

# The State of Human Rights Report in Sierra Leone **2014**

**ANNUAL REPORT OF THE  
HUMAN RIGHTS COMMISSION OF  
SIERRA LEONE**



**HRCSL: Making Rights Real**



A Tribute to  
Sierra Leonean Doctors,  
and also to the numerous  
nurses and other frontline  
health workers as well  
as citizens and foreign  
nationals who lost their



Dr. Godfrey George



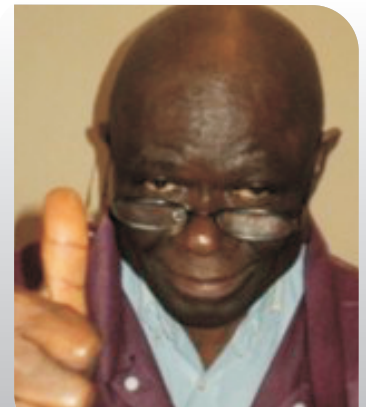
Dr. Solomon Konoyima

lives to the EVD in  
their selfless and  
courageous service  
to the nation.

*Rest in Peace*



Dr. Sheik U. Khan



Dr. Sahr J. Rogers



Dr. Olivette Buck



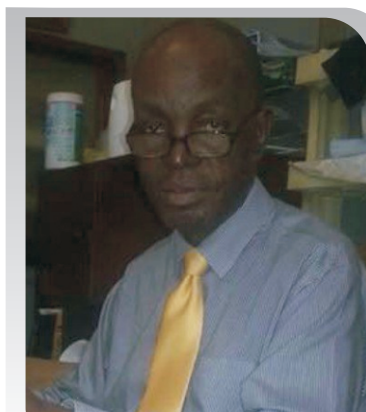
Dr. Martin Salia



Dr. Thomas T. Rogers



Dr. Modupeh Cole



Dr. Victor Willoughby



Dr. Dauda Koroma





The State of Human Rights in Sierra Leone 2014  
8th Annual Report of the Human Rights Commission of Sierra Leone  
Presented to The President and Parliament of  
The Republic of Sierra Leone  
Pursuant to Section 24 (1) of  
The Human Rights Commission of Sierra Leone Act (No. 9) 2004





Certifying  
Se certifica que  
Document certifiant que  
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*Human Rights Commission of Sierra Leone*

has been accredited under the Paris Principles with 'A' status from 2011 to 2016.

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a obtenu l'accréditation de statut 'A' de 2011 à 2016 conformément aux Principes de Paris.

تم منحه / منحها بموجب مبادئ باريس اعتماد الفئة 'أ' من ٢٠١١ إلى ٢٠١٦.

ROSSLYN NOONAN

Chair  
International Coordinating Committee of National Institutions  
for the Promotion and Protection of Human Rights

VLADLEN STEFANOV

Chief  
National Institutions and Regional Mechanisms Section  
Office of the High Commissioner for Human Rights





31st March, 2015

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

Your Excellency,

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

“The State of Human Rights in Sierra Leone” is a report of activities of the HRCSL covering the period 1st January to 31st December, 2014. As required by the Act, the report includes the ways in which the fundamental rights and freedoms in the 1991 Constitution and International and Regional Agreements to which Sierra Leone is a party, have been observed or violated. It also includes steps taken by HRCSL to protect and promote human rights; the results of individual complaints investigated, and the interventions and recommendations made by HRCSL in respect of matters brought before it.

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

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

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Brima Abdulai Sheriff', is written over a series of dots.

.....  
Brima Abdulai Sheriff  
Chairperson





31st March, 2015

The Honourable Speaker  
Parliament Building  
Tower Hill  
Freetown

Dear Honourable Speaker,


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

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Yours Faithfully,

  
.....  
Brima Abdulai Sheriff  
Chairperson



## List of Abbreviations

AGMJ	Attorney General & Minister of Justice
ACHPR	Africa Charter on Human and Peoples Rights
AfC	Agenda for Change
AfP	Agenda for Prosperity
AML	African Minerals Limited
AMNET	Advocacy Movement Network
AU	African Union
BECE	Basic Education Certificate Examination
CBOs	Community Based Organisations
CDIID	Complaints, Discipline and Internal Investigation Department
CEDAW	Convention on the Elimination of all forms of Discrimination Against Women
CID	Criminal Investigations Department
CMS	Case Management Systems
CRC	Constitutional Review Committee
CRPD	Convention on the Rights of Persons with Disability
CSOs	Civil Society Organisations
DCILS	Directorate of Complaints, Investigation and Legal Services
DCI – SL	Defence for Children International Sierra Leone
DECT	Directorate of Education, Communication and Training
DHRCs	District Human Rights Committee
DMR	Directorate of Monitoring and Research
DPP	Director of Public Prosecutions
ECOWAS	Economic Community of West African States
EOC	Emergency Operations Centre
ES	Executive Secretary
EPA	Environmental Protection Agency
EVD	Ebola Virus Disease
FGC	Female Genital Cutting
FoI	Freedom of Information
FSU	Family Support Unit
GIP	Graduate Internship Programme
GoSL	Government of Sierra Leone
GVWC	Guma Valley Water Company
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome
HRCSL	Human Rights Commission of Sierra Leone
HRDs	Human Rights Defenders
HRWG	Human Rights Working Group
HRC	Human Rights Council
HRE	Human Rights Education
ICC	International Coordinating Council
ICESCR	International Covenant on Economic, Social and Cultural Rights
IDPD	International Day for Persons with Disability
IEC	Information, Education and Communication
IHRD	International Human Rights Day



IPCB	Independent Police Complaints Board
IMC	Independent Media Commission
JP	Justice of the Peace
LAWYERS	Legal Access through Women Yearning for Equality Rights and Social Justice
MAFFS	Ministry of Agriculture, Forestry and Food Security
MDAs	Ministries Department and Agencies
MEST	Ministry of Education, Science and Technology
MIA	Ministry of Internal Affairs
MLSS	Ministry of Labour and Social Security
MoFED	Ministry of Finance and Economic Development
MoHS	Ministry of Health and Sanitation
MPTF	Multi-Partner Trust Fund
MoU	Memorandum of Understanding
MRU	Mano River Union
MSWGCA	Ministry of Social Welfare Gender and Children's Affairs
NaCSA	National Commission for Social Action
NANHRI	Network of African National Human Rights Institutions
NCPD	National Commission for Persons with Disability
NERC	National Emergency Response Centre
NGOs	Non-Governmental Organisations
NHRI	National Human Rights Institutions
NPSE	National Primary School Examination
NYC	National Youth Commission
PHRC	Parliamentary Human Rights Committee
PwD	Persons with Disability
PW-SL	Prisons Watch-Sierra Leone
RSLAF	Republic of Sierra Leone Armed Forces
SALWACO	Sierra Leone Water Company
SOCFIN	Societe Financiere Des Caoutchoucs
SGBV	Sexual Gender Based Violence
SLP	Sierra Leone Police
SLAJ	Sierra Leone Association of Journalists
SLBC-TV	Sierra Leone Broadcasting Corporation-Television.
SOE	State of Emergency
SOHR	State of Human Rights
SOP	Standard Operating Procedure
TRC	Truth and Reconciliation Commission
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNICEF	United Nations Children Fund
UNMEER	United Nations Mission for Ebola Emergency Response
UPR	Universal Periodic Review
WASSCE	West Africa Secondary School Certificate Examination





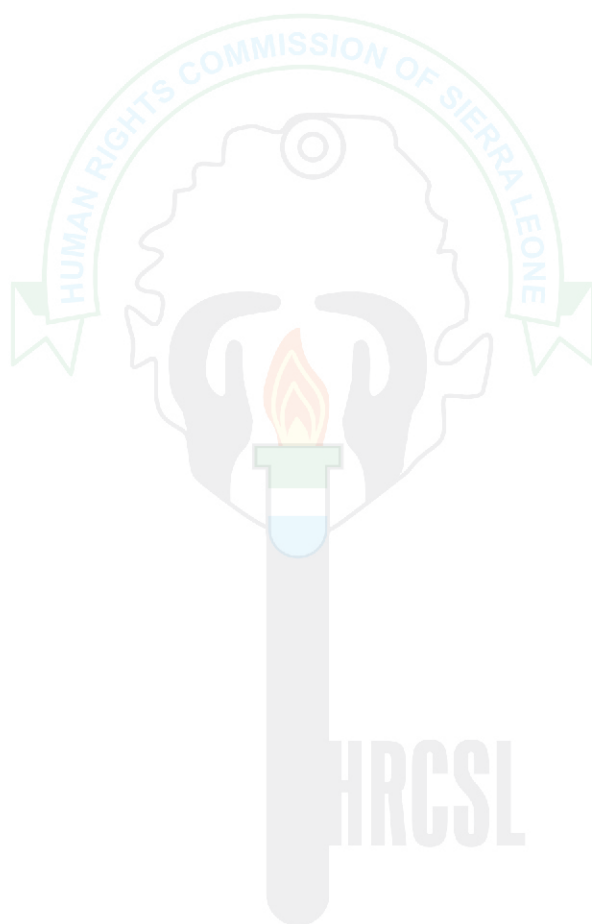
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### Executive Summary

In compliance with Sections 7(2)(g) and 24(1) of the Human Rights Commission Act, (No. 9) 2004, HRCSL publishes its eighth annual report on the “State of Human Rights in Sierra Leone” (SOHR). The 2014 SOHR is structured in three parts:

**Part 1** provides a prelude to the historical background of Sierra Leone and the subsequent events leading to the establishment of the Commission, including its Mission, Vision and Core Values.

**Part 2** gives information on the activities undertaken by the Commission to protect and promote human rights. Highlights of these activities are the official launching and training of staff in Case Management System (CSM) for complaint handling, and attendance at several national and international trainings and conferences. The presentation and dissemination of the 2013 State of Human Rights Report is also captured in this section.

Also presented in this section are the activities undertaken by HRCSL in the fight against the Ebola Virus Disease (EVD), which included public education, monitoring, issuance of press releases and press statements and strategic engagements with stakeholders on the general human rights situation. This year, the International Human Rights Day commemoration focused on rights-based sensitization on the EVD to various communities and institutions.

The report on finance for the operations and project implementation of the Commission including subvention from government and support from development partners like UNDP/Irish Aid is also included.

The presentation of statistical data of complaints handling by the Commission reveal that the Western Area accounts for 33.3 %, Southern Region 32.3%, Eastern Region 25.5% and Northern Region 8.8% concludes this section.

**Part 3** reports on the general state of human rights in Sierra Leone. Specifically, it notes how the Civil and Political, Economic, Social and Cultural rights as guaranteed by the constitution and other regional and international instruments to which Sierra Leone is a party, were observed or violated.

Key human rights issues relating to civil and political rights such as rights to life, security of the person, freedom of expression and the press, freedom of assembly, association and movement and the problems affecting human rights in the administration of justice are reported.

Several other issues regarding civil and political rights, were recorded especially as a result of the EVD outbreak. The right to life was seriously affected due to the outbreak of the EVD during which many doctors, nurses and other frontline health workers as well as citizens lost their lives. This posed a serious and unprecedented threat to the security of persons. The Commission notes the effective use of the media by government and other stakeholders in

the fight against EVD. However, the enjoyment of the right of freedom of expression and assembly was restricted during the Ebola period as a result of the declaration of the State of Emergency (SoE).

The enforcement of the SoE regulations by the Sierra Leone Police (SLP) is reported. The Commission notes the poor and deplorable conditions of remand homes and Correctional Centres and police cells and in particular, the unhygienic condition of the Waterloo Police cell.

With regards economic, social and cultural rights, the outbreak of the EVD disrupted economic activities of individuals and institutions and also led to the scaling down of operations by major multinational companies. The Ministry of Labour and Social Security (MLSS) pioneered the enactment of the new minimum wage for employees.

The enjoyment of the right to education was adversely affected by the EVD leading to the closure of schools, colleges, and other learning institutions.

The effects of EVD on the enjoyment of the rights to health, clean and safe drinking water are also mentioned.

To conclude this section, issues relating to women's rights, Persons with Disability, activities relating to the Constitutional Review Committee (CRC), Civil Society Organisations (CSOs) and those of Human Rights Defenders are highlighted.

### **Key Challenges and Recommendations**

One of the major setbacks in the protection and promotion of human rights in Sierra Leone is in the administration of justice: delay in trials account for prolonged detention and overcrowding of detention centres. The poor sanitary condition of detention facilities affects the health and wellbeing of inmates.

