noted as one of the causes for delays in charging suspects to court, as the only profiling machine for the entire country is located at the Criminal Investigations Department (CID) in Freetown. Furthermore, after police investigations, all files are sent to the Law Officer's Department for legal advice by the Director of Public Prosecution (DPP) before they can be charged to court. The delay in receiving legal advice is one of the reasons for overcrowding and over detention at police stations.

### **Logistics:**

The Yele, Port Loko, Kissy Dockyard and New England Ville police stations lacked vehicles for operations. The Waterloo Police Division and the Kissy Divisional Headquarters had three vehicles each but only one in each Division was in good condition. The unavailability of fuel sometimes prevented suspects from going to the courts. Police officers at the Kissy Dockyard Police Station and the Kissy Divisional Headquarters used commercial transport, motorbikes and personal or private vehicles of police officers to aid their work.

## Recommendations:

1. *GoSL should provide adequate funding to the SLP to enable it perform its functions, including provision of food for suspects.*
2. *SLP should review its decision against the 13 recruits discharged for mutiny.*
3. *GoSL should construct separate cells for juveniles in police stations and upgrade sanitary and hygiene conditions at all police cells.*
4. *Law Officers' Department should expedite the processing of suspects' files in order to avoid over detention and overcrowding of police cells*
5. *Profiling machines should be sent to the district headquarter towns to avoid delays in charging suspects to courts.*

### 3.2.2 The Court System

The right to secure protection of the law is guaranteed in Section 23 of the 1991 constitution of Sierra Leone. This right is also enshrined in Article 7 of the UDHR, Article 14 of ICCPR and Article 7 of ACHPR.

In June, The Residual Special Court for Sierra Leone (RSCSL) granted Early Conditional Release to Allieu Kondewa who was serving a 20-year sentence in Rwanda, after being convicted for war crimes and crimes against humanity committed during the civil war in Sierra Leone. He is serving the remainder of his sentence in Bo, subject to certain conditions which include apologizing to the public and reporting in person to the Sierra Leone Police at least twice a month. His full term sentence will end in 2023.

HRCSL welcomes the appointment of the first Sierra Leonean Judge to the ECOWAS Court of Justice. Justice Kekura Bangura was appointed by the Authority of Heads of State and Government of ECOWAS and took oath of office at the opening session of its 53rd Ordinary Session on 31st July in Lomé, Togo.

HRCSL notes that as part of the UNDP's 'From Prisons to Corrections' project, Prison Court sittings in Correctional Centers which was stalled during the electioneering period, recommenced in Kono and Moyamba Districts. In Kono, Justice Browne-Marke presided over 73 cases without indictments and 33 trial cases. This will be replicated in other correctional centers across the country in 2019.

HRCSL also welcomes the recent revival of case review and management, another component of the 'From Prisons to Corrections' project. Both projects are geared towards decongesting the Correctional Centres and subsequently ensuring that every individual is tried fairly and speedily. In September, The High Court of Sierra Leone commenced the 2018/2019 Judicial Year (criminal session) with 425 accused persons. The 425 accused persons were served with indictments and upon appearing in court, their files were assigned to Judges for full trial.

GoSL was sued at the Supreme Court on allegations of serious violations of human rights (including torture and other inhumane and degrading treatment, arbitrary arrests and detention and murder) allegedly committed by Nigerian troops in 1998-2000 against citizens during civil war in Sierra Leone. The matter was brought up by plaintiff lawyer Dato Shyamala Alagendra in November.



In December, a new Chief Justice, Justice Desmond Babatunde Edwards, was appointed following the resignation of Chief Justice Abdulai Hamid Charm.

**Recommendations:**

1. *The Judiciary should extend the 'From Prisons to Corrections' project to other parts of the country to ensure speedy trial*
2. *The Judiciary should source funds for the continuous implementation of the 'From Prisons to Corrections' project until all correctional centres are decongested.*

**3.2.3 Juvenile Justice**

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

MSWGCA in partnership with Justice Sector Coordinating Office (JSCO) and UNICEF, launched the Child Welfare and Alternative Care Policy and the Diversion and Alternative Detention Guidelines. MSWGCA also commenced evaluation of the Child Justice Strategy 2014 – 2018, to assess successes, gaps and challenges in the implementation in order to develop a new strategy for 2020 - 2024.

At the Remand Home in Kingtom, HRCSL noted that the delay in trial was one of the challenges faced by juveniles. The Officer in Charge of the home attributed this to stiff bail conditions, slow court proceedings and inadequate transportation to convey juveniles to court sittings.

HRCSL noted that 11 inmates at the Remand Home in Kingtom were awaiting indictments for an extended period of time to commence their trials in the High Court. In May, the attention of HRCSL was drawn to the situation of two inmates who had been awaiting trial: one for over 3 years and the other for over 1 year 6 months. This situation is in contravention of Article 13 (1) of the Beijing Rules, which states that “Detention pending trial shall be used only as a measure of last resort and for the shortest possible period of time” and Article 20 (1) which provides that “each case shall from the outset be handled expeditiously, without any unnecessary delay”.

In Bo, legal representation of child victims and children in conflict with the law was encouraging. The Legal Aid Board and The Commit and Act Foundation provided legal representatives for the children. This resulted in decongestion of the Bo Remand Home.

**Recommendations:**

1. *MSWGCA should popularize the Child Welfare and Alternative Care Policy and the Diversion and Alternative Detention Guidelines to relevant stakeholders and the general public.*
2. *Attorney General and Minister of Justice together with the Chief Justice should set up guidelines for expeditious trial of juvenile matters.*
3. *MSWGCA should provide designated vehicles to facilitate the movement of juveniles to and from court.*
4. *The Judiciary should reinstate Justices of the Peace in juvenile courts where they are absent.*

### 3.2.4 The Sierra Leone Correctional Service

#### Findings

During the months of May and June, HRCSL conducted routine monitoring visits to Correctional Centres in Freetown and the regions, in fulfillment of its function as enshrined in Section 7 (2)(f) of the HRCSL Act (No. 9) 2004. This monitoring was done to assess compliance with national, regional and international human rights standards in respect of detention facilities.

#### Overcrowding:

Rule 12 (1) of the Mandela Rules states that “where sleeping accommodation is in individual cells or rooms, each prisoner shall occupy by night a cell or room by himself or herself. If for special reasons, such as temporary overcrowding, it becomes necessary for the central prison administration to make an exception to this rule, it is not desirable to have two prisoners in a cell or room.”

At the Freetown Male Correctional Centre, there were one thousand, nine hundred and eighty five (1,985) inmates, far exceeding the three hundred and sixty-four (364) capacity for which it was originally built. As a result, cells that should hold three (3) inmates were holding between seven (7) and eight (8) inmates. At the Freetown Female Correctional Centre, sixteen (16) out of the twenty (20) holding cells were operational and each housed between four (4) and six (6) inmates. The Port Loko Correctional Centre had one hundred and ninety (190) inmates in custody including five females. This exceeds the holding capacity of one hundred and twenty (120) inmates. There were between 12 and 13 inmates per cell at the Mattru Correctional Centre, instead of 8 which is the official holding capacity. At the Freetown Male, Female and Magburaka Correctional Centres, HRCSL observed that as a result of the overcrowding, some inmates slept on mattresses while in the Bonthe Island and Mattru Correctional Centres inmates slept on blankets on the bare floor.

HRCSL noted that delay in trial was among other reasons for overcrowding. At the Freetown Male Correctional Centre, an inmate was in detention for eight years awaiting trial in the High Court. The inmate was subsequently released during the ‘Prisons to Corrections Project’ court sittings.

In the Freetown Male, Female and Port Loko Correctional Centres, HRCSL observed that that six hundred and twenty-three (623), seventeen (17) and eighty-five (85) inmates respectively had been awaiting indictments for between six (6) months to a year as at the time of visit. This prolonged detention was blamed on the Law Officers’ Department, for failing to issue indictments that will pave the way for speedy trials.

HRCSL also observed that another reason for overcrowding was the inability of inmates to pay fines levied by the courts. An inmate at the Freetown Male Correctional Centre was still being held in custody after completing his jail term because he could not pay a fine of One million Leones (Le1,000,000.00). Similarly, two female inmates at the Female Correctional Centre remained in custody because of their inability to pay fines of Seventy- Five Million (Le 75,000,000.00) and Ninety Million Leones (Le. 90,000,000.00) respectively.

Also, as a result of overcrowding, persons imprisoned for debt and other civil liabilities were housed in the same cells as criminal offenders in contravention of Rule 11 (C) of the Nelson Mandela Rules that states that the two categories of prisoners must be kept in separate cells from each other.

**Food and water:** Inmates are provided with three meals (breakfast, lunch and dinner) of nutritional value each day at the Freetown Male, Female Bonthe Island, Mafanta and Port Loko Correctional Centres. However, the lunch and dinner rations are merged. At the Bonthe Island Correctional Centre HRCSL learnt that the food served to inmates was insufficient. Serving dinner at lunch time is a contravention of Rule 22 of the Mandela Rules which states that “Every prisoner shall be provided by the prison administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality...”. Inmates at the Port Loko Correctional Centre with special dietary requirements were transferred to Freetown Correctional Service, where a nutritionist is on hand. HRCSL is concerned that such inmates will be deprived of visits from their relatives because of the distance.

**Hygiene and Sanitation:** At the Bonthe Island, Mattru, Mafanta, Port Loko and the Freetown Male and Female Correctional Centres, HRCSL was informed that inmates were provided toiletries such as toilet rolls, bathing and laundry soap upon admission and throughout their stay at the facilities. They are also provided with clean and serviceable attire. Female inmates were provided sanitary pads regularly.

Safe drinking water is available within the facility in the Freetown Male and Female Correctional Centres, while at the Port Loko Correctional Centre, inmates are required to fetch water from a water-well outside the prison precincts.

**Health:** Health Units within the Freetown Male and Female Correctional Centres were manned by forty-one (41) and twenty-one (21) medical personnel respectively. These consisted of nurses, pharmacists and lab technicians. A medical doctor visited each of the centres on specific days or on call. HRCSL was informed that the ailments reported regularly were malaria, skin rash, sexually transmitted infections and respiratory track infections. Dental and eye infections as well as cases requiring X-ray or surgery were referred to government hospitals. At the time of visit, one female inmate at the Freetown Female Correctional Centre was recuperating after a fibroid operation at the 34 Military Hospital. Global Fund provided drugs for Tuberculosis patients, while the National Aids Secretariat provided quarterly supply of retroviral drugs for HIV/AIDS patients.