HRCSL urges the institutions in the administration of justice to take the necessary steps to ensure fair and speedy trials of matters pending in the courts. Government of Sierra Leone (GoSL) should improve on the conditions of service in these institutions.

HRCSL welcomes the enactment of the Correctional Services Act 2014, and calls on the Correctional Services authorities to improve on the condition of inmates in accordance with the UN Standard Minimum Rules for the Treatment of Persons in Detention and Robben Island Guidelines. The Ministry of Internal Affairs (MIA) should provide training, logistics and infrastructural support to the Correctional Service Centres in order for them to fully implement the new Correctional Services Act.

HRCSL calls on GoSL to continue to uphold the moratorium on the death penalty and take the necessary steps to abolish it. The CRC is urged to act on this long standing recommendation of the Truth and Reconciliation Commission (TRC) and the 2011 Universal Periodic Review (UPR) to abolish the death penalty.



HRCSL commends the efforts of the SLP on the 'Ose to Ose Ebola Tok'(House to House Ebola sensitization) and the 'sit at home' campaigns towards the fight against the EVD. In view of the various challenges encountered during the application of the State of Emergency ( SoE,) the Commission calls on the SLP to incorporate rights-based approach in policing and ensure the fair application of the SoE regulations.

The arrest of two journalists in the course of duty and the continued use of the Criminal and Seditious Libel Provisions in the 1965 Public Order Act impinge on the right of freedom of expression. The Commission reiterates its call on the government to repeal the Seditious Libel Provisions in the 1965 Public Order Act.

The serious challenges to the enjoyment of the right to health were clearly visible in the outbreak of the EVD. The poor state of the health sector was such that it was ill prepared and ill equipped to tackle the outbreak of the EVD and immediately contain the spread. HRCSL urges government to take concrete steps to strengthen the health care delivery system in the country.

The shortage of clean and safe drinking water also affects the enjoyment of other rights, women and children being the most affected. The Commission therefore calls on government to ensure the provision of adequate supply of clean and safe drinking water to all communities.

The Commission recognizes government's efforts in implementing some of the TRC and UPR recommendations, and calls on the GoSL to ensure full implementation of the TRC and the UPR recommendations for the promotion of human rights and the current constitutional review is the appropriate time to do so.

The Commission is determined to fully carry out its mandate by increasing its service delivery but it is limited by financial and logistical challenges. GoSL is urged to fully capacitate its national human rights institution by providing the much needed resources in compliance with the UN Paris Principles for National Human Rights Institutions (NHRIs) necessary for it to function effectively.

Whilst HRCSL remains committed to protect and promote human rights the enjoyment of human rights will only be achieved by all in Sierra Leone if the government implements its recommendations in its reports and fulfills its human rights obligations in the Constitution and international and regional human rights treaties.

### **Methodology**

The methods utilized in collecting information for the production of this report during the course of the year included primary data mainly from complaints received, investigations, interviews, monitoring, public education, legislative reviews, activity reports of the Commission and engagement with partners. Secondary data include desk reviews and media reports.





### Chairperson's Foreword

The State of Human Rights in Sierra Leone Report, 2014 is the 8th edition published by the Commission as mandated by law.

2014 will be remembered as a year that our nation encountered an unprecedented human rights challenge in the wake of the Ebola outbreak which impacted negatively on the full enjoyment of human rights. The rapid spread of the Ebola disease destroyed over two thousand lives within eight months and threatened the life of the nation. The Commission expresses solidarity and extends condolences to bereaved families, communities and the nation.

The Ebola epidemic reversed the socio-economic gains in the country: jobs, livelihoods and businesses were adversely affected. The academic calendar was disrupted as schools and other educational institutions were closed, social, cultural and community cohesion were threatened and the health sector was worst hit.

HRCSL recognizes and commends the contributions of government, frontline health workers, law enforcement agencies, traditional and religious leaders, civil society, the business sector, the media, the international community and the general public in the fight to eradicate the disease.

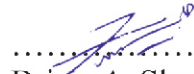
In order to contain the deadly outbreak a State of Emergency was declared on the 31st July in accordance with the 1991 Constitution (Act No. 6 of 1991). This was followed by emergency regulations, and bye-laws which limited the enjoyment of some human rights and curtailed some of our values and cultural practices. The Commission in all its engagements maintained that even during a state of emergency, basic human rights and dignity of the individual must be protected subject only to those limitations necessary to reverse the disaster.

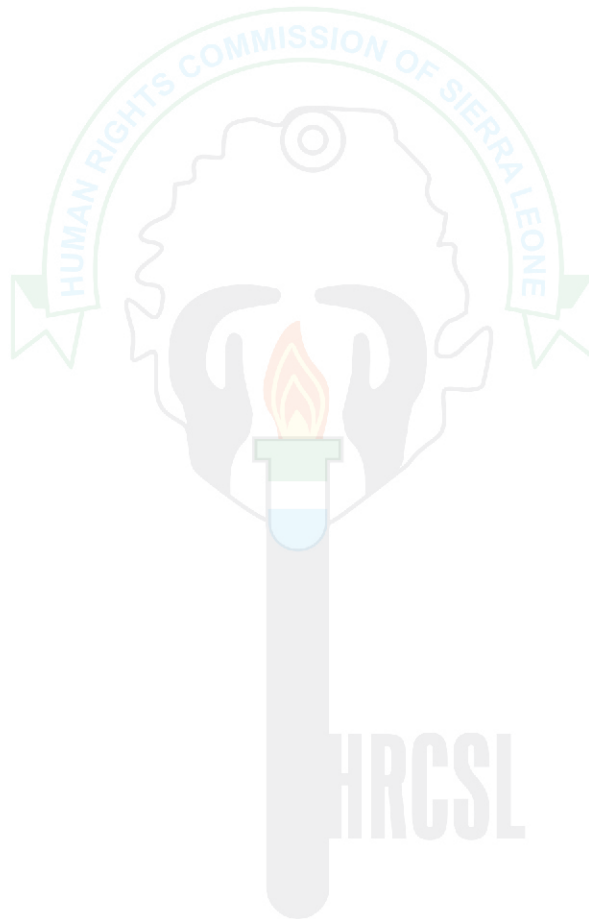
The Commission continues to urge the government, law enforcement agencies, traditional and community leaders to respect human rights as they embark on the effective implementation of these regulations and bye-laws. It is also important that the public adheres to the measures set out by the Ministry of Health and Sanitation (MoHS) and the National Ebola Response Centre (NERC).

The Commission acknowledges GoSL's support to its work and reiterates the need for an increase in budgetary support to ensure effective service delivery. HRCSL further calls on the government and Ministries Departments and Agencies (MDAs) to implement the recommendations in this report, and those in its previous annual reports in a bid to actualize the purpose for which the Commission was established: that of protecting and promoting human rights in Sierra Leone.



Let me thank colleague Commissioners and staff, national and international partners for their continued support towards the fulfillment of the Commission's mandate.

  
.....  
Brima A. Sheriff  
Chairperson



## Executive Secretary's Review



In reviewing the Commission's work in 2014, I must state that the Commission managed against the odds to continue its work in the face of the outbreak of a virus, whose rapid spread and devastation have been of an unprecedented nature in the history of Sierra Leone.

Although implementation of the Commission's planned activities were interrupted in the second half of the year, it did not relent in executing its mandate of protecting and promoting human rights.

The threats posed by the disease coupled with the declaration of the State of Emergency and its subsequent effect meant scaling down of operations by reducing work hours, and minimising bodily contact. Complainants were encouraged to send in complaints by emails and phone calls. This partly accounted for the drop in the total number of complaints received during the period. Furthermore, our international interactions were affected as some Commissioners and staff could not attend international training programmes/meetings due to immigration restrictions by some countries.

In meeting the challenges posed by the EVD, the Commission re-programmed its activities to address emerging human rights issues that resulted from the outbreak. The Commission worked with the Office of National Security (ONS) to review the Standard Operating Procedures (SOPs) of the Security Sector for Checkpoints and Quarantined Homes which had been put in place to address the Spread of EVD. The Commission also continued to work in partnership with groups and organizations particularly at the regional levels. Some projects implemented by the District Human Rights Committees (DHRCs) and Human Rights Defenders (HRDs) were supported.

International Human Rights Day - 10 December was celebrated with the theme, 'Human Rights 365'. It was used to remind government that human rights and dignity must be respected at all times even in emergency situations and only be subjected to limitations necessary for containing and eradicating the disease.

I am happy to report that no member of the Commission was infected by the disease, although some lost relatives and acquaintances. Let me use this opportunity to sympathise with all those who lost loved ones to the disease.

I will end by thanking GoSL and partners, particularly the Multi-Partner Trust Fund (MPTF) and Irish Aid for supporting the operations and activities of the Commission throughout the year.

.....  
Frances Alghali (Mrs.)  
Executive Secretary



## COMMISSIONERS OF HRCSL

### **Brima A. Sheriff - Chairperson**

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**B**rima A. Sheriff holds an M.A. in Peace and Development Studies and a B.Sc. in Agricultural Education from Njala University, Sierra Leone.

He is a seasoned Human Rights Activist with over ten years experience working in the local and international contexts and at the middle and senior management levels.

He possesses extensive experience in monitoring and documenting human rights, strategic planning and campaigning, with a deep focus on Organizational Development and Change Management. He has a wealth of experience as a trainer, educator, film maker, theatre artist and facilitator. Until his appointment in July, 2012, he was Director of Amnesty International - Sierra Leone (2007-2012), Acting Director (2006-2007), and Campaigns and Growth Coordinator (2004-2006) at the same institution. He currently oversees the Directorate of Monitoring and Research.

### **Daphne A. L.O. Olu-Williams – Vice Chairperson**

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**D**aphne A. L. O. Olu-Williams is an experienced Trainer/Facilitator and a committed and dedicated Gender Activist, working assiduously for the emancipation of women and girls in and out of Sierra Leone.

She holds a B.Sc in Economics and Social Sciences and a post-graduate Diploma in Education, from Fourah Bay College, University of Sierra Leone. She has participated in several trainings in Leadership and Advocacy and served as Teacher / Lecturer for nearly two decades.

Until her appointment as Commissioner in July 2012, she worked as an independent Consultant on Gender and Development issues and as board member in various local and international Human Rights Institutions and Women's Rights Advocacy Networks.

She served as first Chairperson of the West African Civil Forum (WACSOFF) Sierra Leone Chapter 2005 and first female Regional Commissioner in the National Electoral Commission (NEC) from 2006 to 2008, in charge of the Western Region and acted as Chairperson on several occasions.

She is a motivational speaker and impacting the lives of many as she ministers globally about God's love and apostolic authority.

Now serving as Commissioner, Human Rights Commission of Sierra Leone, she currently oversees the Directorate of Education, Communication and Training.

### **Jamesina Essie L. King – Commissioner**

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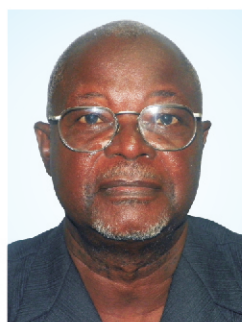


**J**amesina Essie L. King is a lawyer with a post graduate degree from Georgetown University Law Centre, Washington D.C. and a certificate in “Implementing Human Rights Conventions” from University of Nottingham Human Rights Law Centre, U.K. She is a Leadership Advocacy for Women in Africa (LAWA) Fellow, Chevening Fellow and founding member and past president of Legal Access through Women Yearning for Equality Rights and Social Justice (LAWYERS) – an organization of female lawyers in Sierra Leone dedicated to enhancing women’s access to justice.

She was the first Chairperson of HRCSL (2007 - 2009), and served in that capacity for two years. She is serving her second term in the Commission ending December 2016. Prior to her service in the Commission, she worked as a private legal practitioner in a law firm in Freetown (1994-2006). She is a strong advocate on women's empowerment, women, peace and security and gender equality. She currently oversees the programmes of the Commission.

### **Bryma V. S. Kebbie – Commissioner**

---



**B**ryma V. S. Kebbie holds B.A (Econ) degree of Durham University (1968). He was Assistant Manager in the United Africa Company (SL) Ltd (1968-1970) and an Auditor in the Sierra Leone Audit Department (1970-1979).

He was called to the Bar by the Honourable Society of Gray's Inn in July, 1982, followed by a private legal practice in Sierra Leone until he was appointed Deputy Foreign Minister (1996-1998) and later as Deputy Minister of Justice (1998-1999).

He served as Director of Public Prosecution (DPP) from 1999-2010 and as Consultant DPP in the Commonwealth of Dominica under the auspices of the Commonwealth Secretariat in London 2005-2006. He has also served in several other capacities, such as member of the College Council of Bunumbu Teachers College, Sierra Leone (1993-1996) and the Management Committee of the Kenema Town Council (1995-1998).

Until his appointment as a Commissioner in July, 2012, he was a private Legal Practitioner. He currently oversees the Directorate of Complaints, Investigations and Legal Services.

**Rev. Moses B. Khanu – Commissioner**



**R**ev. Moses B Khanu is serving his second term in the Commission. He is a cleric of the Baptist Convention with a Master of Theology (M. Th.) from Fourah Bay College, University of Sierra Leone and a Master of Education (M. Ed) in Guidance and Counseling, Njala University, Sierra Leone. He also holds Post Graduate Diplomas from the Academy of Missions, Hamburg, Germany and the Ecumenical Institute, Geneva.

The illustrious career of Commissioner Khanu which spans over 40 years, has taken him to the presidency of both the Council of Churches in Sierra Leone – CCSL (1992-1999) and the Evangelical Fellowship of Sierra Leone - EFSL (2002-2005). He was General Secretary of the Baptist Convention in Sierra Leone (1991-1999) and Co-Chairman of the Inter-Religious Council of Sierra Leone (1997-1999). His assets include skills in mediation, having participated in the Lomé Peace negotiations that ended the decade-long civil war in Sierra Leone, and an in-depth knowledge of the diverse religions in Sierra Leone, which are required capacities to foster reconciliation, inter-faith dialogue and co-operation.

In recognition of his distinguished service to Humanity especially in the field of Religion and the Human Rights Commission of Sierra Leone, he was awarded the Commander of the Order of the Rokel (COR) by H.E The President Ernest Bai Koroma.





## Part 1: Background and Historical Context

### 1.1 Context

The Republic of Sierra Leone is located in West Africa, bordered by Guinea to the north and east, Liberia to the southeast and the Atlantic Ocean to the west and southwest. It is a member state of the Mano River Union (MRU), the Economic Community of West African States (ECOWAS), the Organisation of Islamic Cooperation, the African Caribbean and Pacific Group of States, the African Union (AU) and the United Nations (UN) among others.

Sierra Leone is divided into four administrative regions namely Eastern Province, Northern Province, Southern Province and Western Area. The Western Area is sub-divided into Western Urban and Western Rural while the three provinces comprising the three other regions are sub-divided into twelve districts.

According to the 2004 National Population Census Report, it has a population of 5,696,871 (with an annual growth rate of 1.8), which may have increased over the years. Sierra Leone comprises eighteen ethnic groups, each with its own language and customs. Mende and Temne are the two largest ethnic groups and their respective languages, Mende and Themne are widely spoken in the country. The Mendes are predominantly found in the South and the East, and the Temnes occupy the North. English is the official language and Krio, the lingua franca, is spoken nationwide.

The two most widely practised religions are Christianity and Islam although there are traditional religious beliefs being practiced simultaneously. Sierra Leone has been widely acclaimed for its high level of religious tolerance which is also reflected in the Report of the United Nations Special Rapporteur on Religious Freedom who visited the country in 2013.

Sierra Leone experienced a very violent and devastating civil war from 1991 to 2002, spanning a period of eleven years. The war wreaked havoc on the country's economy and its entire social fabric, exposing the citizenry 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, gross violations of human rights and lawlessness were the order of the day causing a large portion of the population to flee to the neighbouring countries of Liberia and Guinea.

The country is endowed with many natural resources including minerals like diamonds, iron ore, bauxite, rutile, and fertile soil. In recent years, the discovery of oil and gas in the southern region has increased the potential for direct foreign investments.

Despite the abundance of natural resources, the country is still ranked amongst the world's poorest countries. In 2014, the country moved one place up the UNDP Human Development Index from 184th -183rd.

Although much has been done through post-war reconstruction efforts, the problems of poor infrastructure, high maternal and infant mortality, high youth unemployment and widespread poverty persist, particularly in the rural areas.

The Lomé Peace Agreement of 1999 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.

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, the Commission 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) in Geneva. Sierra Leone gained a seat at the UN Human Rights Council (HRC) in 2012.

In May 2014, Sierra Leone recorded its first case of Ebola in Kissi Teng Chiefdom, in the Kailahun District, in the Eastern Province. By the end of the year the disease had spread to all regions of the country with over 7000 infected and over 2000 reported dead.

### 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 promote and protect human rights in Sierra Leone, and states the following as the functions of the Commission:

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



## Independence of the Commission

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

## Jurisdiction

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

### 1.3 Vision, Mission and Core Values of HRCSL

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

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

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

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

**Service** with humility

**Independence** including fairness, objectivity, impartiality

**Inclusiveness** ensuring diversity

**Accessibility** covering empathy, tolerance, understanding

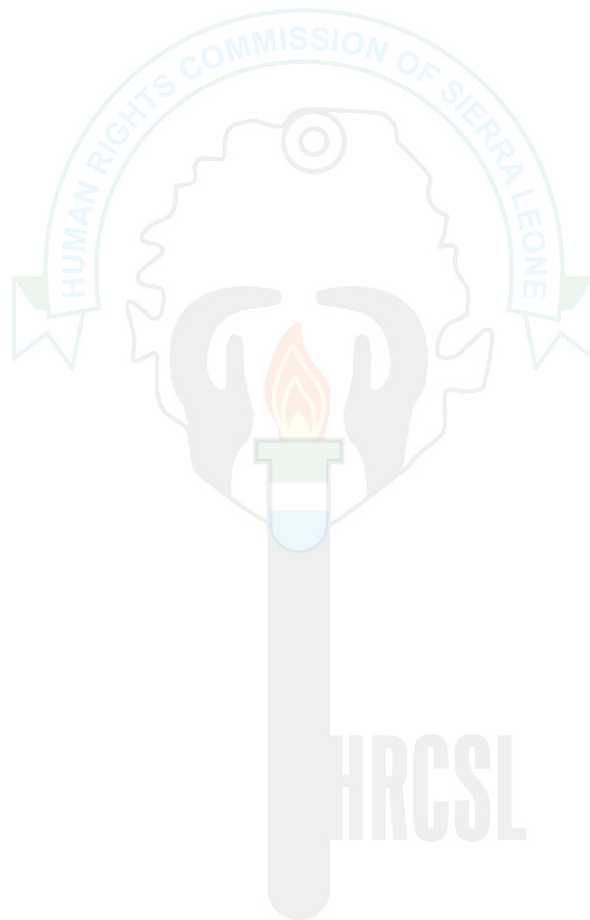
**Accountability** embracing honesty

**Collaboration**



## 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 power to intervene in legal proceedings involving any human rights issue by issuing *amicus curiae* briefs.



## Part 2: Activities of HRCSL

### 2.1 Capacity Building

#### 2.1.1 Training on Case Management

The Directorate of Complaints, Investigations and Legal Services (DCILS) had been using the traditional manual (paper based) method of managing its data since the Commission became operational in 2006. To improve on this function, and for effective management of data, the Commission introduced an electronic data entry system in 2013. A consultancy firm SALBATTIS was hired to develop a digitized Case Management System (CMS) for complaints data storage. The system was officially launched in 2014. Following the launching, a one day training was organized for Commissioners and staff on the 5th February, to familiarize them with the new system. This project was jointly funded by GoSL and Irish Aid through the UNDP.



*Commissioners and staff at the training on the Case Management System*

#### 2.1.2 Attendance at International Trainings/Conferences/ Meetings

Name	Conferences/Seminars/Training/Workshops/ Meetings	Organizers	Country	Date
Com. Jamesina King Com. Bryma Kebbie	27 <sup>th</sup> ICC Annual meeting	ICC	Geneva	12 <sup>th</sup> – 14 <sup>th</sup> March
Com. Brima A. Sheriff	ACPHR 55 <sup>th</sup> Ordinary Session	African Commission	Angola	28 <sup>th</sup> April - 12 <sup>th</sup> May
Com. Daphne Olu Williams	Meeting on the Draft State Reporting Guidelines for the African Charter on Democracy and Governance	Centre for Human Rights, University of Pretoria	South Africa	4 <sup>th</sup> -5 <sup>th</sup> June

<b>Com. Brima Sheriff</b>	<b>Meeting of NANHRI West Africa on HR Reporting Manual</b>	<b>ECOWAS/ NANHRI</b>	<b>Abuja- Nigeria</b>	<b>25<sup>th</sup> - 27<sup>th</sup> Jan</b>
<b>Francess Alghali (Executive Secretary)</b>	<b>World Humanist Congress</b>	<b>British Humanist Association</b>	<b>UK</b>	<b>8<sup>th</sup> - 10<sup>th</sup> August</b>
<b>Comm. Jamesina King</b>	<b>Regional Conference on Beijing + 20 Review Expert Meeting</b>	<b>UN Women □ UNECA</b>	<b>Addis Ababa</b>	<b>17<sup>th</sup> -18<sup>th</sup> Nov</b>
<b>Francess Alghali (Executive Secretary)</b>	<b>CIFED-HOP Workshop on the Universal Periodic Review and Human Rights Education</b>	<b>CIFED-HOP</b>	<b>Geneva</b>	<b>20<sup>th</sup> Oct-3<sup>rd</sup> Nov</b>
<b>Com. Daphne Olu Williams</b>  <b>Francess Alghali (Executive Secretary)</b>	<b>3<sup>rd</sup> Forum on Business and Human Rights</b>	<b>UN Working Group on Business and Human Rights</b>	<b>Geneva</b>	<b>1<sup>st</sup> - 3<sup>rd</sup> Dec</b>

## 2.2 HRCSL's Finances

### 2.2.1 Government Subvention

The Government of Sierra Leone (GoSL) provided financial support to the Commission in the sum of Le. 5,854,434,631 for operational costs, programmes, salaries and other emoluments. The Commission recorded an increase in its subvention over the years; this falls below the actual budgetary requirements for operational and programme costs. Inadequate funding and delays in disbursement of subvention affected the timely implementation of planned activities.

Some of the activities undertaken included:

- Launching of HRCSL's Case Management System
- Staff Training on HRCSL's Case Management System
- Hiring of management consultant for review of HRCSL compensation package and salary structure
- Printing of 1000 copies of the State of Human Rights (SOHR) 2013 Report
- Payment of annual membership dues to the International Coordinating Committee (ICC) and the Network of African National Human Rights Institutions (NANHRI's)
- Attendance of Commissioners and Executive Secretary (ES) to international conferences, seminars and meetings
  - I. 27th ICC annual meeting held in Geneva
  - II. African Charter on Human and Peoples Rights (ACHPR) 55th Ordinary Session held in Angola
  - III. UN Forum on Business and Human Rights held in Geneva
- Capacity Building Training on Performance Appraisal, Basic Accounting Principles



for Directors and Regional Officers

- Capacity Building Training on Financial Reporting for Regional Officers.
- Joint macro monitoring of detention facilities in Bo, Makeni and Kenema
- Monitoring of the three day sit at home (Ose to ose) Ebola sensitization campaign
- Public education and awareness raising on Ebola Virus Disease (EVD)
- Investigation of complaints
- Institutional support to the Western Area District Human Rights Committee.

### **2.2.2 Projects**

The Commission received the first tranche of funds under the UNDP Multi Partner Trust Fund (MPTF) project in the sum of Lc793, 875,000. The fund was used to implement the following activities;

- Printing of 1000 copies and dissemination of the State of Human Rights (SOHR) 2013 Report
- Bi- monthly public education programmes
- Celebration of International Human Rights Day
- Purchase of public address system for outreach activities
- Institutional support to the Bombali, Bo, Kenema and Western Area District Human Rights Committees (DHRCs) and Human Right Defenders Network (HRDN)
- Leasehold rent for Western Area office in Waterloo
- Purchase of computer accessories and equipment for Western Area office
- Utilities and internet service fees for headquarters and regional offices
- Monitoring visits to hospitals and Correctional Centres
- Workshops for officials of the Correctional Centres, police officials and Military officials on Standard Operating Procedures for Ebola checkpoints and quarantine homes
- Review and finalization of HRCSL's monitoring tools for Correctional Centres, police cells and remand homes
- Induction training for new HRCSL staff
- Purchase of additional equipment – computers, accessories and Human rights publications
- Monitoring visits to regional offices (Kenema, Makeni and Bo).