Medical units at the Bonthe Island, Mattru, Mafanta, Port Loko and Magburaka Correctional Centres were manned by nurses. In all of the above, referrals of inmates were made to government hospitals except the Mattru Jong Correctional Centre which referred inmates to a mission hospital, United Brethren Church Hospital, for ailments that could not be treated within the facilities.

At the Bonthe Island Correctional Centre, HRCSL was informed that drugs were supplied from the Correctional Centre Regional Office in Bo. Inmates’ relatives provided drugs that were not available at the Centre. The failure of government to provide drugs for inmates at all times is in contravention of Rule 24 (1) of the Nelson Mandela Rule which states that “the provision of health care for prisoners is a state responsibility”. However, inmates with major ailments were referred to the Bo Correctional Centre.

HRCSL is also concerned that the medical units within the correctional centres were not adequately staffed and equipped to provide appropriate medical services.

## Education and Recreation

In the Freetown Male and Female Correctional Centres, only informal education, in the form of limited skills training and adult numeracy taught by volunteers from the Opportunities Industrialization Center (OIC) was available. HRCSL was informed that the Centre would soon start giving certificates to inmates. At the Freetown Male, Mafanta, Mattru and Port Loko Correctional Centres, inmates were allowed to use their skills to produce various artifacts and crafts as well as do other work (in Mattru) for which they were remunerated. The unavailability of equipment for the training of inmates was a serious challenge in all centres monitored between May and June.

The lack of formal education within the facilities prevents inmates who may want to continue their education after conviction from doing so. This means that inmates that were high school pupils and undergraduate students who have been incarcerated could not continue their education and might find it difficult to do so when released. Although the Correctional Centre authorities attributed this to the lack of a national legislation, Rule 104 of the Mandela Rules however provides for “further education of all prisoners”. Rule 104 (2) also provides that “so far as practicable, the education of prisoners shall be integrated with the educational system of the country so that after their release they may continue their education without difficulty.”

Facilities for recreation were limited in all the correctional centres. However, the Freetown Male and Female Correctional Centre had a television room each, where inmates watch movies and listen to local and international news. Facilities for playing football, table tennis, draughts and Ludo games were also available.

## Recommendations

1. *The Law Officers’ Department should ensure the prompt processing of indictments for inmates which would pave the way for speedy trials.*
2. *The Attorney General and Minister of Justice should work with Parliament to expedite the enactment of the new Criminal Procedure Bill*
3. *The SLCS must ensure that criminal offenders are kept separate from persons imprisoned for debts and other civil liabilities in fulfilment of Rule 11 (c) of the Nelson Mandela Rules.*
4. *The SLCS should ensure the availability of at least a Nutritionist in each Correctional Centre across the country or utilize the service of the Nutritionists in government hospitals in order to avoid moving inmates with special dietary requirements to Freetown which will deprive them of regular visits from relatives.*
5. *SLCS should ensure that Correctional Centres are provided with adequate drugs instead of relying on inmates’ relatives.*
6. *GoSL, in promoting the Free Quality School Education, should provide formal education and training equipment for inmates incarcerated within Correctional Centres so that when released, they can either continue their education or be able to find jobs.*

### 3.2.5 Juvenile Detention Facilities

There are only two Remand Homes and one Approved School for juveniles in the country. Monitoring visits were made to the Remand Homes in Freetown and Bo and the Approved School in Freetown.



Below were the findings:

### **Provision of Food**

In June, during monitoring visits to the Remand Homes in Freetown and Bo as well as the Approved School, inmates explained that although they were served meals three (3) times a day, the quantity was insufficient.

### **Accommodation**

At the Remand Home in Freetown twenty-seven (27) male and two (2) female inmates were found in detention and the dormitories were observed to be in poor conditions. Two of the three male dormitories had a total of fifteen (15) concrete beds - Block A ten (10) and Block B five (5). In these dormitories, for every two beds, three torn and worn out foams were shared by 3 inmates. The third dormitory had 4 worn out foams on the floor and accommodated 8 inmates. Inmates reported that some of the beds were infested with bugs. Only one of the two female dormitories was in use and had two detainees.

At the Approved School, the mattresses were observed to be overused and blankets worn out. There were 32 convicted inmates (31 boys and 1 girl). There were two holding cells of 32 spaces each divided into 2 compartments with 16 beds each. The cells were equipped with concrete beds, foam mattresses and mosquito nets. However, the mattresses were observed to be overused. The only female was housed in of the rooms where the Correction Officer stayed instead of being isolated in the female dormitory. Inmates were provided three meals per day and according to the inmates the quality of the food was good.

### **Security**

A male inmate escaped from the Freetown Remand home in September while they were on recreation. After a week, he was apprehended and brought back to the home. In November, another attempt made by a male inmate was forestalled while he was attempting to climb over the fence. One reason given by the authorities was that the perimeter fence is low.

### **Education and Recreation**

Formal Education is a serious concern in Freetown and Bo Remand Homes as no regular school schedule is provided for the inmates.

At the Bo Remand Home, no structured formal educational system existed. The Ministry of Education, Science and Technology (MEST) now (Ministry of Basic and Secondary School Education (MBSSE)) provided learning materials, while 2 teachers from the government payroll and 3 volunteers teachers from Prison Watch Sierra Leone conducted irregular Math, English and civic classes for inmates from time to time. Advocaid and Prisons Watch also supplied some learning materials.

At the Approved School however, classes from primary to JSS 3 were regularly held. MSWGCA assigned 3 volunteer teachers to the Approved School, to assist the only teacher on government payroll. Six (6) male inmates and two (2) female inmates sat to the Basic Education Certificate Examination (BECE) and six (6) male inmates sat to the National Primary School Examination (NPSE) respectively;

they were all successful. However, inmates did not have access to formal education beyond Junior Secondary School.

No effective form of skills training was undertaken as training materials either needed repairs or were not available.

## Health and Hygiene

Raviera Children's Rehabilitation Centre (RCRC) provided monthly medical support to the Approved School. Drugs provided were described as a handful. Common ailments reported were: hernia, malaria, skin diseases and common cold.

One of the officers at the School complained to HRC SL about serious challenges in accessing clean and safe drinking water. The bore-hole just outside the perimeter fence, used for drinking, bathing and other domestic purposes dries up in the dry season, causing shortage of water in the School. Inmates therefore fetched water from the community tap, escorted by correctional officers, during the dry season. The toilets smelled of stench of urine due to shortage of water.

The Bo Remand Home lacked drugs for treating sick inmates. When inmates fell sick the detention manager or parents handled the medical situation by paying and buying drugs due to the lack of adequate supply of drugs by government. This contravenes Article 13 (5) of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice ("The Beijing Rules") which provides that "while in custody, juveniles shall receive care, protection and all necessary individual assistance-social, educational, vocational, psychological, medical and physical-that they may require in view of their age, sex and personality".

## Recommendations

1. *MSWGCA should ensure adequate food supply to the Remands Homes and Approved School.*
2. *GoSL should provide additional Remand Homes and Approved Schools across the country.*
3. *MSWGCA should supply mattresses and blankets to replace those that are worn out in all the juvenile detention facilities.*
4. *MSWGCA should work with Sierra Leone Correctional Service to strengthen security in juvenile detention facilities in order to reduce the risk of harm to inmates and the chances of escape.*
5. *MSWGCA should collaborate with MBSSE to assign qualified teachers to the Approved School and Remand Homes to ensure that inmate continue their education after the BECE.*
6. *MSWGCA should construct medical units at the Remand Homes and Approved School.*
7. *MSWGCA should allocate more funds for the effective running of juvenile detention facilities.*
8. *National Commission for Children should take the lead in advocating for the provision of satisfactory healthcare, feeding, education and vocational services to juvenile detention facilities.*

### **3.3 ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

#### **3.3.1 Right to Just and Favourable Conditions of Work**

The international and regional human rights standards on the enjoyment of the right to work are provided for in articles 23 of the UDHR, 6 & 7 of the ESCR and 15 of the ACHPR as well as the eight core ILO conventions ratified by the GoSL. National standards include Section 8(3) of the 1991 Constitution, the New Employment Policy 2015 and the Minimum Rate of Pay Rules 2014.

In the year under review, the Ministry of Labour and Social Security (MLSS) facilitated the increase in the number of labour unions operating within companies, from one to at least two in each company. This situation now gives opportunity to affected workers to join unions of their choice as provided for in the ILO Conventions and thus enhance protection of the enjoyment of rights at work. For example, the Union of Railway, Plantation, Mineral Industry and Construction Employee (URPMICE) was approved by MLSS to work with Shandong Steel Company, which previously had the United Mines Workers Union (UMWU) as the only labour union operating in the company. Currently, there are 36 labour unions registered with the Sierra Leone Labour Congress (SLLC), to address employment issues in the formal and informal sectors.

The Finance Act of 2019 which makes provision for increment in monthly pension of workers was enacted by Parliament in November 2018. HRCSL recognizes this positive step taken by GoSL which would increase pension from between Le 10,000 and Le 41,000 to a minimum of Le 250,000 in 2019.

In October, 52 redundant workers of Bo City Council raised concern over the delay in the payment of their salaries and end of service benefits spanning from 2013- 2018. According to the Chief Administrator of the Bo City Council, this was as a result of limited funding. HRCSL learnt that over this period seven of the beneficiaries have died while awaiting payment.

In June, an explosion occurred at the Kings Production Factory in Freetown, which led to the death of one and injured six others. MLSS and the SLLC ensured that the company took responsibility for the health needs of the victims and payment of their benefits, including to the family of the deceased. MLSS placed a temporal suspension on the operations of the company and further urged its management to improve on its occupational health and safety measures. The company complied with the recommendations of MLSS which paved the way for the lifting of the temporal suspension. Safety and security in the workplace is provided for in ILO Convention 155, which Sierra Leone has signed, but not yet ratified.

The slow pace of reviewing some labour laws, which are inconsistent with international best practices, continues to negatively impact on the enjoyment of the right to work. MLSS and partners commenced the review process in 2017 and submitted a draft to the Law Reform Commission to create the legal instruments for onward presentation to Parliament. As at present the reviewed laws are yet to be tabled in Parliament for necessary modifications.