### **2.3 Presentation and Dissemination of the State of Human Rights in Sierra Leone 2013 Report**

In accordance with Sections 7(2)(g) and 24(1) of HRCSL Act (No.9) 2004, the Commission

produced its 7th annual report on the State of Human Rights (SOHR) in Sierra Leone. The Report was presented to H.E the President Dr. Ernest Bai Koroma and the Deputy Speaker of Parliament of the Republic of Sierra Leone on the 23rd October. The presentations were then followed by a press conference held in the HRCSL Conference Room on the same day to present the report to the general public.

As a result of the outbreak of the EVD, the declaration of the SoE and the prohibition on large gatherings, the dissemination of the 2013 SOHR report took a different approach. In Freetown, round table engagements with representatives from Ministries, Departments and Agencies (MDAs) and other targeted individuals and groups were held on diverse dates in October and November. The Commission's findings and recommendations as well as strategies for implementation were discussed. Copies of the report were also distributed to participants.



*HE Dr. Ernest Bai Koroma receiving the 2013 SoHR from the Chairperson of HRCSL  
Brima A. Sheriff*





*Commissioner Brima A. Sheriff presenting the SOHR 2013 Report to the Deputy Speaker of Parliament, Hon. Chernoh R.M Bah.*



*Press conference on the SOHR 2013 with some members of the media*



Subsequently, radio and television discussion programmes were used to inform the general public on the contents of the Report and the various recommendations made to key stakeholders. Similar engagements were undertaken in the regional headquarter towns of Bo, Kenema and Makeni.

**Matrix of engagements on the 2013 SOHR Report**

Name of Institutions	Date of Engagements
The Media	23 <sup>rd</sup> October
The Sierra Leone Police, The Sierra Leone Correctional Services and the Judiciary	27 <sup>th</sup> October
The Republic of Sierra Leone Armed Forces (RSLAF) and MDAs	29 <sup>th</sup> October
Civil Society Organizations (CSOs)	31 <sup>st</sup> October
Parliament (the Parliamentary Human Rights Committee)	3 <sup>rd</sup> November
Freetown City Council	12 <sup>th</sup> November



*Round table engagement on the 2013 SOHR Report with representatives from MDAs*

## 2.4 Strategic Interaction with Partners

### 2.4.1 Human Rights Education (HRE) Needs Assessment Survey for Law Enforcement Officials

In March, the Directorate of Education, Communication and Training (DECT) conducted a Human Rights Education Needs Assessment Survey for the security sector. The survey was done through focus group discussion, key informant interviews and a round table



*A representative from RSLAF making a point during the Needs Assessment*

discussion. This provided the Commission with a baseline understanding of the human rights education needs of the security forces, to enable the Commission develop a customized human rights education training curriculum for the security sector.

### 2.4.2 Engagement with the Sierra Leone Bar Association

Members of the newly elected executive of the Sierra Leone Bar Association paid a courtesy call on the Commission on the 17th July to acquaint themselves with the Commission's activities and to discuss areas of partnership in the protection and promotion of human rights. The President, Mr. Ibrahim Sorie and his team interacted with Commissioners and staff and assured them that the association will serve as a robust pressure group to advocate for people's rights.





*The President of the Sierra Leone Bar Association Mr. Ibrahim Sorie receiving SOHR 2013 Report from Commissioner Jamesina King, after the engagement.*

#### **2.4.3 Meeting with United Nations Mission for Ebola Emergency Response (UNMEER) Crisis Manager**

HRCSL on Thursday 6th November, met with the UNMEER Crisis Manager, Mr. Amadu Kamara at the former Special Court building in Freetown.



*HRCSL team interacting with Mr. Amadu Kamara and his UNMEER team*

The Crisis Manager apprised the Commission on the purpose of UNMEER in Sierra Leone and its mandate to end EVD in Sierra Leone by synchronizing efforts, scaling up interaction in the areas of case management, safe and dignified burial, treatment and contact tracing.

HRCSL's Chairperson, Commissioner Brima A. Sheriff provided a brief background on the Commission's mandate to protect and promote human rights in Sierra Leone and some of its functions which included providing advice to government on compliance with human rights standards as well as capacitating institutions on rights-based approaches. The various activities undertaken by the Commission since the outbreak of the EVD, formed the highlight of the discussion. The Crisis Manager was presented with copies of the SOHR 2013 Report and the 'Ose to Ose Ebola Monitoring Report.



#### **2.4.4 Engagement with the Minister of Labour and Social Security (MLSS)**

The statistics of complaints recorded in the Commission revealed an increase in the number of complaints relating to labour matters. A substantial number of these complaints were referred to the Ministry of Labour and Social Security (MLSS) for redress and as a follow-up, HRCSL, led by Commissioner Bryma V.S Kebbie, engaged the Minister and senior officials of MLSS on the 11th September, for a speedy resolution of the complaints referred to them. The Ministry reported that some of these complaints had already been resolved through mediation and assured the Commission that the others will be resolved speedily.

#### **2.4.5 Training for Law Enforcement Officials and Civil Society on the Standard Operating Procedures (SOPs)**

Training for law enforcement officials and members of the civil society was jointly conducted by the Office of National Security (ONS) and the HRCSL with support from UNDP.

The aim of the training was to ensure that human rights are upheld by the military, the police and civil society during the SoE, particularly in the implementation of the Standard Operating Procedures (SOPs) which included the management of checkpoints, quarantined homes, communities and safe burials.

The training was done in two phases: phase one was a training of trainers conducted in Bo from 23rd - 25th November. Fourteen participants were selected from the SLP, Republic of Sierra Leone Armed Forces (RSLAF) and CSOs. Phase two was a replication of the training at district level from 27th November to 8th December. One hundred and fifty participants including traditional leaders and representatives from Community Based Organizations (CBOs) were trained in each district.



*Training of law enforcement officers on the SOPs for check points, quarantined homes and burial teams*

## **2.5 Monitoring Activities**

### **2.5.1 Validation of HRCSL's Monitoring Tools**

Validation of HRCSL's monitoring tools for Police cells, Remand homes and Correctional Centres which were reviewed in 2013, took place at the HRCSL Conference Room, on the 24th October. The aim of the exercise was to adopt practical and action-oriented tools with precise indicators for monitoring officers. The process brought together thirty participants drawn from DHRCs, the SLP, Sierra Leone Correctional Services, the RSLAF and staff of HRCSL.

Few amendments were made on each of the tools. The three tools were then validated and approved by the Commission.





*Chairperson of HRCSL making his opening remarks during the validation of the monitoring tools*

### **2.5.2 Launch of HRCSL's *Guidelines for Monitoring Business and Human Rights in Sierra Leone***

HRCSL's *Guidelines for Monitoring Business and Human Rights* in Sierra Leone was launched in Freetown in December 2013. The tool is to be used for monitoring the business sector's compliance with human rights standards. In developing the tool, HRCSL engaged CSOs, Ministries, Departments and Agencies (MDAs), and Multinational Businesses to have their inputs into the Guidelines.



To further popularize the guidelines, it was also launched in the regional headquarter towns of Makeni, Bo and Kenema on the 25th, 26th and 27th February 2014 respectively. There were sixty participants per region from CSOs, MDAs and the business sector. During this activity, participants were informed on the contents of the document and their co-operation and support solicited for its implementation.



***Mr. Joseph Kamara, Director of Monitoring and Research making a presentation at the Launching of the Guidelines for Monitoring Business and Human Rights in Sierra Leone in Bo***



***The Mayor of Kenema City Council, His Worship Joseph S. Kelfala launching the Guidelines***



### 2.5.3 Macro-monitoring with the Parliamentary Human Rights Committee

A four-day macro-monitoring exercise was jointly undertaken with the Parliamentary Human Rights Committee (PHRC) and HRCSL from 8th – 11th July. This was the first jointly conducted monitoring by HRCSL and PHRC.

The joint team visited institutions working in the administration of justice in the northern, southern and eastern regions. The team engaged judges, magistrates and court officials on matters dealing with the dispensation of justice. The team also engaged regional leadership of the SLP and Correctional Centres on compliance with the UN Standard Minimum Rules for the Treatment of Persons in Detention.



*The joint team entering the Makeni State Prison (now correctional centre)*

In Makeni, the team visited the Rogbanch and Mena Police Stations including the Family Support Unit (FSU), the Makeni State Prison (Correctional Centre), the High Court and the Magistrate's Court.

The team also visited the Bo-East and West Police Stations, the Bo Correctional Centre and the Remand Home. In Kenema, visits were paid to the Kenema Police Station and the Correctional Centre. The team was joined in Bo and Kenema by a local NGO, Prison Watch Sierra Leone (PWSL).



*The joint monitoring team at the FSU in Makeni*



*AIG Karrow Kamara meeting with the monitoring team in Kenema*

At the end of the monitoring, the joint team found out that there were undue delays in processing the files after committals to the High Court leading to prolonged detention of a large number of inmates without trial. The joint team was further informed that the slow processing of files between the Registrar of the Magistrate's Courts and the Deputy Assistant Registrar of the Magistrate's Court accounted for the delay in the preparation and service of indictments. Stiff bail conditions also led to prolonged detention and overcrowding of Correctional Centres because the accused persons were unable to fulfill the bail conditions. All of these factors continue to pose serious threats to the administration of justice and the rule of law in the country.

## **2.6. HRCSL's Interventions in the 'Fight against the EVD'**

The outbreak of the EVD in Sierra Leone had adverse effects on the enjoyment of the rights to health, life, security of the person, movement and association. The first recorded case was in the Kissi Teng Chiefdom Kailahun District in the Eastern Province of Sierra Leone on the 25th May. By the end of December, it has spread across the country infecting 7,458 people with over 2000 cumulative deaths among them doctors, nurses and other frontline health workers.

HRCSL undertook several activities to ensure the protection and promotion of fundamental human rights during this period. Among these were:

1. Setting up an internal Ebola Task force to plan and coordinate the Commission's activities to respond to the epidemic;



2. Reprogramming of all HRCSL's activities to monitor, review and support all interventions to ensure human rights approaches are adopted in eradicating the disease;
3. Liaising with national and international partners to review laws and international human rights treaty provisions relating to state of emergencies and human rights;
4. Engaging and advising government on the human right standards in enforcing the SoE
5. Visiting the first Ebola Treatment Centre in Kenema in July in response to complaints from family members and victims on allegations of ill-treatment and lack of information regarding the detention and treatment of suspected cases and disposals of corpses of loved ones;
6. Conducting public education through awareness raising, distribution of IEC materials, issuing press releases and public notices on rights based approaches in addressing and preventing the disease;
7. Monitoring of quarantined homes and communities, Ebola checkpoints, hospitals, holding and treatment centres and detention facilities;
8. Collaborating with Office of the National Security (ONS), MoHS and other MDAs to review the SOPs for quarantined homes, checkpoints and burial teams to guide the conduct of personnel involved in dealing with the disease;
9. Joint training of security personnel on the SOPs and
10. Monitoring of the “Ose to Ose Ebola Tok”.



*HRCSL monitoring team engaging staff at the Kenema Ebola Treatment Centre in July*

### **2.6.1 Public Education**

Road show activities and media engagements were used to raise awareness on the EVD and the citizen's responsibilities in complying with health regulations issued by the MoHS and the Emergency Operations Centre (EOC), which later became NERC.

Jingles produced in five local languages, Mende, Temne, Limba, Kono and Krio were aired on five radio stations for a period of three months, to educate the public on the EVD and the protection of the right to life. The jingles also contained HRCSL messages on the observance of human rights in the fight against the EVD.

A one week road show to selected communities in Freetown and the regions, was held from 13th - 20th August, in order to raise awareness on the deadly effects of EVD.

### **2.6.2 Press Release**

Following the declaration of a 3 day “Ose to Ose” Ebola sensitization by the GoSL, the HRCSL issued a press release on the 17th September, in which it recognized the efforts made by the government and the general public to eradicate the EVD in the country and particularly commended the selfless contributions of frontline health workers in the fight.

The press release further called on government to ensure that health workers were provided with the requisite protective gears while utility service providers such as Guma Valley Water Company (GVWC) and the Sierra Leone Water Company (SALWACo) were implored to ensure the availability and accessibility of safe and clean drinking water particularly in areas with no pipe borne water during the period. HRCSL acknowledges that SALWACo and GVWC increased their supply of water to communities.

HRCSL further urged the security forces to ensure that human rights were protected and respected in the execution of their duties. Religious leaders were also urged to continue encouraging their community members to cooperate with government in the fight to eradicate the virus.

### **2.6.3 Monitoring the “Ose to Ose Ebola Tok”**

The three-day “Ose to Ose Ebola Tok” which took place from 19th to 21st September was monitored nationwide by Commissioners and staff supported by members of the various DHRCs.

The objectives of the monitoring exercise were:

- to monitor the general conduct of the three-day sit at home nationwide;
- to work with relevant authorities to achieve the set goals of the exercise;
- to obtain factual information for HRCSL 2014 State of Human Rights Report and
- to ascertain adherence by relevant parties to issues raised in the press release of 17th September.

Key findings and observations included:

- a high level of participation of volunteers to do the Ebola sensitization talk;
- willingness of frontline health workers to perform their duties as required;
- observance of human rights to a large extent by the security sector in the execution of their duties
- delays by the 117 toll-free line, the burial and surveillance teams in responding to emergency calls;
- inadequate number of ambulances; limited holding and treatment facilities; and
- delays in providing food and basic amenities in quarantined homes.

In the report produced after the exercise, the Commission made several recommendations to the GoSL, the MoHS, the EOC, the SLP and the RSLAF, some of which included:

1. MoHS should ensure that health personnel are properly trained on the management of Ebola cases and their personal protection;
2. MoHS should consider introducing a life insurance scheme for all health personnel;
3. GoSL should continue to isolate and quarantine identified Ebola hotspots with immediate effect as a preventive measure to stop the spread of the virus and
4. EOC, MoHS and other development partners should ensure that volunteers are properly trained to carry out public education and sensitization.

The Report was presented to H.E. the President Dr. Ernest Bai Koroma on the 23rd October.

By the close of the year, GoSL and other relevant stakeholders had implemented some of the recommendations, including prompt response to emergency calls and management of cases by setting up more treatment and holding centres, providing Personal Protective Equipment (PPE) and accommodation (where necessary) for frontline health workers.





*HRCSL monitoring team engaging Dr. Bash Taqi (Doctor-in-Charge) at the Hastings Ebola Treatment Centre during the monitoring visit in September*

## 2.7 Support to the Implementation of the TRC Recommendations

As a result of the completion of the digitization process, HRCSL and the National Peace Museum finalized the Truth and Reconciliation Commission (TRC) Archives Access Policy in December. The Archives would be accessible to researchers (national and international) and other interested persons in 2015.

## 2.8 The Constitutional Review Process

To give support to the ongoing constitutional review process, HRCSL set up a five member in-house Committee to work on HRCSL's Position Paper to be submitted to the CRC.

HRCSL also met with three of the eight sub-committees of the CRC, namely, the Committees on the Fundamental Principles of State Policy and Human Rights, the Judiciary and Local Government to discuss relevant issues relating to the CRC submission forms. HRCSL also advocated for the inclusion of HRCSL as a Constitutional entity in the revised Constitution.



*Meeting with the Judiciary sub-committee of the CRC*

## 2.9 The Library and Documentation Centres

The Library and Documentation Centres at the headquarter and regional offices serve as research centres for students, scholars, human rights activists and research fellows, to conduct their research on human rights and related topics for their dissertations, thesis and other scholarly papers.

The volume of collections in the Documentation Centres increased through subscriptions to local newspapers and government gazettes, donations from Commissioners and staff, and networking partners. The Commission received volumes of publication from Marge Berer, the editor of 'Reproductive Health Matters'.



With support from the UNDP/MPTEF, work on the re-opening of the Library and Documentation Centre commenced in the new Regional Office in Kenema.

### 2.10 Media Outreach

Media outreach is one of the main ways in which the Commission promotes human rights. Radio and television programmes as well as series of newspaper publications were used to publicise the Commission's activities, educate the general public and raise awareness on human rights issues.

The Commission held a press conference on 23rd October for its launching of the State of Human Rights in Sierra Leone 2013 Report. The Commission also issued two press releases on the Ebola outbreak on 31st July and 17th September. A public notice was issued in August giving new directives on working hours of the Commission and for receipt of complaints until the end of the year.

The use of social media proved useful for the Commission in the popularization of its activities. The Commission's Facebook discussion page is followed by over 3,000 people and the website served as a source of information for many people.



*HRCSL on media engagement at SLBC Makeni with the Deputy Chairperson of the Parliamentary Committee on Human Rights (2nd to left) Hon. Alhaji Seray Dumbuya in July*

### 2.11 Commemoration of International Human Rights Day – 10th December

On the 10th December, HRCSL joined the rest of the world to commemorate International



Human Rights Day (IHRD) – the day on which the Universal Declaration of Human Rights (UDHR) was adopted. The theme for 2014 “Human Rights 365”, sent out the message that 'every day is human rights day' and that everyone, everywhere, at all times is entitled to the full enjoyment of human rights without discrimination.

HRCSL used the occasion to raise awareness on human rights and reached out to various communities and stakeholders. This was at a time when Sierra Leone was going through a difficult period in which the enjoyment of basic human rights was limited, as a result of the implementation of the SoE regulations, bye-laws to contain and eradicate the EVD.

The Chairman of HRCSL in his Human Rights Day message, reminded government that even in a state of emergency, basic human rights and the dignity of persons must be protected subject only to those limitations necessary to reverse the EVD outbreak. He urged the government, law enforcement agencies, traditional and community leaders to respect human rights and human dignity as they embark on effective implementation of the regulations, measures and bye-laws geared towards eradicating the disease.

In marking Human Rights Day, the Commission used the opportunity to continue its sensitization on the EVD. A three day mobile road show was conducted in various communities nationwide, targeting hospitals, health centres, remand homes and police stations. IEC materials were distributed along the way.



***Commissioner Bryma Kebbie looks on while Commissioner Jamesina King presents IEC materials to officers at the Regent Police post during International Human Rights Day Road Show***



***Commissioner Daphne Olu-Williams delivering the Human Rights Day message as the Western Area Regional Officer, Cyphas Williams presents IEC materials to AIG Memuna Conteh of the Ross Road Police Station***

Two radio and television discussion programmes were organised on the topics, “Impact of Ebola on Women's Human Rights” and “Human Rights and State of Emergency”.

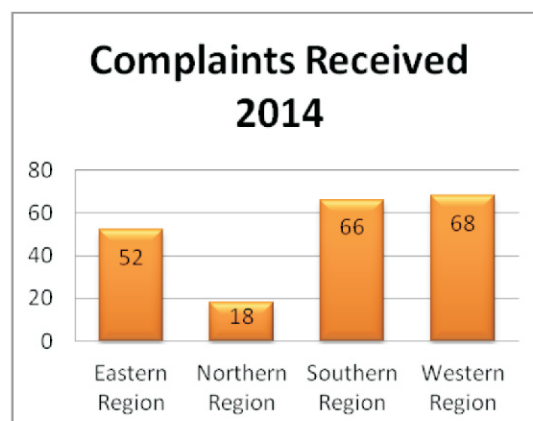
## **2.12 Complaints Handling and Management**

HRC SL received 204 complaints in accordance with Section 7(2)(a) of Human Rights Commission of Sierra Leone Act (No. 9) of 2004, which provides that HRC SL shall “investigate or inquire into on its own or on complaint by any person any allegations of human rights violations and to report thereon in writing”.



**Figure 1.1 Bar Chart illustrating the number of complaints received from the four regions**

Eastern Region	-	52
Northern Region	-	18
Southern Region	-	66
Western Region	-	68
TOTAL	-	204



### 2.12.1 Admissibility Decisions on Complaints in 2014

Out of the 204 cases received, 33 were admissible and under investigation. 143 were inadmissible and decisions on the remaining 28 complaints were pending. Some inadmissible cases were referred to appropriate institutions and monitored whilst others were resolved through mediation on the request of the parties concerned.

**Table 1: Admissibility Decisions of complaints per Region in 2014**

No.	Decision on complaints received	ER	NR	SR	WA	Total	%
1.	Admissible	02	02	08	21	33	16.2
2.	Inadmissible	43	12	48	40	143	70.1
3.	Decision Pending	07	04	10	07	28	13.7
Grand Total		52	18	66	68	204	100

*Table 1 indicates that 70.1% of the total complaints were inadmissible because they were not within the Commission's mandate. These complaints were referred to appropriate institutions for redress, whilst a few were mediated with the consent of the parties concerned.*

**Table 2 Categorization of respondents on complaints lodged against individuals / institutions**

No.	Different Sectors	Eastern Region	Northern Region	Southern Region	Western Region	Total	Percentage (%)
1.	Individuals	29	03	28	25	85	41.7
2.	Sierra Leone Police	03	02	07	14	26	12.7





3.	Other Government Institutions	02	02	02	03	09	4.4
4.	Public Servants	01	00	00	02	03	1.5
5.	Prisons	00	00	00	00	00	0.0
6.	Private Security Agencies	03	00	00	02	05	2.5
7.	Business Houses	03	01	01	05	10	4.9
8.	Military	00	00	00	02	02	1.0
9.	Judiciary	00	02	09	01	12	6.0
10.	Traditional Leaders	02	05	03	01	11	5.4
11.	Religious Institutions	01	00	00	02	03	1.4
12.	Mining Companies	02	00	00	02	04	2.0
13.	Educational Institutions	01	00	04	03	08	3.9
14.	Local Court	01	00	02	00	03	1.4
15.	District/Town/City Council	00	01	01	00	02	1.0
16.	Members of Secret Societies	02	01	02	00	05	2.5
17.	National Institutions (Commissions)	00	00	00	01	01	0.5
18.	Solicitors	00	00	01	01	02	1.0
19.	Government Ministries	00	00	02	01	03	1.4
20.	Embassy/Consulate	00	00	01	00	01	0.5
21.	Members of Parliament	00	00	00	02	02	1.0
22.	Others (NGO, UN, etc.)	02	01	03	01	07	3.4
23.	Respondents unknown	00	00	00	00	00	0.0
<b>TOTAL</b>		<b>52</b>	<b>18</b>	<b>66</b>	<b>68</b>	<b>204</b>	<b>100</b>

*Table 2 shows that the highest number of complaints (41.7%) was made against private individuals. This explains why a large number of complaints received were inadmissible.*

**Table 3 Complaints filed by sex in 2014**

No.	Nature of complaint	Male	Female	Total	Percentage %
1.	Crime Related (by individuals)	10	06	16	7.8
2.	Personal Liberty	00	01	01	0.5
3.	Property including issues e.g. land, house etc.	20	12	32	15.7
4.	Other Judiciary related issues	03	02	05	2.5
5.	Right to Life	03	01	04	2.0
6.	Right to Education	04	01	05	2.5
7.	Discrimination	01	01	02	1.0
8.	Children's Rights (including neglect, maintenance etc.)	03	07	10	4.9
9.	Civil and Political Rights	00	00	00	0.0
10.	Right to Shelter	04	03	07	3.4
11.	Police Related	05	03	08	3.9
12.	Local Court related issues	02	01	03	1.4
13.	Domestic Violence	02	15	17	8.3
14.	Matrimonial Dispute	02	07	09	4.4
15.	Workers' Rights / Labour Related	22	05	27	13.2
16.	Misuse of office by Traditional Leaders	05	02	07	3.4
17.	Sexual Assault	01	05	06	2.9
18.	Forceful Initiation into secret society	01	04	05	2.5
19.	Military Related	02	00	02	1.0
20.	Abuse from District/Town/City Council	01	00	01	0.5
21.	Right to Health	01	02	03	1.4
22.	Inhuman and degrading treatment	03	02	05	2.5
23.	Unlawful Detention	04	01	05	2.5
24.	Denial of access to information	00	05	05	2.5

25.	Economic Rights	01	03	04	2.0
26.	Fair Hearing and speedy Trial	02	01	03	1.4
27.	Prolonged Detention	02	00	02	1.0
28.	Denial of opportunity to present own case	02	00	02	1.0
29.	Family Dispute	04	04	08	3.9
30.	Denial of Freedom of movement	00	00	00	0.0
	<b>TOTAL</b>	<b>110</b>	<b>94</b>	<b>204</b>	<b>100</b>

*Table 3 is a disaggregation of complaints filed disaggregated by sex. Men filed more complaints (110) than women (94) in 2014. The table also shows that a good number of complaints reported were property related (32), violation of workers' rights (27), and domestic violence issues (17).*