In addition, HRCSL noted the manner in which the MLSS intervened in the resolution of the labour crisis at the Shandong Steel Company over the non-payment of redundancy benefits to retrenched workers. The company embarked on redundancy exercise as part of its draw down strategy, marking the end of the first phase of the project. Over two thousand (2,000) workers were affected, majority of

whom accused the MLSS of siding with the company and not doing enough to protect their interest and rights. HRCSL engaged MLSS and Shandong Steel to speedily address the issue and pay all outstanding benefits to workers. In August payment was made to all except fifty (50) workers. Among the fifty, thirty-eight (38) had been in court before the redundancy; their matter is ongoing in court.

On 2nd October, MLSS wrote a letter to the Sierra Leone Commercial Bike Riders Union (SLCOMBRU) instructing the acting executive to facilitate the conduct of the National Delegate Conference to elect the National Executive of the BRU within a period of 15 days under its supervision without prior consultation with the SLLC. In October, an aggrieved faction within the BRU, allegedly supported by the MLSS, purportedly conducted an election for executive positions in Bo City in which majority of the interim executive and some union members did not participate. Despite the SLLC, which oversees the affairs of all unions that register with them, being dissatisfied with the entire process, with the support and protection the MLSS, the new executive took over the national office of the BRU in Freetown.

The HRCSL considers the action of MLSS as a direct interference into the operations of the BRU and a deprivation of majority of its members the right to freely associate as enshrined in Article (3) (1 and 2) of ILO Convention 87 of 1948. It states as thus:

- “Workers’ and employers’ organizations shall have the right to draw up their constitutions and rules, to elect their representative in full freedom, to organize their administration and activities and to formulate their programmes;”
- “The public authorities shall refrain from any interference which would restrict this right or impede the lawful exercise thereof;”

The SLLC called a press conference on 1st November where it condemned the interference of the MLSS into the elections and activities of the BRU and further demanded the following actions:

- MLSS should stop interfering into the activities of Trade Unions;
- That the Acting National President and his executive take possession of the National Headquarters of the Sierra Leone Commercial Bike Riders Union;
- The SLLC also keeps in view the interference into activities of other affiliate members i.e. the Motor Drivers Union and the Sierra Leone Traders Union (Market Women) and closely monitor development.

### Recommendations:

1. *HRCSL urges the MLSS to step up its monitoring of factories and related work places to prevent similar industrial or work related accidents.*
2. *MLSS and SLLC should find a common ground to improve their working relationship.*

### 3.3.2 Business and Human Rights

Leigh Day, a rights based NGO in England, that provides legal assistance to victims of human rights abuses caused by operations of companies, took up a lawsuit to the British High Court on behalf of victims of human rights violations in Bumbuna and its environs. The lawsuit was against AML,



a British enlisted company that operated in Sierra Leone between 2010 and 2012. As part of the investigation, the British High Court moved to Sierra Leone and conducted hearings for some of the critical witnesses that could not travel to London. HRCSL testified in the matter as a witness on 13th February at the Radisson Blu Hotel in Freetown where sittings were held.

HRCSL further notes the progress made by the High Court of Sierra Leone to order the Sierra Leone Agriculture (SLA) to return 41,582 hectares of land to affected land owners in the Bureh, Kasseh and Makonte chiefdoms in the Port Loko District, North-Western Province of Sierra Leone. SIVA, a Singapore-based company which took over SLA, failed to pay the three year lease rent. NAMATI, a legal empowerment NGO, took a lawsuit on behalf of the victims. In June the High Court in Freetown issued an injunction against the company and its agents, restricting them from any dealings on the land, or moving any assets out of Sierra Leone. The Court on 5th November ruled that in addition to the returning of the portions of land, the company should pay arrears of land lease rent amounting to two Hundred and Fifty Thousand United State Dollars (\$250,000) to the landowners.

In June, HRCSL monitored the operations of Shandong Steel and the human rights situation in the relocated communities of Ferengbeya, Foriya and Wondugu.

HRCSL noted the following during monitoring exercises:

- Lack of access to safe drinking water - even though Shandong Steel constructed a solar powered water well for the affected communities, the people claimed that they were not consulted and that the water was not pure. They preferred to fetch water from a stream, four miles away from their communities.
- Poorly constructed houses prone to destruction by heavy winds and rains - the HRCSL team found 21 houses already damaged in New Ferengbeya, Foria and Wondugu villages. Residents claimed that they were yet to receive documents of their houses from the company authorities as an indication of ownership.
- Not enough land provided for subsistence farming and other livelihood activities - one of the thorny issues the relocated communities brought to the attention of the HRCSL as they attributed food shortage in their communities to non-availability of enough land for farming purposes. HRCSL team was informed that residents had resorted to farming in places with similar topography as the areas from which they were relocated.

The Sierra Rutile Limited (SRL) Company in August carried out a relocation process in Foinda Village, Imperi Chiefdom, Bonthe district, Southern Province of Sierra Leone. In November, HRCSL followed up on the relocation process and observed the following:

### **General findings:**

There were one hundred and fifteen (115) houses, a Mosque, market place, four bore-holes and a school built by the company for the relocated community. However, after three months in the new community, the relocated people expressed dissatisfaction over non-payment of crop compensation and failure by the company to keep to promises made. The company denied the claims during an interview with HRCSL and invited the HRCSL to visit the relocated community and make its own assessment. The Community Liaison Officer (CLO) further noted that the Paramount Chief, the District Officer, the Chairman and Chief Administrator of Bonthe District Council were present during the entire relocation process.

## Findings on the right-based resettlement

- That there is no specific policy or legislation on right-based resettlement in the country and that although the SRL did not have one; it made effort to adopt aspects of the International Finance Cooperation (IFC) Performance Standards on resettlement processes. Domestic legislation such as provisions in the 1991 Constitution of Sierra Leone, the 2015 Land Policy, environmental laws/policies, the Mines and Minerals Act of 2009, gender justice laws that protect rights in the event of evictions and displacement were also adopted by SRL.
- That SRL carried out consultations with the affected community to raise awareness and elicit participation in the resettlement processes, without the involvement of the relevant government MDAs. However, HRCSL further found out that the participation of the affected community was limited to members of a Resettlement Committee which was later distrusted by majority of the affected people, on suspicion of connivance with the company and failure to share information which affected the right to information as well as the right to participation. The Resettlement Committee was therefore dissolved and an interim one formed to continue negotiations with the company on behalf of the affected community.
- That the people negotiated with the company without legal assistance after NAMATI withdrew from the negotiation process.
- That in the new location, the SRL refused to build eight houses that were under construction in the former settlement. These partly built houses already existed prior to the pronouncement of notice of the relocation (on 10th November 2017) by the Paramount Chief. They were also identified and numbered by the company as affected properties. However, SRL claimed that the owners had deliberately started the construction of the eight houses in the former location in order to benefit from additional houses in the new location.
- Non-payment of compensation for annual crops left behind in the old community.
- Delay on the part of the SRL to kick-start livelihood activities for the resettled community, on the ground that a separate committee that should work closely with them had not been established. As part of the company's due diligence, such processes should be facilitated by SRL.
- That SRL respected the right to access clean and portable water by constructing three bore holes with hand pumps. However, the affected community claimed that the bore holes were inadequate to serve the population, especially in the dry season. The people claimed that they had five hand-dug wells, two hand pumped wells and a stream in the old community, and therefore required the company to provide the same number of wells in their new community.
- SRL had a grievance mechanism through the chiefdom administration to address concerns of the affected community, but this did not yield much on some outstanding matters. The people lacked trust in the composition and complaints channel, and accused the chiefdom authorities of connivance with the company against their interest while at the same time do not also view the intervention of relevant MDAs as being timely and handy. In addition, the absence of appropriate legal remedy, such as the court system or other Quasi-Judicial Institutions like the HRCSL since these were far removed from their locality. Thus the people of Foinda hold the feeling that they lack effective and appropriate legal remedy to address their grievances against the resettlement process.

## Recommendations:

1. *GoSL through the relevant MDA(s) should ensure that Shandong Steel carries out re-assessment of all structures constructed in the three relocated communities in Bumbuna and undertakes thorough maintenance on the 21 houses reportedly destroyed by wind as well as hands over house documents to occupants as evidence of ownership.*
2. *Shandong Steel should urgently address the problems of access to pure water and land for farming in the relocated communities in Bumbuna and Foinda.*
3. *SRL should build the remaining eight houses as well as compensate relocated members for their crops.*
4. *SRL should improve on the grievance redress system to ensure credibility and confidence of the relocated community.*
5. *GoSL should develop rights-based resettlement policy guidelines for companies/institutions engaged in resettlement of communities.*
6. *GoSL should provide adequate funds to HRCSL to conduct quarterly monitoring, mobile complaints hearings and public education on development based evictions and relocations in communities relocated by companies.*

### 3.3.3 Right to Education

Article 13 of the ICESCR and Article 17 of the ACHPR guarantee the right to education for everyone. Goal 4 of the Sustainable Development Goals provides for inclusion and equitable quality education. Section 3(2) of the Education Act of Sierra Leone 2004 states that “every citizen of Sierra Leone shall have the right to basic education which accordingly shall be compulsory ...” while Section 9 of the 1991 Constitution of Sierra Leone also directs government to provide equal rights and adequate educational opportunities for all citizens at all levels. African Union Commission Agenda 2063 ‘The Africa We Want’ also calls for increasing access to tertiary and continuing education in Africa by reaching large numbers of students in different places simultaneously via distance and e-learning.

On 20th August, H.E President Bio launched the Free Quality School Education programme (FQSE) at the Miatta Conference Centre in Freetown. The FQSE is a flagship programme of the government, aimed at improving the quality and access to education, and retention in schools and provide relevance and system strengthening of the educational sector.

The first phase of the implementation commenced in the 2018/2019 academic year with the following:

- No school and admission fees in government and government assisted schools for pre-primary to senior secondary schools
- Timely fees subsidy payment to government and government assisted schools
- Free accelerated primary school learning programme in the Ministry of Education, Non-Formal Learning Centres
- Free exercise books, pens, pencils, chalk, registers, sporting equipment for government and government assisted schools

- Free four core subject text books for pupils attending government and government assisted schools
- The payment of fees for candidates qualified to take the NPSE, BECE, WASSCE and NVQ exams in government and government assisted schools
- More schools in deprived and under-served areas benefitting from school feeding through support from CRS, WFP, JAM and GoSL
- More trained and qualified teachers placed on the government payroll
- Much needed furniture supplied to schools badly in need in all districts
- Preliminary work on the infrastructure of selected schools in the districts

According to the Sierra Leone Civil Society Coalition (SLCSC), a local NGO which monitors the right to education in Sierra Leone, 6,500 government and government assisted schools benefitted from the FQSE programme, while over 1,000 newly approved schools are yet to be included in the FQSE programme

HRCSL however observed that there were delays in the distribution of school materials across the country and that only two of the four core text books (Mathematics and English) were supplied to pupils. The SLCSC revealed that 2,493 schools were yet to receive the core textbooks. Children were required to carefully handle the books and return at the end of the school year.