**Table 4 Summary of outcome of complaints received in 2014**

No.	Category of Complaints Received	ER	NR	SR	WA	Total	Percentage %
1.	No. of complaints Referred	30	06	25	20	81	39.7
2.	No. of Complaints Mediated and resolved	06	01	09	06	22	10.8
3.	Mediation ongoing	03	02	03	03	11	5.4
4.	No. of Complaints Monitored	04	02	04	02	12	5.9
5.	Monitoring ongoing	00	03	02	03	08	3.9
6.	No. of Complaints Withdrawn	00	00	02	02	04	2.0
7.	No. of complaints closed for various reasons	03	00	02	02	07	3.4
8.	No. of complaints recommended for closure	02	00	00	02	04	2.0
9.	Complainants could not be reached for further information	02	01	00	03	06	2.9
10.	Complainants request for no immediate action to be taken	00	01	01	00	02	1.0



11.	Complaints investigated	00	00	02	08	10	4.9
12.	Investigation on – going	02	02	06	13	23	11.3
13.	Complaints for Public Inquiry/Hearing	00	00	00	00	00	0.0
14.	No. of complaints Conciliated	00	00	00	00	00	0.0
15.	Complaints for Admissibility decisions	00	00	10	04	14	6.8
	<b>TOTAL</b>	<b>52</b>	<b>18</b>	<b>66</b>	<b>68</b>	<b>204</b>	<b>100</b>

**Table 5 Comparative analysis of complaints received by the Regions from 2007 - 2014**

No.	Region	2007	2008	2009	2010	2011	2012	2013	2014	Total	%
1.	Eastern Region	00	04	06	39	74	25	45	52	245	11.4
2.	Northern Region	00	04	09	22	23	20	23	18	119	5.6
3.	Southern Region	00	06	63	57	33	53	41	66	319	14.9
4.	Western Area	40	190	252	374	126	182	220	68	1458	68.1
<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>2141</b>	<b>100%</b>

*Table 5 shows that few complaints were received and registered in 2007 with a total of 40. The increase in the total number of complaints since 2007 to 2013 can be ascribed to increased public awareness of the Commission's activities in terms of its public education, dissemination of its annual State of Human Rights Report and the successful conclusion of some of the complaints handled. Unfortunately, only 204 complaints were received in 2014. This decrease can be attributed to the outbreak of Ebola in the country. The disease restricted the movement of people and their activities thereby making it difficult for complainants to access both the headquarters and the regional offices to report their complaints.*

## 2.12.2 SUCCESS CASES

### FK and BTK vs. Police Officer in-Charge K

On the 16th of January, **BTK** and **FK** in the Western Area lodged a complaint to the Commission alleging that the respondent **K** instructed **N** to padlock the door to the room where their (**FK&BTK**) property, *including educational* materials for West African Secondary School Examination (WASSCE), were kept.

Since the matter was urgent, HRCSL took action to ensure that **BTK** retrieves his school materials and other related documents by supporting complainants to get legal redress.

**K** was ordered by the court to grant access to **BTK** to remove his school materials from the room.

### RSB and Others vs. Council of Legal Education of the Sierra Leone Law School

On the 25th April, **RSB** and 12 others lodged a complaint against the Council of Legal Education of the Sierra Leone Law School alleging irregularities, discrimination and unfair treatment by the Council.

They complained that after the publication of the June 2013 examination results they noticed that students who did not sit to the examination and even those who took the examination and failed were certified to have passed the examination.

This matter was admissible and thus investigated. It led to several engagements with the Attorney General and Minister of Justice and the Council of Legal Education. On the 26th August the Commission received a letter from the Council of Legal Education stating that they have agreed to allow the students to re-sit the September Examinations together with students who were wrongly called to the Bar.

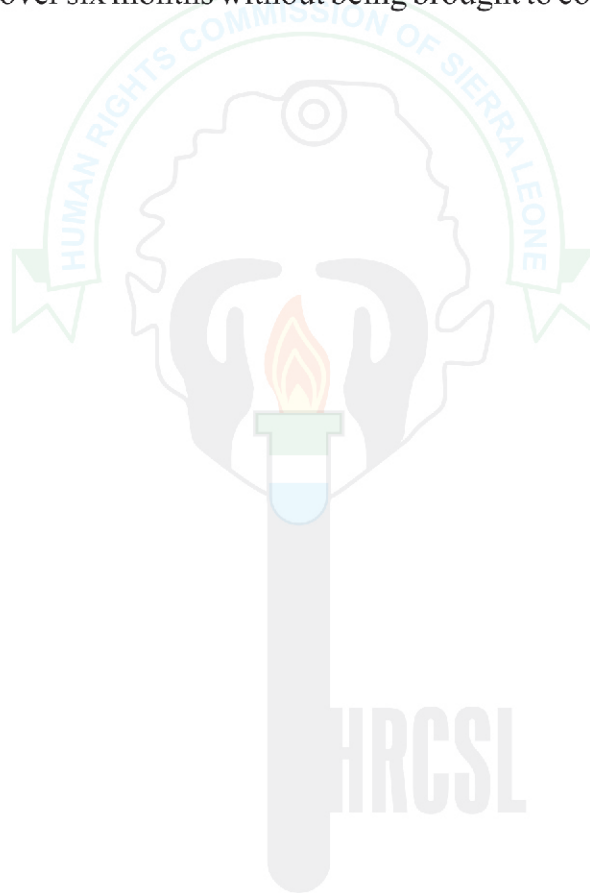
### The matter of the 18 detained Military personnel at the Male Correctional Centre, Pademba Road

On its monitoring visit to the Male Correctional Centre in November 2013, the Commission received complaints from 18 military personnel (who had been arrested in August 2013) alleging arbitrary arrest and prolonged detention, refusal of family visits, non access to their

bank accounts and poor detention conditions. Two further complained that they needed urgent medical attention that was not available within the Centre's medical facility.

The Commission wrote a letter to the Attorney General and Minister of Justice (AGMJ) on 6th February highlighting their complaints. A follow up visit was made to the AGMJ on 24th February raising the alleged violations and requesting remedial action. Subsequently fourteen of them were charged with mutiny and other charges before a court martial.

As a result of the Commission's second follow up with the AGMJ and the Director of Public Prosecutions (DPP) regarding the continued detention of the other four military personnel, who were later released without charges. However no compensation was provided for their prolonged detention of over six months without being brought to court.





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

## 3. Protection and Promotion of Human Rights

### 3.1 Civil and Political Rights

#### 3.1.1 Right to life

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

HRCSL observed that the delay by the State in responding to the EVD outbreak compounded by the ill-equipped health care system led to the rapid spread of the disease that eventually claimed over 2,000 lives including medical doctors, nurses and other frontline health workers by the end of the year.

In Koidu town, Kono district, Kalil Mansaray (aged 28 years) and Safia Yayah (aged 21 years) died as a result of gunshot wounds which they sustained during a confrontation between the SLP and youths who attempted to prevent the Ebola pick up team from conveying a 90 year old woman who was allegedly sick of Ebola, to the hospital. They were shot at Yardu Road and Hospital Road respectively. The SLP alleged that they were shot at by the youths, while the youths alleged that they were shot by the SLP. A number of people also reportedly sustained gunshot wounds during the incident.

The Commission is concerned over these deaths, bearing in mind that a similar incident of shooting occurred in Kono in 2012 resulting in the death of two people allegedly by the Police and the investigation by the State has still not been completed.

#### Recommendation

GoSL should immediately investigate the shooting incident in 2014 and speedily conclude investigation of the 2012 incident.

## Death Penalty

HRCSL observed that the GoSL continued to uphold the moratorium on the death penalty. In continuation of this commitment, H.E the President, Dr. Ernest Bai Koroma, in December, commuted the death sentences of six inmates at the Male Correctional Centre at Pademba Road to life imprisonment.

## Recommendations

1. GoSL and the CRC should implement the TRC and Universal Periodic Review (UPR) recommendations for the abolition of the death penalty.
2. HRCSL urges the government through the Office of the Attorney General and Minister of Justice, to sign the Second Optional Protocol to the ICCPR on the abolition of the death penalty.

### 3.1.2 Security of the Person

Security of the Person is a fundamental human right which should be enjoyed by all. As such, government has the primary responsibility to provide an enabling environment for the enjoyment of this right.

In 2013, HRCSL raised concerns about the conditions of some bridges across the country. HRCSL noted the reconstruction of the Peters Brook Bridge (commonly called King Jimmy Bridge) in the centre of Freetown, which collapsed in 2013. The Commission also observed that the Aberdeen and Rogbere bridges were still in need of repairs.

The use of slums, riverine areas, hillsides, creeks as dwellings by squatters, coupled with deforestation across the country pose serious threat to life, safety and security of the person.

According to statistics provided by the Sierra Leone Roads Safety Authority (SLRSA), 2, 635 people were involved in road accidents. There were 261 fatalities, 802 serious injuries and 1,572 slight injuries.

## Recommendations

1. Ministry of Works(MoW) and the SLRA should take urgent steps to repair the Rogbere and Aberdeen Bridges.

2. Ministry of Agriculture, Forestry and Food Security (MAFFS), the Ministry of Lands, Country Planning and Environment, Office of the National Security (ONS), and Environmental Protection Agency (EPA) should take measures to prevent squatters from occupying disaster prone areas and mobilize resources to relocate current inhabitants of these areas.

### 3.1.3 Freedom of Expression and the Press

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

Despite the enactment of the Freedom of Information (FoI) Act in 2013, the continued existence of the seditious libel provisions of the Public Order Act of 1965 undermines the work of journalists and press freedom.

The Commission is concerned that a popular weekly radio programme “Monologue” was suspended for sixty days by the Independent Media Commission (IMC) as a result of a cabinet decision in July, and not in accordance with due process provided in the IMC Act. HRCSL is of the view that this action undermines the independence of the IMC and threatens the enjoyment of freedom of expression and the press.

On 3rd December, David Tam-Bayoh was arrested on executive orders from H.E President Ernest Bai Koroma under the State of Emergency on allegations of incitement. He was detained at the Criminal Investigations Department (CID) headquarters and later taken to the Pademba Road Correctional Centre on 4th December, for eleven days without charge.

### Recommendations

1. Parliament should repeal the seditious libel provisions of the Public Order Act of 1965 to ensure freedom of the press. It is worth noting that this is the eighth time the Commission is making this recommendation.
2. GoSL should continue to support the work and independence of the IMC.

### 3.1.4 Freedom of Assembly, Association and Movement

Freedom of Assembly and Association is guaranteed in Article 22 of the ICCPR, Article 20 of the UDHR, Article 11 of the ACHPR, and Section 26(1) of the 1991 Constitution of Sierra Leone.



The declaration of the SoE on 31st July, by H.E the President Dr. Ernest Bai Koroma was ratified by Parliament on 7th August as provided for under Section 29 of the 1991 Constitution of Sierra Leone. This was followed by the enactment of Public Emergency Regulations limiting the enjoyment of the rights to associate, assemble and to move freely as well as some cultural activities.

Families, communities and even whole districts were quarantined as a means of containing the spread of the virus. Kenema and Kailahun districts were the first to be quarantined and remained so till the end of the year. Several persons were arrested by the SLP under the SoE, for allegedly holding public gatherings and other conducts inconsistent with the provisions of the SoE.

Other cultural and social practices were affected because of the restrictions on the number of people allowed to participate in marriage celebrations, funerals and ceremonies for the dead ('awujoh/ sarra'). Opening of night clubs, cinema halls and restaurants were prohibited.

Nurses, members of the burial teams and other health care workers were also asked out of their homes by some landlords/landladies for fear of contracting the disease and infecting other members of the households. GoSL took steps to provide temporary accommodation for the affected health personnel.

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

#### **3.2.1 The Sierra Leone Police (SLP)**

HRCSL noted the selfless role of SLP (supported by R-SLAF and other civilians) in the enforcement of the SoE, at checkpoints, quarantined homes and Ebola hot-spots. They also provided security for healthcare facilities, escort for burial teams and other healthcare workers. However, there were few reports of extortion, inconsistent and discriminatory application in the enforcement of the SoE.

During HRCSL's monitoring visits to some police stations it was observed that the sanitary conditions in the cells were poor and that they were overcrowded. At the Waterloo Police Station, the cells were found to be bare of beds or mattresses, detainees slept on mats and there were faeces and urine on the floors. This is in contravention of Principle 19 of the UN Standard Minimum Rules for the Treatment of Prisoners. Others complained that they only received food either from relatives or magnanimous police officers. This also contravenes

Principle 20 of the UN Standard Minimum Rules for the Treatment of Prisoners as well as Guidelines & Measures for the Prohibition and Prevention of Torture, Cruel, Inhuman or Degrading Treatment or Punishment in Africa ( Robben Island Guidelines) adopted by the African Commission in 2002.

HRCSL on its monitoring visits in March found fifteen detainees at the CID Headquarters police cells at Pademba Road who had been detained for over ten days without being charged to court in contravention of the constitutional detention limits (Section 17(3)(a) & (b) of the 1991 Constitution of Sierra Leone).

The mode of arrest of bike riders in motion by the SLP was noted as a serious concern. Police used chains and sticks with nails on them, to effect arrests, which sometimes led to confrontations, serious injuries and death.

The SLP continued to face challenges with respect to personnel, infrastructure and logistics such as vehicles, computers, and stationery, which affect their general operations.

The Complaints, Discipline and Internal Investigations Department (CDIID) of the SLP investigated 235 cases against police personnel ranging from assault, unlawful detention, and other related violations. Disciplinary measures were taken against personnel who defaulted in the exercise of their duties. These included dismissals, issuance of warning letters, while others were sent for corrective training at the Police Training School.

The Commission acknowledges the establishment of the Independent Police Complaints Board (IPCB) enacted in July 2013 with the mandate to 3(1) (a) investigate the death of any person while in the custody of the police; 3(2) advice the Police Force on ways in which incidents involving the Police Force as provided in these Regulations may be avoided or eliminated, among others.

The IPCB commenced operations during the course of the year with the acquisition of office space and the appointment of members and staff. HRCSL is represented in the Board by one of its Commissioners.

The Commission however notes that there were challenges relating to its full operationalisation due to inadequate funding.

### Recommendations:

1. SLP should provide training for its personnel on the UN Standard Minimum Rules for the Treatment of Prisoners.
2. SLP should ensure that they do not violate the constitutional detention limits for persons in police cells
3. Ministry of Internal Affairs (MIA) and the Sierra Leone Correctional Services should ensure that inmates in police custody are provided with adequate food and facilities.
4. SLP should find safer means of arresting bike riders in motion, and should conduct research regionally and internationally for a more appropriate alternative
5. SLP in collaboration with Sierra Leone Road Safety Authority, and the leadership of the Bike Riders' Association should organize trainings and mentorship to ensure adherence to road traffic regulations
6. GoSL should provide adequate funding for SLP and such resources should be appropriately distributed to all areas of operations
7. GoSL should provide adequate resources for the full operations of the IPCB.

### 3.2.2 The Court System

The right to seek effective redress in the court of justice within a reasonable time is enshrined in section 23 (1) of the 1991 Constitution of Sierra Leone which states that “whenever any person is charged with criminal offence he shall, unless the charge is withdrawn, be afforded a fair hearing within a reasonable time by an independent and impartial court established by law”. This is also supported by international and regional instruments – UDHR (Art. 7), ICCPR (Art. 14) and the ACHPR (Art. 7)

In response to the EVD outbreak, the Office of The Deputy Master and Registrar issued a Memorandum of Understanding (MoU) to all Magistrates, Deputy Assistant Registrars, Principal Assistant Registrars and Justices of the Peace (JPs) regarding precautionary measures to be taken in the courts. Some of these included:

- Screening of all persons entering the court rooms
- Educating or sensitizing litigants on the realities of Ebola
- Decongesting the courts
- Attention to be paid to trial and/or remand prisoners as an effort to decongest the prisons
- Special effort to be made to fast track all existing matters.



HRCSL welcomes the appointment of one High Court Judge for Kenema and six Magistrates to address the shortage of Judges and Magistrates nationwide. Kailahun, Pujehun, Bonthe and kabala are yet to have resident magistrates.

In August 2013, eighteen military officers were detained in custody for alleged mutiny. They were detained for over five months without being charged to court, in violation of the constitutional detention limits. HRCSL held several engagements with the Attorney General (AG) and the DPP on this matter. In April 2014, fourteen of them were later charged with mutiny and trial commenced at a Court-Martial Centre at the Cockeril Military Headquarters.

Delays in processing indictments and the frequent adjournments of cases led to the increase in number of persons on remand in Correctional Centres. HRCSL noted that there were 720 remand inmates and 786 trial inmates in the Freetown Male Correctional Centre in December 2014 as compared to 654 on remand and 644 on trial in 2013.

During HRCSL's monitoring visits in Pujehun and Moyamba, it was reported that prosecution witnesses were absent for hearing while jurors refused to attend sittings on the allegations that they were not given stipends and transportation allowances.

The judiciary is still challenged with poor storage facilities to secure files and exhibits. The lack of computers, recorders, vehicles and poor remuneration continue to affect the work of the judiciary.

### **Juvenile Justice**

In 2014, two juveniles, aged 17 were incarcerated with adults at the Male Correctional Centre at Pademba Road for over six months throughout the preliminary investigations at the Magistrate's Court as well as their trial in the High Court. Detaining children with adults is in contravention of the national and international human rights instruments relating to the protection of juveniles deprived of their liberty. (UN Standard Minimum Rules for the Treatment of Prisoners, Beijing Rules, the African Charter on the Rights and Welfare of the Child and the Child Rights Act).

During their trial in the High Court, the juveniles were not represented, witnesses were hard to get and their matters were constantly adjourned and no parent or relative appeared in court. After several adjournments and remand at the Male Correctional Centre the judge dismissed the matters for lack of evidence and the juveniles were released.

## Recommendations

1. The AGMJ, Police and the Correctional Centre Authorities should respect the constitutional limits for detention and follow due process for all suspects whether they are military personnel or civilians
2. The Judiciary should recruit additional magistrates to serve in the provinces and find alternative ways to expedite cases in the courts so as to reduce the number of remand and trial inmates
3. GoSL should provide adequate resources to the Judiciary in order to improve on access to justice. Special attention should be paid to the provision of specialized storage facility to secure court files and exhibits
4. The Judiciary should use custodial sentences as a last resort for punishing those juveniles who come into serious conflict with the law
5. The Judiciary should also ensure speedy trial of juveniles to reduce the time spent in detention.

### 3.2.3 The Sierra Leone Correctional Services

The Sierra Leone Correctional Service Act 2014, was enacted in September, transforming the Sierra Leone Prisons to Correctional Centres. This Act provides for the organization and management of Correctional Centres and other related matters.

According to the Director General of the Sierra Leone Correctional Services during one of HRCSL's monitoring visits, he maintained that the Institution is committed to protecting the society by keeping inmates in secure and humane conditions whilst encouraging and actively assisting in their rehabilitation and re-integration.

HRCSL's welcomes ongoing efforts to improve service delivery within the Correctional Centre in Freetown by the acquisition of four security vehicles (with funds provided by the GoSL) for easy transportation of inmates to and from court sittings, one water tanker, and one sewage disposal vehicle to tackle the water and sanitation challenges in the centres.

In November, HRCSL visited the Mafanta, Moyamba and Pademba Road Correctional Services Centres to monitor the human rights situation. HRCSL was informed that inmates received food two times per day and the second meal was intended to be two servings, lunch and dinner. The clinics had trained nurses and referrals were made when necessary to government hospitals.

Provisions were made for skills training with the availability of some skill educators, sewing machines, carpentry workshops and weaving rooms.

It was however observed that materials to be used such as textiles, thread and wooden boards were not available.

The general conditions of the Correctional Centres fall below the UN Standard Minimum Rules for the Treatment of Prisoners and the Guidelines & Measures for the Prohibition and Prevention of Torture, Cruel, Inhuman or Degrading Treatment or Punishment in Africa (Robben Island Guidelines) adopted by the African Commission in 2002.

At the Mafanta and Moyamba Correctional Centers, there were inadequate bed nets for inmates, and the general hygiene and sanitary conditions were poor. The water-well at the Mafanta Correctional Centre had dried up and inmates had to fetch water from the nearby stream, which was unsafe for drinking and bathing.

In Freetown, the Male Correctional Centre at Pademba Road was overcrowded with 1,930 inmates far exceeding the maximum capacity of 324 inmates, for which the facility was established. Of this number, 800 were convicted prisoners, 720 were on remand, and 410 were on trial.

HRCSL observed that over 50 inmates selected for the Don Bosco feeding programme appeared to be ill and emaciated. HRCSL is concerned that 43 deaths occurred in Correctional Centres nationwide as follows: Western Area 34, Northern Region- 1, Southern Region –1, Eastern Region – 7, as reported by the Correctional Services Authorities.

There were no reported cases of EVD infection in any of the Correctional Centres. Proactive measures were taken by the Correctional Centres Authorities and their partners to train Correctional Officers on relevant EVD prevention measures. Also restrictions were put on visitation and inmates had to adopt the culture of hand washing and avoiding body contact.

### **Juvenile Detention Facility**

HRCSL is still concerned about the conditions of juveniles in conflict with the law particularly with regards to the delays in accessing justice, the conditions in the remand homes (in Freetown and Bo) and the non-existence of remand homes in more than ten districts.



Ministry of Social Welfare Gender and Children's Affairs (MSWGCA) provided food supplies and transportation for inmates at the remand home in Kingtom, to trial in their respective courts.

At the remand home in Kingtom and the Approved school in Wellington in Freetown, medical and educational facilities were provided by GOAL-Ireland and Defense for Children International (DCI), respectively. During a monitoring visit to the Approved School, HRCSL observed that it had just one dormitory that housed all inmates.

The general sanitary condition was unhealthy, no water supply, broken window panes and worn out mattresses in the dormitory. One inmate who was transferred from Kenema to Freetown to serve his sentence complained that he still remained in detention although he had completed serving his term. The authorities explained that no provision had been made for his return due to the Ebola situation and the quarantining of the district.

The Ebola observation rooms at both Approved School and the Kingtom Remand Home for new inmates were also in deplorable condition: there were no beds but just mattresses on the floor.

### **Recommendations**

1. Ministry of Internal Affairs should capacitate the Sierra Leone Correctional Service in order to fully implement the new Act
2. The Judiciary should take concrete steps to accelerate matters in the courts as well as charge others to court especially for detainees on remand
3. GoSL should improve conditions of service for Correctional Officers
4. The Ministry of Internal affairs and the Correctional Service Authority should facilitate the institution of a Coroner's Inquest into every death occurring within the Correctional Centres
5. MSWGCA should ensure the proper functioning of juvenile detention facilities and establish remand homes in all districts
6. GoSL and the Ministry of Internal affairs guided by international standards, should allocate more resources to juvenile administrations.

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

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

The Ebola outbreak had negative effects on the working environment and the economy of the country. African Minerals Limited (AML) and London Mining scaled down operations and laid off most of their local staff.

In September, Parliament passed the Statutory Instrument No.6 of 2014, The Minimum Rate of Pay Rules, which increased the minimum wage for private workers from Le. 21,000.00 to Le. 500,000.00. This increase was proposed by the MLSS.

The frequent complaints against private security companies for the continuous unlawful dismissal, poor remuneration and the nonpayment of benefits, prompted HRCSL to engage the MLSS in September.

The Ministry increased its staff strength, and expanded its services to new areas: Labour Officers were deployed to Makeni, Kono and Kenema to improve on its service delivery. However, MLSS is still challenged with logistical problems.

#### **Recommendations**

1. MLSS should ensure that all employers comply with, 'The Minimum Rate of Pay Rules'
2. GoSL should adequately resource the MLSS to fully operationalize its newly established offices
3. The MLSS should work with the Law Reform Commission and Parliament to complete reform of laws to ensure just and favourable conditions of work in line with international standards.

#### **3.3.2 Right to Education**

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

The outbreak of the EVD interrupted the reopening of schools and tertiary institutions for

the 2014/2015 academic year. Some school buildings were either used as holding centres or treatment facilities for Ebola patients, thereby impeding the enjoyment of the right to education. To address the delay in the reopening of schools and to keep school children engaged with school work, the Ministry of Education, Science and Technology (MEST) in collaboration with its partners, initiated and launched an alternative education programme for school going children. The programme provided the pupils in the primary and secondary schools the opportunity to continue with their school exercises through radio and television at various times of the day. The teaching lessons were aired four hours a day, six days a week, through 41 radio stations and the Sierra Leone Broadcasting Corporation Television (SLBC-TV).