According to the MBSSE, the FQSE led to an increase in enrollment at pre-primary and primary schools particularly in the rural areas as well as in the number of candidates who registered in 2018 to sit to the 2019 WASSCE. The increase in the enrollment worsened the poor sanitary conditions in many schools.

The reversal of the educational system from 6-3-4-4 to 6-3-3-4, which was a campaign promise of His Excellency President Julius Maada Bio, commenced in September. It reduced the number of years spent in secondary school by one. In order to mitigate the effects on pupils who were moving from the Senior Secondary School (SSS) 2 to SSS 3, the MBSSE and the Ministry of Finance paid an additional one month salary to teachers of SSS 3 classes in government and government assisted schools, to conduct special classes for SSS2 pupils promoted to SSS 3, in order for them to attain the same level with SSS 3 in the previous year.

To ensure a proper implementation of the FQSE, the MBSSE established Ward Education Committees to regularly monitor the process for an enhanced FQSE programme. In addition MBSSE recruited and trained 160 Supervisors of Schools to monitor the implementation of the FQSE programme.

The Minister of MBSSE encouraged Members of Parliament to also help in monitoring the implementation of the FQSE in schools within their constituencies. The District Deputy Directors of Education, Ward Education Committees and Paramount Chiefs were also encouraged to conduct rigorous monitoring of the implementation of the FQSE in their localities.

In February, MBSSE launched the Education Radio FM 95.3 in order to enhance the promotion of the FQSE programme. This initiative was developed out of the lessons learnt following the successes of the radio teaching programme broadcast during the Ebola epidemic and its positive impact on the



WASSCE results. The radio started operations in August.

Allegations of sexual assault and harassment of girls, sex for grades, alteration of grades, making fake results, and illegal collection of admission fees were observed to be factors affecting quality of education and inhibiting girl child education. During a meeting of Principals in the Southern region, held in Bo in September, these were highlighted as reasons that resulted in the dismissal of a total of 13 teachers from across the southern region. HRCSL considers the actions of the teachers as undermining the right to quality education.

HRCSL's attention was drawn to a protest by some students of the Government Technical Institute (GTI) on Tuesday 9th October. The students were requesting for a fulfillment of Government's promised in 2002 to restructure the GTI to a full time polytechnic. The Ministry of Tertiary Education promised to consider their request and address it appropriately.

During the 2019 Budget presentation in Parliament in November 2018, the Minister of Finance announced that money has been allocated for building of ramps in all government and government assisted schools. HRCSL considers this as a positive move and a right-based approach to improving access to education and school structure particularly for the physically and visually disable persons.

Examination malpractice is considered as a major source of devaluing the quality of education in learning institutions. HRCSL considers this as counterproductive to the President's flagship programme on providing quality education. The action taken by the SLP and the Anti-Corruption Commission in investigating 71 students and examiners on the 26th September on examination malpractice is considered a positive move in trying to enhance the education of persons who proceed to higher learning.

### **Diploma in Safety and Security**

HRCSL recognizes the effort made by SLP in building the capacity of its personnel. In September, the Tertiary Education Commission (TEC) issued a certificate to the SLP to operate the Sierra Leone Peacekeeping and Law Enforcement Agency (SILEA) as a diploma awarding institution. SILEA offers a course in Security and Safety for a period of 12 months and an internship period of 8 weeks, leading to the award of a Diploma in Safety and Security. The course commenced in September at the Police Training School in Hastings. The course would benefit police officers, other security sector institutions and members of the public by strengthening the security sector and providing employment opportunities.

Article 13 of the ICESCR, Article 17 of the ACHPR guarantee everyone the right to education. This development by the SLP offers additional education and training opportunities to law enforcement personnel and other security agencies especially at a time when the country is still grappling with the high rate of crimes, arbitrary arrests, political violence and excessive use of force by the security sector.

## Recommendations

1. *MBSSE should ensure that the newly approved schools benefit from the FQSE programme in the 2019/2020 academic year.*
2. *MBSSE should speedily supply the remaining two core text books and other school materials to all government and government assisted schools to make the FQSE programme more effective.*
3. *The Parliament of Sierra Leone should encourage all Parliamentarians to monitor and sensitize their constituents on the significance of the FQSE programme.*
4. *MBSSE should give adequate support to District Deputy Directors of Education, Ward Education Committees and Paramount Chiefs to carry out their duty of monitoring the FQSE programme.*
5. *GoSL should construct ramps in all schools as proposed in the 2019 budget.*

### 3.3.4 Right to Health

The right to health is guaranteed by Article 12 of the ICESCR and Article 16 of the ACHPR which call on state parties to ensure the enjoyment of the highest and best attainable standards of physical and mental health. This is also provided for under goal 3 of the Sustainable Development Goals (SDGs). The Ministry of Health and Sanitation (MoHS), in its bid to address the challenges in the implementation of the Free Health Care, devised a strategy for enhancing delivery mechanisms, accountability and community ownership by involving Local Councils, Chiefs and CSOs in the delivery and distribution of drugs to health centres. Active participation of hospitals in the ordering of drugs was also part of the new approach.

In January, Mercy Hope International, a Sierra Leone based International Non Governments Organization donated three containers of medical supplies comprising cleaning materials (mops, detergents, disinfectants), to GoSL in order to improve on sanitation and hygiene in health facilities.

On 14th November, five highly experienced Diaspora Medics from the United States of America, Switzerland and the United Kingdom provided voluntary medical service to the Kailahun Government Hospital by performing free surgeries for hernia, fibroid and other ailments as part of a Project title ‘Engaging the Diaspora to Strengthen the Health, Flood Prevention and Agriculture Sectors in Sierra Leone’. The program was funded by the Japanese Government and implemented by the International Organization for Migration (IOM) in collaboration with the Office of Diaspora Affairs and the Ministry of Health among others.

As a demonstration of government’s efforts to promote the enjoyment of the right to health, on 23rd November, His Excellency the President Julius Maada Bio, commissioned the construction of a mini-modern hospital at Masongbo village, Makari Gbanti Chiefdom in the Bombali District of the Northern Region. The hospital will comprise an operating theatre, X-Ray unit, drug store, public health officers unit and a staff quarter. The hospital is expected to be completed in August 2019. A free ambulance service was also launched by the president during the commissioning ceremony.

**Recommendations:**

1. *MOHS should construct more mini-modern hospitals in other regions.*
2. *MOHS should strengthen its support to the Free Health Care Project.*
3. *MOHS to intensify its education and sensitization programmes on health services.*

**3.3.5 Access to Clean and Safe Drinking Water**

The right to clean and affordable water is guaranteed under goal 6 of the Sustainable Development Goals (SDGs), the UN Resolution 18/1 adopted by the Human Rights Council on 12th October 2011, the UN Resolution 64/292 of the UN General Assembly as well as the African Commission Resolution on the Rights to Water Obligation (ACHPR/Res.300).

Government and its partners continued to address the shortage of water supply in Freetown by installing forty additional water tanks in different locations in Freetown. New and existing tanks were constantly refilled as part of the short term measures to provide communities with easy access to water.

In addition, the rehabilitation work on the Guma Valley infrastructure which commenced in 2017, helped to increase the volume of water saved in the dams and an improvement in the supply of water to various parts in western area. This rehabilitation is done under the Freetown Water Supply Rehabilitation Project, which is an initiative of the Ministry of Water Resources (MWR), Guma Valley Water Company (GVWC) and the United Kingdom Department for International Development (DFID) for rehabilitation of the Guma Dam at Mile 13 and Spur Road reservoirs.

Despite these efforts and noticeable developments, the problems of rampant encroachment of water catchment areas, massive deforestation, and destruction of Guma pipes by some members of the public persisted.

The pipe borne water systems in the district headquarter towns of Port Loko, Kambia, Magburaka and Makeni were rehabilitated by the Sierra Leone Water Company (SALWACO), and public taps that were erected at strategic areas within the headquarter towns provided easy access to clean and safe water in these communities. Unfortunately no provision was made for vast majority of the population residing in the peripheral areas.

In early September, SALWACO commenced work on the water distribution network within the Makeni municipality and its peri-urban settlements as part of the first phase of the 'Three Town Water Supply Project' with the main purpose of providing safe drinking water to residents.

## Recommendations

1. *MWR to source funding for the speedy completion of the rehabilitation work on the Guma Valley infrastructure and other reservoirs.*
2. *Guma Valley Water Company should endeavor to regularly refill existing tanks and install more tanks where necessary.*
3. *MWR should endeavor to construct more dams and reservoirs to reduce the water crisis in the country.*
4. *MWR in collaboration with the Ministry of Agriculture, Forestry and Food Security (MAFF) should work together to plant fast growing trees around the water catchment areas.*
5. *The MWR should work with the Ministry of Lands and Country Planning (MLCP) so that pieces of land around water catchment areas are not sold out or encroached upon.*
6. *Guma Valley Water Company in collaboration with the SLP and the Metropolitan Police should be proactive in preventing the destruction of pipes and arrest and prosecute persons involved in destroying water pipes.*

### 3.4 Women's Rights

The Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) 1979, Beijing Declaration of 1995, Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa 2003 (Maputo Protocol) guarantee the rights of women. Section 15 of the 1991 Constitution guarantees the enjoyment of the fundamental human rights and freedoms of the individual irrespective of that person's sex. The Domestic Violence Act 2007, the Devolution of Estate Act 2007 and the Registration of Customary Marriage and Divorce Act 2009 and the Sexual Offences Act 2012 (commonly referred to as the Gender Justice Laws) of Sierra Leone provide legal protection of the rights of women against violence and discrimination. Goal 5 SDG and Aspiration 6 of the African Agenda the African Agenda 2063 require state to empower women and promote gender equality.

#### International Women's Day

The global theme for International Women's Day (IWD) "Time is Now: Rural and Urban activists transforming women's lives" was localized by MSWGCA as "Time is now: Transforming Women's Lives in Rural Areas in Sierra Leone. A commemoration ceremony was held at the MSWGCA conference hall at New England Ville on 8th March. The celebration was low key and was observed only in Freetown due to the electioneering process, as polling for the general elections was 7th March. The overall objective was to reflect on progresses, challenges and the way forward for promoting gender equality and women's empowerment.

#### Participation in the 2018 Elections

Article 7 of CEDAW states that "States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right: (a) to vote in all elections and public referenda and to be eligible for election to all publicly elected bodies".



In the 2018 elections, although women participated fully as voters, not many aspiring women candidates were able to win symbols to contest despite advocacy from various women's groups, thus giving the indication that Sierra Leone is far from achieving the TRC recommendation for 30% representation of women in decision making positions. Furthermore, HRCSL observed that women were not awarded symbols to winnable seats in spite of several advocacy by women's groups. As a result, not many women were elected into elective positions for the five year period (2018-2023).

### A COMPARISON OF NEC's SEX DISAGGREGATED ELECTORAL DATA FOR 2012 AND 2018

PRESIDENTIAL & VICE PRESIDENTIAL CANDIDATES 2012 and 2018								
	2012				2018			
	Men		Women		Men		Women	
	No.	%	No.	%	No.	%	No.	%
Nominated Presidential Candidates	9	100	0	0	14	88	2	12
Nominated Vice- Presidential Candidates								
PARLIAMENTARY CANDIDATES 2012 and 2018								
	2012				2018			
	Men		Women		Men		Women	
	No.	%	No.	%	No.	%	No.	%
Nominated Parliamentary Candidates	548	94	38	6	656	87	100	13
Elected Members of Parliament	108	87	16	13	114	88	18	12
Paramount Chief Member of Parliament	12	100	0	0	12	86	2	14
ELECTED MEMBERS OF LOCAL GOVERNMENT								
	2012				2018			
	Men		Women		Men		Women	
	No.	%	No.	%	No.	%	No.	%
Nominated Councilors Single Member Ward & Multi Member Wards								
Elected Councilors Single Member Ward & Multi Member Wards	-	-	-	-	399	82	90	18
Mayors / Chairpersons	16	84	3	6	18	86	3	14
Women were 2 of 9 city council mayors & 1 woman out of 16 District Councils								
Executive Positions								
	2012				2018			
	Men		Women		Men		Women	
	No.	%	No.	%	No.	%	No.	%
Ministers	22	85	4	15	24	83	5	17
Deputy Ministers	13	65	7	35	23	79	6	21

Source: NEC's 2018 Gender Assessment of Sierra Leone's Electoral and Political Arrangements

## Sierra Leone National Action Plan (SiLNAP) and the Gender Equality and Women's Empowerment Policy

In September, MSWGCA conducted regional consultations for drafting of the second generation Sierra Leone National Action Plan (SiLNAP), which should implement in full the UNSCR 1325 and 1820. The consultations were also for the finalization and subsequent adoption of the Gender Equality and Women's Empowerment Policy.

The purpose of the regional consultations was to share information on the draft documents and incorporate stakeholders' views on same. This gave opportunities to law makers, gender focused organizations, Local Councils, community local authorities, security sector, MDAs and CSOs to contribute to the process by providing concrete measures, strategies and recommendations for inclusion into the final draft of the documents. Both policies were validated in November.

### Sexual and Gender Based Violence (SGBV)

HRCSL continued to note the prevalence of SGBV in communities and its effects on women and girls in particular. The problems of compromise by family members and delays in the investigations of sexual violence cases by the FSU due to limited logistics were observed as some of the challenges in addressing SGBV.

In addition, the request for payment of user fees for physical assault in government hospitals among others persisted. For example victims of physical assault were asked to pay the sum of fifty thousand Leones (Le50, 000) for medical endorsement at the Makeni Government Hospital. This was confirmed by the Government Hospital Secretary and the FSU officers. Medical treatment for sexual assault cases should be free of cost according to the Sexual Offences Act, 2012.

SLP records on SGBV in six police command regions for the period under review

Cases	Freetown West	Freetown East	North West	North East	Southern Region	Eastern Region	Total
Sexual Penetration	573	717	147	366	497	426	2726
Rape	35	56	17	24	34	39	205
Domestic Violence	1808	2859	508	1356	1145	1445	9121
<b>TOTAL</b>	<b>2416</b>	<b>3632</b>	<b>672</b>	<b>1746</b>	<b>1676</b>	<b>1910</b>	<b>12052</b>

*Source: Sierra Leone Police Annual General Crime Statistics Report 2018*

Table 1 shows the number of SGBV cases received from the six police command regions in the year under review. A total number of 12, 052 cases were received out of which 2,726 were reported under sexual penetration and 205 rape cases. Freetown (West & East combined) recorded the highest number of cases as compared to the other regions. This clearly shows that more cases are reported in Freetown than in the regions. Domestic violence figures were higher than sexual penetration and rape cases in all the regions.

**Table 2. Comparative Trend Analysis for 2016- 2018**

No.	Offences	2016	2017	2018
1	Domestic Violence	9135	9377	9121
2	Sexual Penetration	2149	2549	2726
3	Rape	78	103	205
<b>Total</b>		<b>11362</b>	<b>12029</b>	<b>12052</b>

*Source: Sierra Leone Police Annual General Crime Statistics Report 2018*

Table 2 shows a comparative analysis of SGBV from 2016 to 2018. The table shows an increase in the number of reported cases from 2016 to 2018.

### Rainbo Initiative

Data from the Rainbo Initiative, which is a national Non-Governmental Organisation providing free medical and psychosocial service for survivors of SGBV, is as follows:

Statistics from the five Rainbo Centres 2018

Indicators	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Clinical and Psychosocial													
No. of sexual assault cases	241	209	193	263	230	238	266	245	233	237	248	297	2900
No. of physical assault cases	13	13	15	15	22	18	32	21	33	25	14	16	237
No. of pregnancy cases	34	39	40	43	42	53	77	71	37	49	49	68	602

*Source: Rainbo Initiative – Rainbo Centres 2018*

Disaggregation of cases by centre

	Kenema	Kono	Freetown	Bo	Makeni
No. of sexual assault cases	717	517	1598	53	15
No. of physical assault cases	32	203	2	0	0
No. of pregnancy cases	181	87	314	16	4

Source: Rainbo Initiative, 2018

From the table above, Freetown recorded the highest number of cases of sexual assault and Makeni recorded the least number of cases reported. Kono comparatively recorded the highest number of physical assault cases to other centres. The number of cases reported as a result of sexual assault is higher in Freetown whilst Makeni recorded the least.

## Recommendations:

1. *MSWGCA, Law Reform Commission, Ministry of Justice and Parliament should expedite the process of enacting the Gender Equality and Empowerment Policy which makes provision for the 30% quota for women's representation in government and leadership positions.*
2. *MSWGCA, HRCSL and other institutions working on women and girls rights should increase sensitization on SGBV that sometimes result in high rates of school dropout, teenage pregnancy, early marriage, HIV/AIDS and other sexually transmitted infections.*

## 3.5 Children's Rights

Children's Rights are provided for in the Convention on the Rights of the Child (CRC) 1989, the African Charter on the Rights and Welfare of the Child (ACRWC) 1990 and the Child Rights Act 2007.

### Early Marriage

In October, HRCSL facilitated the dissolution of a marriage of a 14 year old girl, who was a class four pupil at the Roman Catholic (RC) Primary School in Kathekeyan Kaboli, Paki Masangbon Chiefdom in the Bombali District. HRCSL's investigation revealed that the marriage had been endorsed by both families and the victim had been contracted in marriage to a 40 year old man, resident in Makomp village, Bombali Shebora Chiefdom in Bombali District.

Section 2 of the Registration of Customary Marriage and Divorce Act 2007 permit parents to give marital consent for children below the age of 18. However, Section 34 (1) of the Child Rights Act 2007 states "the minimum age of marriage of whatever kind shall be eighteen years". It was against this backdrop that HRCSL intervened in the matter.

HRCSL advised the husband to immediately reverse the marriage and engaged the FSU of Mena Police Station in Makeni. On 11th October, the husband was arrested and detained at the Mena Police Station. On 12th October, a team led by HRCSL and three police officers from FSU, a Counsellor of Makeni City Council and a Town Chief of Makomp village took the girl and her parents to Kathekeyan Kaboli village after the marriage was reversed. HRCSL and one of the FSU personnel assisted the girl to return to school in Makeni. The perpetrator was granted bail after three days in detention. His file was sent to the State Counsel in Makeni for advice. He was cautioned but no charge was levied against him since the marriage was reversed.

On 9th August, the Legal Aid Board and the SLP stopped a marriage ceremony between a twelve (12) year old girl and a twenty-seven (27) year old man at the Fullah Mosque, Grassfield, in Lumely. The girl was a class six (6) pupil of the Wesleyan Primary School, Lumley and had just sat to the National Primary School Examination (NPSE). The Imam and two others, who were officiating the marriage were arrested and detained at the Lumley police station on the same day and subsequently released.

### Hands Off Our Girls' Campaign

As a result of the high rate of sexual violence against women and girls, the First Lady, Fatima Bio initiated a campaign called "Hands off our Girls". The official programme was launched at the Bintumani Conference Hall by His Excellency President Julius Maada Bio on 14th December, on the theme "Ending Child Marriage and Reducing Teenage Pregnancy to Empower Women in Sierra



Leone”. The First Lady Fatima Bio was supported by other First Ladies from Ghana, The Gambia, Liberia, Chad and Niger to join the campaign against sexual and other abuses against women and girls. The launch culminated in a peaceful protest march held on 15th December, to create awareness on violence against women and girls in Sierra Leone.

### Recommendations:

1. *MSWGCA, Law Reform Commission, MoJ and Parliament should expedite the process of harmonizing the Registration of Customary Marriage and Divorce Act 2007 and the Child Rights Act 2007, on the age of consent (18 years)*
2. *Perpetrators of early child marriage should face the full penalty of the law as stated in Section 35 of the Child Rights Act 2007.*
3. *The “Hands Off Our Girls” campaign should be sustained while the sexual offences amendment Bill should be speedily passed into law.*

### 3.6 Vulnerable Groups

These includes persons living with disabilities, Women and Children, individuals of different sexual orientation, persons living with HIV/AIDS, Commercial Sex Workers, Older Persons, Ethnic Minorities, Children and Women in extreme poverty.

#### 3.6.1 Persons with Disabilities (PwDs)

The enjoyment of human rights by persons with disability is still marred with challenges despite government efforts. On 25th March, the Headquarter of the National Commission for Persons with Disability (NCPD), which is the principal body responsible for promoting, protecting and raising awareness on the rights of persons with disabilities, was completely burnt down due to electrical failure. This made it difficult for the office to carry out its operations and hence affected the promotion and protection of the rights of PwDs.

HRCSL applauds NEC and its partners for providing tactile ballot guides for visually impaired persons and the preference given to PwDs to cast their vote upon arrival at polling stations during the general elections held in March. However HRCSL observed that some polling stations were not friendly to PwDs, as they were located in buildings without lifts and/or ramps. In other instances particularly in the rural areas, accessibility to polling stations for PwDs was a challenge, as they were located far away from their residencies and the vehicular ban restricted their easy movement. This militated against PwDs from casting their votes.

HRCSL observed that the FQSE, which is the government’s flagship program, excluded special needs educational institutions in the first phase of implementation. HRCSL considers this act as discriminatory. The Disability Act 2011, promotes inclusive education opportunities and protects persons with disabilities from all forms of discrimination in educational institutions.

The Complaints Handling Manual, jointly produced by HRCSL and NCPD in 2017, assisted the NCPD in the receipt of complaints and effective investigations. For instance, in October 2018, the manual was used to mediate the problem between ex-pupils and the administration of the Kono School for the Blind. A mediation team comprising officials of MSWGCA and NCPD engaged both parties using the procedures set out in the manual. The matter is ongoing.

**Recommendations:**

1. *NEC should ensure that polling stations are friendly and easily accessible to PwDs in future elections.*
2. *NCPD should continue to popularize the Disability Act 2011 and the UNCRPD.*
3. *GoSL should ensure that Special Needs institutions are included in the FQSE at every stage of implementation.*

**3.6.2 Older Persons**

Some international policy documents have been adopted to strengthen the protection of older persons such as the 1982 Vienna International Plan of Action, the 1991 UN Principles for Older Persons and the Madrid International Plan of Action on Ageing 2002.

Despite government's efforts in signing international treaties and declarations which are geared towards protecting the rights and welfare of older persons, HRCSL observed in the year under review that older persons still faced challenges and discriminatory practices in their communities.

At King George VI Home in Grafton, HRCSL was informed of the challenges in up keeping the home due to late disbursement of subvention and inadequate funds. Challenges included:

- Limited supply of food items
- Lack of adequate clothing
- Unsatisfactory housing conditions
- Limited number of staff

HRCSL observed that the management was doing its best to ensure that the rights of residents were respected in spite of the challenges.

Apart from the implementation of the social-protection scheme by National Commission for Social Action (NaCSA), which targets just a small group of most vulnerable elderly, a universal cash transfer was planned, which would target all citizens of 60 years and above. Between 2016 and 2017 a lump-sum of two hundred and fifty thousand Leones (le 250,000) was paid to the elderly as social protection scheme. However in 2018 no further payment was made due to lack of funding and this compounded the already deplorable condition of the elderly and subsequently their right to livelihood.

Based on interviews during our monitoring visits, HRCSL learnt that older people continue to face discrimination, verbal, sexual and psychological abuse, inadequate health care, and social care at public places and institutions. HRCSL is still concerned about the lack of a specific national legal framework in Sierra Leone to protect the rights of older persons to live in dignity.

**Recommendations:**

1. *The Ministry of Finance and MSWGCA should provide adequate and timely subvention for the smooth and effective operations of the King George VI Home.*
2. *The Ministry of Finance, NaCSA and MSWGCA should take steps to address the socio-economic and physical welfare of older persons.*
3. *NaCSA and MSWGCA should construct more homes for older persons in the regional headquarter towns.*
4. *MOJ should ensure that legislation is put in place that protects the rights and welfare of older persons so as to ensure that they fully enjoy their human rights and dignity without discrimination.*

**3.6.3 Persons Living with HIV/AIDS**

HIV/ AIDs Secretariat estimated that the prevalent rate of HIV/AIDs was 69,000 (1.7 %) in 2018. This figure shows an increase compared to 2017 which was 1.5%. The HIV/AIDs Secretariat attributed the increase in HIV/AIDs prevalence rate to low uptake of testing by the general population, low level of male participation and involvement in the Prevention of Mother To Child Transmission (PMTCT) and testing, low programme focus on adolescents and youths, low client treatment adherence, high loss to follow up in antiretroviral therapy; and defaulting / weak client/patient tracking systems. Limited antiretroviral therapy facilities and equipment, weak staff capacity, high staff attrition rate in the hospitals, poor coordination among interest groups, high illiteracy rate among the public, entrenched traditional practices, and limited funds to support PMTCT services were also noted as factors responsible for the increase.

The HIV/AIDs Secretariat also noted that one of the barriers to curb the further spread of the disease was the reluctance of people that are HIV-positive to reveal their status for fear of rejection, stigmatization and discrimination. Notably, examples of discriminatory practices against persons with HIV /AIDS are verbal abuse, provocation and rejection from their own communities and families. All the above forms of discriminations against persons living with HIV/AIDs are prohibited in the National HIV/ AIDS policy for Sierra Leone 2002 and the HIV/AIDs Act of 2007.

**Recommendations:**

1. *MoH and HIV/AIDs secretariat should take steps to ensure that there is adequate provision in all hospitals for the treatment of HIV/AIDs.*
2. *MoH and HIV/AID Secretariat should ensure that there is adequate awareness raising on the spread and devastating effect of the virus and also combat discriminatory attitudes against people carrying the virus.*
3. *Males should be encouraged to go for HIV/AIDs test*
4. *GoSL should ensure that the policy and the Act should be fully implemented.*

### 3.7 Youth

Youth is defined in Sierra Leone as people aged 15 to 35. According to the 2015 Population and Housing Census, more than one-third of the country's populations (7,092,113) are in the youth category.

#### Youth Violence

Cliques and gang violence were noted as issues requiring urgent attention. On 26th January, violence erupted at Campbell Street when the APC party was processing along the streets after nomination of the Presidential candidate. It was reported that the leaders of one of the clique/gangs who resided at Campbell Street, gave orders that no members of other cliques/gangs should pass through his territory. The violence broke out when members of the Campbell Street clique infiltrated the procession and started attacking some people presumed to be from other gang/cliques. One person died and several people were injured. Fifty six (56) gang members were arrested and detained at the CID for investigations. They were later charged to court and fined Le. 500,000.00 each.

The 2018 Presidential, Parliamentary and Local Council Elections were characterized by violence among youths of different political parties. Incidents of violence recorded during the electioneering period were orchestrated by youths who formed the bulk of rallying crowds.

Despite the political violence, the first youth debate among representatives from APC, ADP, C4C, NGC, CDP and SLPP took place at the British Council Hall on the 22nd February to discuss issues affecting the lives of youths in Sierra Leone.

During the monitoring of the elections, HRCSL noted the involvement of youths in the electioneering process as centre and polling station managers, polling agents (representing their various political parties) and monitors / observers (from various organisations). The National Elections Watch (NEW) deployed approximately 4500 youth as observers across the country.

According to a report by Restless Development entitled "The State of the Youth: Sierra Leone 2018", youths regarded the participation in elections as a duty and many registered to vote in order to effect change through elections and not violent means. The research was done in urban and rural areas in Bo, Bombali and Freetown.

On 11th August, one hundred symbolic trees were planted at the main District Council Park in Kenema to mark the International Youth Day which was celebrated on 12th August. Tree planting, aimed at persuading youth to embark on agriculture as sustainable livelihood, was one of the activities undertaken to mark the day. This activity was jointly undertaken by the National Youth Commission and the Ministry of Agriculture, Forestry and Food Security.

The National Youth Scheme, a platform created to increase youth participation in governance, inducted the first batch of 200 graduates into the National Youth Service Corps in September. The ceremony took place at the Peace Keeping Military Facility at Robgangba, Hastings. Seventy-five (75) women and one hundred and fifty-five (155) men, recruited from around the country, were trained for three weeks and upon graduation assigned to work in fields of education, agriculture, community development, finance and telecommunications in Bombali, Bo, Kenema and Portloko districts.



**Recommendation:**

1. *The PPRC, and All Political Parties Association (APPA) should ensure that political party supporters and sympathizers desist from any form of violence during elections.*
2. *National Commission for Democracy (NCD) should strengthen its public awareness on political tolerance and peaceful elections.*

**3.8 Important Events in Furtherance of the Protection and Promotion of Human Rights****3.9.1 Fulfillment of Sierra Leone's International Obligations**

The Ministry of Foreign Affairs and International Cooperation (MoFAIC) commenced the process for submission of the UPR Midterm report to the Human Rights Council, by organizing a National Capacity Training for the Inter-Ministerial Committee of the Government of Sierra Leone and representatives of MDAs and CSOs. The workshop was held in Kenema from 23rd -26th July. The purpose of the training was to equip participants with the required capacity needed to make meaningful contributions towards the writing of UPR mid-term report due in September 2019. In addition, MoFAIC on 21st November organized a mini workshop training on UPR Reporting at its headquarters in Freetown. At the end of the training, MDAs supported the process by providing information which would be used to produce a draft. The draft report will be validated before submission to the Human Rights Council in September 2019.

**Recommendation:**

*MDAs are encouraged to support the report writing process by providing the necessary information to MoFAIC on time to meet the reporting deadline.*

**3.9 Human Rights Defenders (HRDs)**

The maintenance of a safe and enabling environment for CSOs to strive in the protection and promotion of human rights is guaranteed in UN Resolution 27/31 and the declaration on HRDs, adopted by the General Assembly in its resolution 53/144.

The declaration thus requires that states:

- a) Recognize the value and important contribution of human rights defenders of peace, sustainable development and human rights.
- b) Respect human rights defenders on a non-discrimination basis, protect them against any arbitrary action as a consequence of the legitimate exercise of the rights referred to in the declaration and ensure access to effective remedies in the case of violations and prompt and impartial investigations of alleged violations.
- c) Reinforce their work by creating an enabling environment through legislative, administrative and other steps, promoting public understanding of human rights, creating independent national institutions for promotion and protection of human rights and promoting the teaching of human rights.

Human Rights Defenders (HRDs) monitor and document human rights violations/abuses across the country in order to ensure compliance with international and regional human rights instruments of which Sierra Leone is a party.

During the 2018 elections, various human rights groups monitored the electioneering process throughout the country. Some of them including DHRCs supported HRCSL in the monitoring process particularly in those areas where HRCSL was less visible.

HRCSL, which is the national institution responsible to protect and promote the rights of all in Sierra Leone, was without Commissioners since July, following the dissolution of the Commission by a public notice from the Office of the President dated 26th June, 2018. This affected the smooth and effective functioning of HRCSL.

The matter between the State and Hassan Samba Yarjah a staff of HRCSL which had been ongoing in the Magistrate's Court in Kenema since 28th April 2015, was dismissed in June 2018 due to lack of evidence. He had been standing trial on 11 count charges including incitement, after he was arrested by the SLP on 27th April, 2015 during the course of duty whilst monitoring a demonstration and subsequent arrest of some SLPP supporters in Kenema.

**Recommendation:**

*Parliament and the Office of the Attorney General and Minister of Justice (AGMJ) should speedily enact a law to protect HRDs.*

## **Part 4 Recommendations**

### **4.1 Protection and Promotion of Human Rights**

#### **4.1.0 Civil and Political Rights**

##### **4.1.1 Right to life, Liberty and Security of Person**

1. HRCSL calls on SLP to implement the recommendations of the IPCB on the incident in Mile 91, investigate the incidents in Daru and Kambia and take appropriate action against those found culpable.
2. The SLP should regularly train its personnel, especially those responsible for maintaining public order on the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

##### **4.1.2 Death Penalty**

HRCSL continues to urge the GoSL to implement the TRC and UPR recommendations and also sign the Second Optional Protocol to the International Covenant on Civil and Political Rights on the abolition of the death penalty.

##### **4.1.3 Freedom of Expression and the Press**

HRCSL reiterates its call on government to repeal Part V of the 1965 Public Order Act, as recommended in 10 of its previous annual reports on the State of Human Rights in Sierra Leone.

##### **4.1.4 Freedom of Assembly, Association and Movement**

1. The Political Parties Registration Commission (PPRC) must ensure that political parties comply with its code of conduct.
2. NEC, PPRC and SLP should ensure that political parties adhere to NEC's campaign timetables.
3. NEC and SLP should do a joint and thorough independent assessment of the impact of vehicular restrictions on polling day in a bid to determine whether it is a viable initiative to continue with in future elections.

### **4.2 Human Rights in the Administration of Justice**

#### **4.2.1 The Sierra Leone Police**

1. GoSL should provide adequate funding to the SLP to enable it perform its functions, including provision of food for suspects.
2. SLP should review its decision against the 13 recruits discharged for mutiny.
3. GoSL should construct separate cells for juveniles in police stations and upgrade sanitary and hygiene conditions at all police cells.

4. Law Officers' Department should expedite the processing of suspects' files in order to avoid over detention and overcrowding of police cells
5. Profiling machines should be sent to the district headquarter towns to avoid delays in charging suspects to courts.

#### **4.2.2 The Court System**

1. The Judiciary should extend the 'From Prisons to Corrections' project to other parts of the country to ensure speedy trial
2. The Judiciary should source funds for the continuous implementation of the 'From Prisons to Corrections' project until all correctional centres are decongested.

#### **4.2.3 Juvenile Justice**

1. MSWGCA should popularize the Child Welfare and Alternative Care Policy and the Diversion and Alternative Detention Guidelines to relevant stakeholders and the general public.
2. Attorney General and Minister of Justice together with the Chief Justice should set up guidelines for expeditious trial of juvenile matters.
3. MSWGCA should provide designated vehicles to facilitate the movement of juveniles to and from court.
4. The Judiciary should reinstate Justices of the Peace in juvenile courts where they are absent.

#### **4.2.4 The Sierra Leone Correctional Service**

1. The Law Officers' Department should ensure the prompt processing of indictments for inmates which would pave the way for speedy trials.
2. The Attorney General and Minister of Justice should work with Parliament to expedite the enactment of the new Criminal Procedure Bill
3. The SLCS must ensure that criminal offenders are kept separate from persons imprisoned for debts and other civil liabilities in fulfilment of Rule 11 (c) of the Nelson Mandela Rules.
4. The SLCS should ensure the availability of at least a Nutritionist in each Correctional Centre across the country or utilize the service of the Nutritionists in government hospitals in order to avoid moving inmates with special dietary requirements to Freetown which will deprive them of regular visits from relatives.
5. SLCS should ensure that Correctional Centres are provided with adequate drugs instead of relying on inmates' relatives.
6. GoSL, in promoting the Free Quality School Education, should provide formal education and training equipment for inmates incarcerated within Correctional Centres so that when released, they can either continue their education or be able to find jobs.

#### **4.2.5 Juvenile Detention Facilities**

1. MSWGCA should ensure adequate food supply to the Remands Homes and Approved School.
2. GoSL should provide additional Remand Homes and Approved Schools across the country.
3. MSWGCA should supply mattresses and blankets to replace those that are worn out in all the juvenile detention facilities.
4. MSWGCA should work with Sierra Leone Correctional Service to strengthen security in juvenile detention facilities in order to reduce the risk of harm to inmates and the chances of escape.
5. MSWGCA should collaborate with MBSSE to assign qualified teachers to the Approved School and Remand Homes to ensure that inmate continue their education after the BECE.
6. MSWGCA should construct medical units at the Remand Homes and Approved School.
7. MSWGCA should allocate more funds for the effective running of juvenile detention facilities.
8. National Commission for Children should take the lead in advocating for the provision of satisfactory healthcare, feeding, education and vocational services to juvenile detention facilities.
- 9.

### **4.3 ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

#### **4.3.1 Right to Just and Favourable Conditions of Work**

1. HRCSL urges the MLSS to step up its monitoring of factories and related work places to prevent similar industrial or work related accidents.
2. MLSS and SLLC should find a common ground to improve their working relationship.

#### **4.3.2 Business and Human Rights**

1. GoSL through the relevant MDA(s) should ensure that Shandong Steel carries out re-assessment of all structures constructed in the three relocated communities in Bumbuna and undertakes thorough maintenance on the 21 houses reportedly destroyed by wind as well as hands over house documents to occupants as evidence of ownership.
2. Shandong Steel should urgently address the problems of access to pure water and land for farming in the relocated communities in Bumbuna and Foinda.
3. SRL should build the remaining eight houses as well as compensate relocated members for their crops.



4. SRL should improve on the grievance redress system to ensure credibility and confidence of the relocated community.
5. GoSL should develop rights-based resettlement policy guidelines for companies/institutions engaged in resettlement of communities.

GoSL should provide adequate funds to HRCSL to conduct quarterly monitoring, mobile complaints hearings and public education on development based evictions and relocations in communities relocated by companies.

#### **4.3.3 Right to Education**

1. MBSSE should ensure that the newly approved schools benefit from the FQSE programme in the 2019/2020 academic year.
2. MBSSE should speedily supply the remaining two core text books and other school materials to all government and government assisted schools to make the FQSE programme more effective.
3. The Parliament of Sierra Leone should encourage all Parliamentarians to monitor and sensitize their constituents on the significance of the FQSE programme.
4. MBSSE should give adequate support to District Deputy Directors of Education, Ward Education Committees and Paramount Chiefs to carry out their duty of monitoring the FQSE programme.
5. GoSL should construct ramps in all schools as proposed in the 2019 budget.

#### **3.3.4 Right to Health**

1. MOHS should construct more mini-modern hospitals in other regions.
2. MOHS should strengthen its support to the Free Health Care Project.
3. MOHS to intensify its education and sensitization programmes on health services.

#### **4.3.5 Access to Clean and Safe Drinking Water**

1. MWR to source funding for the speedy completion of the rehabilitation work on the Guma Valley infrastructure and other reservoirs.
2. Guma Valley Water Company should endeavor to regularly refill existing tanks and install more tanks where necessary.
3. MWR should endeavor to construct more dams and reservoirs to reduce the water crisis in the country.
4. MWR in collaboration with the Ministry of Agriculture, Forestry and Food Security (MAFF) should work together to plant fast growing trees around the water catchment areas.
5. The MWR should work with the Ministry of Lands and Country Planning (MLCP) so that pieces of land around water catchment areas are not sold out or encroached upon.
6. Guma Valley Water Company in collaboration with the SLP and the Metropolitan Police

should be proactive in preventing the destruction of pipes and arrest and prosecute persons involved in destroying water pipes.

#### **4.4 Women's Rights**

1. MSWGCA, Law Reform Commission, Ministry of Justice and Parliament should expedite the process of enacting the Gender Equality and Empowerment Policy which makes provision for the 30% quota for women's representation in government and leadership positions.
2. MSWGCA, HRCSL and other institutions working on women and girls rights should increase sensitization on SGBV that sometimes result in high rates of school dropout, teenage pregnancy, early marriage, HIV/AIDS and other sexually transmitted infections.

#### **4.5 Children's Rights**

1. MSWGCA, Law Reform Commission, MoJ and Parliament should expedite the process of harmonizing the Registration of Customary Marriage and Divorce Act 2007 and the Child Rights Act 2007, on the age of consent (18 years)
2. Perpetrators of early child marriage should face the full penalty of the law as stated in Section 35 of the Child Rights Act 2007.
3. The "Hands Off Our Girls" campaign should be sustained while the sexual offences amendment Bill should be speedily passed into law.

#### **4.6 Vulnerable Groups**

##### **4.6.1 Persons with Disabilities (PwDs)**

1. NEC should ensure that polling stations are friendly and easily accessible to PwDs in future elections.
2. NCPD should continue to popularize the Disability Act 2011 and the UNCRPD.
3. GoSL should ensure that Special Needs institutions are included in the FQSE at every stage of implementation.

##### **4.6.2 Older Persons**

1. The Ministry of Finance and MSWGCA should provide adequate and timely subvention for the smooth and effective operations of the King George VI Home.
2. The Ministry of Finance, NaCSA and MSWGCA should take steps to address the socio-economic and physical welfare of older persons.
3. NaCSA and MSWGCA should construct more homes for older persons in the regional headquarter towns.
4. MOJ should ensure that legislation is put in place that protects the rights and welfare of older persons so as to ensure that they fully enjoy their human rights and dignity without discrimination.

#### **4.6.3 Persons Living with HIV/AIDS**

1. MoH and HIV/AIDS secretariat should take steps to ensure that there is adequate provision in all hospitals for the treatment of HIV/AIDs.
2. MoH and HIV/AID Secretariat should ensure that there is adequate awareness raising on the spread and devastating effect of the virus and also combat discriminatory attitudes against people carrying the virus.
3. Males should be encouraged to go for HIV/AIDS test
4. GoSL should ensure that the policy and the Act should be fully implemented.

#### **4.7 Youth**

1. The PPRC and All Political Parties Association (APPA) should ensure that political party supporters and sympathizers desist from any form of violence during elections.
2. National Commission for Democracy (NCD) should strengthen its public awareness on political tolerance and peaceful elections.

#### **4.8. Fulfillment of Sierra Leone's International Obligations**

MDAs are encouraged to support the report writing process by providing the necessary information to MoFAIC on time to meet the reporting deadline.

#### **4.9 Human Rights Defenders (HRDs)**

Parliament and the Office of the Attorney General and Minister of Justice (AGMJ) should speedily enact a law to protect HRDs.

## **Profiles of Immediate Past Commissioners**

### **Rev. Dr. Usman Jesse Fornah, Chairperson**



Rev. Dr. Usman Jesse Fornah was born in Kenema District where he had his primary and secondary education. He proceeded to the Sierra Leone Bible College (now The Evangelical College of Theology) in 1986, where he acquired a Diploma and Bachelor of Theology with a Major in Pastoral Studies.

He has served the Wesleyan Church of Sierra Leone for thirty-one years as a local Pastor in a number of local Churches in various parts of Sierra Leone and also held many other additional responsibilities such as National Director for Youths and Young Adults, District Superintendent, National Secretary and Director of Administration of the Wesleyan Church – a position he held until he was elected as National Superintendent (Bishop) in May, 2009.

Commissioner Fornah pursued a Master's Degree in Ministerial Leadership at the Wesley Seminary, in the Indiana Wesleyan University, at Marion, Indiana, USA and now holds a Doctor of Divinity Degree (Honoris Causa) from Kingswood University in Sussex, Canada.

He was 1st Vice President of the Council of Churches in Sierra Leone, Chairman of the Board of Directors for the Evangelical College of Theology (TECT).

Dr. Fornah has a wealth of experience in many fields such as human rights, psycho-social care delivery and conflict resolution. He has participated and presented papers at various international conferences. During the operations of the Sierra Leone Truth and Reconciliation Commission, he served as the Regional Coordinator in the Northern Region of Sierra Leone and later became the Reconciliation Officer of Bombali District, Northern Province.

He served as the Chairman of the HRCSL and oversaw the day to day administration as well as the Directorate of Regional Services during the first half of the year.

### **Grace Coleridge-Taylor Esq. – Vice Chairperson**



Commissioner Grace Coleridge-Taylor was born in New York (USA) but her parents hailed from Bonthe District, Southern Sierra Leone and Hastings and Waterloo in the Western Area. She is a Lawyer and a member of the Sierra Leone Bar Association. She holds a practicing certificate as a solicitor in the United Kingdom, a B.A. Degree from Fourah Bay College, University of Sierra Leone, a post-graduate diploma in Management, Westminster (London), a Bachelor of Law Honours Degree from the University of East London and an LLM in Diplomacy and Law from London Metropolitan University (Lon).

Commissioner Coleridge-Taylor has a wealth of experience and expertise in Public Administration and Project Management. She has held senior

management positions at Cable and Wireless Communication (UK), British Telecommunications PLC (UK), Sierra Leone Judiciary and National Revenue Authority (NRA). She also has experience working with the courts, human rights and advisory institutions in Sierra Leone and the UK.

As Deputy Master and Registrar, Ms. Coleridge-Taylor provided advice on deliverance on the Justice and Access to Justice for All project. She was in charge of the production of the 2005-2010 Strategic Plan and worked with the Judiciary's partners (UN, UNIFEM, UNDP, JSDP etc) as the principal point of contact in its implementation. She represented the judiciary at various Steering Committees with its partners on development plans for the judiciary.

At the NRA, Commissioner Coleridge-Taylor was the Principal Legal Adviser and the Deputy Director of Corporate Affairs. She provided legal and regulatory advice on taxation regulation, compliance and restructuring projects.

She is a member of LAWYERS (a group of female Lawyers in Sierra Leone) dedicated to promoting equality, rights and social justice for women and girls in Sierra Leone. She offered pro-bono services to the legal advisory clinic and was Public Relations Officer (PRO) for the

2008-2010 sessions. She is also a member of AWID (an international female organization committed to achieving gender equality, sustainable development and women's human rights) and the 50/50 Group Sierra Leone.

She served as Vice Chairperson and provided oversight for the Directorate of Complaints, Investigations and Legal Services (DCILS) and Budget and Finance of the HRCSL during the first half of the year.

---

### **Rashid Dumbuya Esq. – Commissioner**

---



Rashid Dumbuya Esq. was born in Freetown, in the Western Area. He is a lawyer by profession, a member of the Sierra Leone Bar Association, an Associate Lecturer at the Department of Law, Fourah Bay College, University of Sierra Leone as well as an international human rights advocate and public defender. He also provides voluntary legal and human rights support to both Prison Watch Sierra Leone and Every Child Matters (SL).

Commissioner Dumbuya holds a Bachelor of Arts Degree and Bachelor of Laws Honours Degree from Fourah Bay College, University of Sierra Leone as well as an LLM Degree in International Human Rights Law from the Centre for Human Rights, University of Pretoria, South Africa and an LLM Degree in Petroleum Law and Policy from the University of Dundee, Scotland, United Kingdom. He has also been recently certified as Fellow by the Dean of Law, Kabarak University School of Law, Republic of Kenya due to his published articles and immense contributions to the field of human rights. He holds several post-graduate certificates in key areas like International Law, Disability Rights, Justiciability of Socio-Economic Rights, Sexual Minority Rights, Intellectual Property Rights and Police Oversight and Accountability in Africa.

He has engaged in international human rights debates at the British House of Parliament, Harvard



University and the Global Classroom in Venice, Italy. He further possesses strong expertise in Environmental Impact Assessment projects, strategic impact and public interest litigations, human rights and the extractive industry, project planning, advocacy on juvenile justice, women and prisoners' rights, resource mobilization and networking. Working with both national and international organizations such as the UNDP, the UN Special Court for Sierra Leone, the Equal Opportunities Commission of Mauritius, the OHCHR, the UN Sustainable Energy for All Forum in New York, the Business and Human Rights Forum in Geneva and as State Prosecutor at the Anti-Corruption Commission of Sierra Leone has enhanced his human rights advocacy skills and research techniques greatly.

He was oversight Commissioner for the Directorate of Monitoring and Research (DMR) and the Directorate of Education, Communication and Training (DECT) at HRCSL during the first half of the year.

## Human Rights Commission Quote of the Week

**"All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."**

Article 1.  
Universal Declaration of Human Rights  
(1948)

**"Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty."**

Article 2.  
Universal Declaration of Human Rights  
(1948)

**"Everyone has the right to life, liberty and security of person."**

Article 3.  
Universal Declaration of Human Rights  
(1948)

**"No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms."**

Article 4.  
Universal Declaration of Human Rights  
(1948)

**"No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."**

Article 5.  
Universal Declaration of Human Rights (1948)

**"Everyone has the right to recognition everywhere as a person before the law."**

Article 6.  
Universal Declaration of Human Rights  
(1948)

**"All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination."**

Article 7.  
Universal Declaration of Human Rights  
(1948)

**"Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law."**

Article 8.  
Universal Declaration of Human Rights  
(1948)

**"No one shall be subjected to arbitrary arrest, detention or exile."**

Article 9.  
Universal Declaration of Human Rights  
(1948)

**"Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him."**

Article 10.  
Universal Declaration of Human Rights  
(1948)

1. Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.
2. No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 11.  
Universal Declaration of Human Rights  
(1948)

**"No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks."**

Article 12.  
Universal Declaration of Human Rights  
(1948)

1. Everyone has the right to freedom of movement and residence within the borders of each State.
2. Everyone has the right to leave any country, including his own, and to return to his country.

Article 13.  
Universal Declaration of Human Rights  
(1948)

1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.
2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 14. Universal Declaration of Human Rights  
(1948)

1. Everyone has the right to a nationality.
2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 15.  
Universal Declaration of Human Rights  
(1948)

**FAITHFULLY SUBMITTED BY  
THE HUMAN RIGHTS COMMISSION OF  
SIERRA LEONE**

SIGNATURE

**PATRICIA N. NDANEMA**

**COMMISSIONER**



**VICTOR I. LANSANA**

**COMMISSIONER**



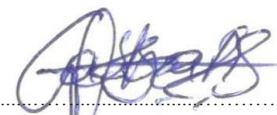
**SIMITIE LAVALY**

**COMMISSIONER**



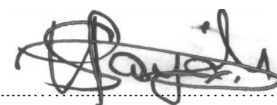
**Dr. GASSAN ABESS**

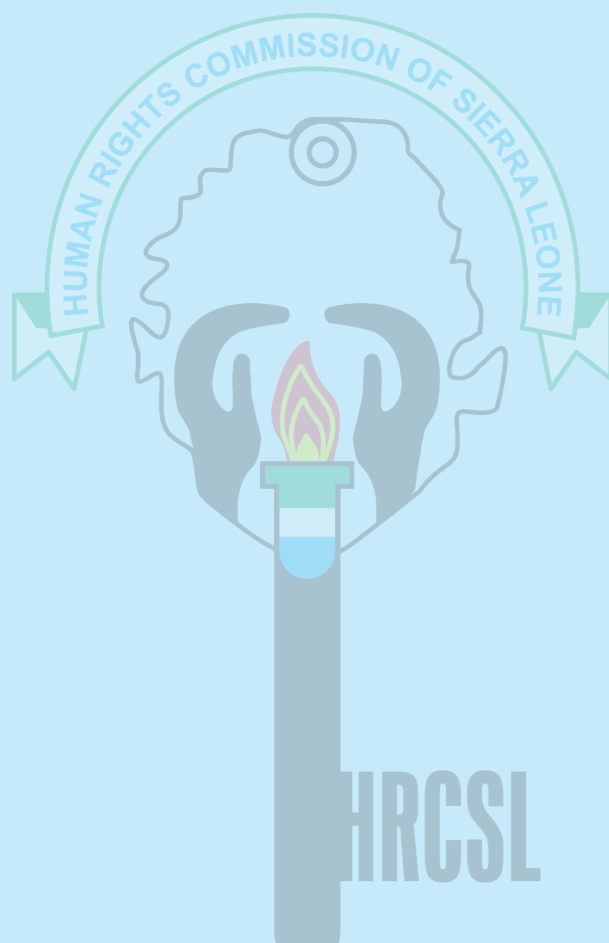
**COMMISSIONER**



**HASSAN S. YARJAH**

**COMMISSIONER**





**Respect Human Rights for a Peaceful Election**

*HRCSL: Making Rights Real*