HRCSL commends MEST for the initiative but it was observed that a good number of children were either out in the streets playing or engaged in street trading when the programmes were being aired. In the rural communities, limited access to radio and TV as well as restricted electricity supply prevented children from tuning in to the teaching programmes.

The Basic Education Certificate Examinations (BECE) and Private West African Secondary School Certificate Examinations (WASSCE) were not conducted on schedule. There were also delays in publishing results for National Primary School Examinations (NPSE) and public WASSCE.

### Recommendations

1. In order to improve on the quality and accessibility, MEST should conduct an evaluation of the radio and TV teaching programme
2. MEST should sensitize parents and the general public on the importance of the Radio and TV teaching programme to increase pupils' participation.
3. MEST should continue with and integrate the radio and TV teaching programme into the education curriculum after the EVD

### 3.3.3 Right to Health

Article 16 of the ACHPR calls on state parties to take the necessary measures to protect the right to health which is also guaranteed by Article 12 of the ICESCR.

The right to health was adversely affected by the outbreak of the EVD. The first case of the EVD was reported in May, in the Kissi Teng Chiefdom, Kailahun District, and the disease subsequently spread to other parts of the country within a short period. In response, H.E. the



President set up a Presidential Taskforce comprising key government ministers and other government functionaries. The Emergency Operation Centre (EOC) was later established to deal with the outbreak. The EOC was transformed on the 17th October, into the National Ebola Response Centre (NERC). Social mobilization led by the President, Parliamentarians and Traditional leaders played a key role in the sensitization and awareness raising of the EVD.



*Members of the burial team at Hastings Treatment Centre in September*

The outbreak exposed the weaknesses in the healthcare system with grave consequences. At the time of the outbreak there was only one centre in the country for the treatment of hemorrhagic fevers and one specialist in virology assisted by five nurses. For over three months, it was the only referral centre handling and treating Ebola cases until the MSF opened a centre in Kailahun.

The MOHS faced numerous challenges trying to halt the spread of the disease in the early days of the outbreak. The number of Ebola laboratories in the country to test blood samples of suspected cases, ambulances, personnel and the financial resources to pay for services were noted to be very inadequate compared to the accelerated rate at which the virus was spreading across the districts.

Many health workers were hesitant to report for duty for fear of contracting the virus due to the lack of adequate Personal Protective Equipment (PPEs) and inadequate training to handle suspected cases.

Ebola precautionary measures were instituted across the country by MOH, NERC and their partners. Hand washing became a must before entering public places.

Veronica buckets and chlorine were distributed



*Nurses undergoing training on the use of PPE gears at the Hastings Ebola Center in September*

by individuals and NGOs to various institutions.

By the end of December, 42 community care-centres, had been established across the country.

This resulted in an increase in the number of patients recovering from the disease. By this time also NERC had registered 7,458 cumulative infection cases, 2,435 deaths (among them doctors, nurses, lab technicians and other frontline health workers) and 1,811 survivors nationwide. However, a good number of survivors were stigmatized by community members.

#### **Ebola Statistics as at 31st December, 2014**

	<b>DECEMBER 2014</b>
<b>Cumulative Cases</b>	<b>7,458</b>
<b>Cumulative Deaths</b>	<b>2,435</b>
<b>Probable Cases</b>	<b>287</b>
<b>Probable Deaths</b>	<b>208</b>
<b>Suspected Cases</b>	<b>1,860</b>
<b>Suspected Deaths</b>	<b>158</b>
<b>Discharged Cases</b>	<b>1,811</b>

*Source: Ministry of Health and Sanitation – [www.health.gov.sl](http://www.health.gov.sl)*

Access to healthcare facilities by pregnant women, lactating mothers and children under five was greatly undermined as a result of fear of contracting the EVD at the health facilities, while some of them were turned away by health officials. The Free Healthcare Programme introduced by GoSL in 2010, which had contributed greatly to the reduction of maternal and infant mortality, was seriously affected. Also, patients suffering from other ailments feared going to the government hospitals for treatment for fear of contracting the virus while those wanting to access private healthcare facilities faced difficulties as many of them closed down. As a result a lot of people lost their lives.

HRCSL made several interventions in providing immediate support and assistance to ensure that sick persons received medical attention. One of such interventions was in September when the Commission supported the transfer of a four year old boy and his father to a health facility when the Ola Doring hospital was closed to the public.

HRCSL would like to remind government of its obligations on the right to health under international human rights treaties it has signed and ratified.

Article 12 of ICESCR states as follows:

1. The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health
2. The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for:
  - a. The provision for the reduction of the stillbirth-rate and of infant mortality and for the healthy development of the child;
  - b. The improvement of all aspects of environmental and industrial hygiene;
  - c. The prevention, treatment and control of epidemic, endemic, occupational and other diseases;
  - d. The creation of conditions which would assure to all medical service and medical attention in the event of sickness

Article 16 of ACHPR states as follows:

1. Every individual shall have the right to enjoy the best attainable state of physical and mental health
2. States Parties to the present Charter shall take the necessary measures to protect the health of their people and to ensure that they receive medical attention when they are sick

Furthermore, African Union Heads of States made a commitment in Abuja in 2001 in the Abuja Declaration on HIV/AIDS, Tuberculosis and other related infectious diseases to *allocate at least 15% of their total annual government budget to the health sector.*

## Recommendations

1. GoSL and Parliament should ensure that the current constitutional review include the enjoyment of the highest attainable standard of physical and mental health as a fundamental human rights in the revised constitution
2. MoHS should ensure that health care personnel are properly trained on the management of EVD and establish emergency response infrastructure to enable GoSL to respond to future outbreaks
3. MoHS and ONS should establish infrastructure for the prevention, treatment and control of epidemic, endemic and other diseases;
4. MoHS should support the reopening of private health care facilities for the treatment of non-Ebola cases



5. GoSL should provide adequate logistical and financial support to the MoHS to contain and eradicate the disease within the shortest possible time
6. GoSL and the College of Medicine and Allied Health Sciences (COMAHS) and international partners should increase the intake and training of doctors, nurses, lab technicians and other frontline health workers through scholarships, improved conditions of service and strengthening of existing healthcare facilities nationwide
7. The Free Healthcare Programme should be revitalized to ensure the reduction of maternal and infant mortality and for the healthy development of the child
8. MoHS, EPA and the Local Councils should step up efforts to ensure the improvement of all aspects of environmental hygiene nationwide
9. GoSL should allocate at least 15% of the annual budget to the health sector in line with the Abuja Declaration and ensure its judicious use
10. GoSL should erect a memorial to honour all doctors, nurses and other frontline health workers who lost their lives in active service to eradicate the EVD
11. GoSL and its international partners should provide a special health care programme to address the healthcare and psychological needs of survivors.

### 3.3.4 Access to Clean and Safe Drinking Water

The Sierra Leone Water Company (SALWACO) introduced the solar powered borehole water systems in communities between Waterloo and Masiaka, which increased access to safe and clean drinking water in these communities. Construction of pipe borne water sources in Makeni, in the North is ongoing. The strides taken by the Ministry of Water Resources and SALWACO were slowed down due to the outbreak of the EVD, affecting the implementation of various projects nationwide.

Furthermore, wastage of water in the Freetown municipality caused by the cutting of pipes by people scouting for water, and some pipes were damaged in the course of road construction. This further reduced the supply of water to communities by Guma Valley Water Company (GVWCO).

HRCSL observed that there was still a limited supply of pipe borne water in the provinces despite the ongoing efforts by the Ministry of Water Resources and SALWACO to increase access to and availability of safe and clean drinking water in the country.

## Recommendations

1. The Ministry of Water Resources and SALWACO should extend the provision of clean and safe drinking water throughout the provinces
2. GVWCO should improve on the management of water supply system. This calls for the effective coordination with road construction companies in order to protect the water pipes
3. GoSL should prioritize the provision of access to clean and safe drinking water in its developmental projects and budgetary allocation.

### 3.4 Women's Rights

#### 3.4.1 Sexual and Gender Based Violence (SGBV)

Violence against women, particularly sexual violence, remains a major challenge in the country. HRCSL observed that in Bo, Kenema and Makeni, SGBV cases were still being compromised by parents and community leaders instead of being referred to the Family Support Unit (FSU) for investigations and subsequent prosecution. In the Northern region, prolonged adjournments of SGBV cases at the High Court caused victims and their witnesses to lose interest and abandon these cases.

The FSU recorded **11,358** cases of Gender Based Violence (GBV) nationwide, disaggregated as follows: sexual penetration of children 2,124; rape of adult women 77; and domestic violence 9,157. According to the 2014 national crime statistics for major offences reported to the FSU country wide, of the 11,358 cases recorded, a total of 2,144 were charged to court and only 255 of these cases were convicted.

#### 3.4.2 International Women's Day

Sierra Leone started celebrating the event in 1995 and it has become a major advocacy event to highlight progress and contribution of women in the political, social, economic and cultural fields and bring to the fore, challenges faced by women in all spheres of life.

The international theme for 2014 “Inspiring Change”, was localized as “Inspiring Change for Women and Girls' Advancement, Participation and Prosperity”. The celebration was preceded by a national conference held in Bo on 6th and 7th March. This celebration was climaxed by a march past on 8th March in Pujehun town, in which various women's groups participated and later presented 'The Women's Position Paper on Gender Equality and Empowerment' to H.E the President during the official ceremony.

### **3.4.3 Gender Equality Policy and Law**

The MSWGCA in collaboration with the HRCSL and the Advocacy Movement Network (AMNET) organized regional consultations to seek the views of community women on the issues they want articulated in the Gender Equality Policy and law. Following the consultations, the MSWGCA prepared a Cabinet Paper to Parliament, requesting approval for drafting of the policy and the Bill.

The Ministry with support from UNDP engaged a national consultant to draft the gender policy. The AGMJ assigned a legal drafts person to the Ministry for the drafting of the law.

### **3.4.4 Beijing Declaration and Platform for Action +20**

MSWGCA in collaboration with organizations working on women's rights issues, prepared and presented a Country Report on the Beijing Declaration and Platform for Action +20 to the United Nations Economic Commission for Africa (UNECA) and UNWOMEN. This document will be discussed during the 2015 Commission on the Status of Women in New York.

### **3.4.5 Capturing the voices of Women in the CRC Review Process**

In July, UNWOMEN in collaboration with MSWGCA, HRCSL and Legal Access through Women Yearning for Equality Rights and Social Justice (LAWYERS) engaged community women country-wide to involve them in the on-going Constitutional Review process. The purpose was to create a platform for the views of all categories of women, especially those marginalized and excluded, to be heard and incorporated into the revised Constitution.

#### **Recommendations:**

1. The Judiciary should take steps to reduce delays in trial of GBV cases
2. The MSWGCA and Law Reform Commission should expedite the passage of the Gender Equality Bill
3. HRCSL calls on the CRC to incorporate the views of women and marginalized groups into the revised constitution as captured in the position papers of various women's groups.



### **3.5. Children's Rights**

#### **3.5.1 Female Genital Cutting (FGC)**

In January, HRCSL received reports of the death of a 9 year old girl in Gbongeima town in the Kono District, Eastern Sierra Leone. She was alleged to have been forcefully initiated into the Bondo Society where she bled profusely and died 4 days later. In February, in the Gorama Mende chiefdom in the Kenema District, also in Eastern Sierra Leone, two young girls also allegedly died as a result of FGC. The two matters were charged to court and the trials are on-going.

A policy on the reduction of FGC is being developed by a consultant of the MSWGCA in collaboration with other MDAs.

Following the outbreak of the EVD and the SoE the government imposed a temporary ban on the practice of FGC in order to mitigate the spread of the disease.

#### **Recommendations**

1. The Judiciary should expedite the trial of the pending cases of death related to FGC
2. GoSL should ensure the full implementation of the Child Rights Act particularly Section 33 (1) which provides for the prevention of torture and degrading treatment of children.

#### **3.5.2 Effect of Ebola Virus Disease on Children**

During the outbreak of the EVD, the MSWGCA, UNICEF, Defence for Children International Sierra Leone (DCI-SL) and the Ben Hirsch Orphanage contributed to addressing issues of child protection especially for children orphaned by the EVD as well as women widowed by the disease.

MSWGCA reported that issues of stigmatization and discrimination among child survivors and those orphaned by Ebola forced children on to the street for shelter and food. MSWGCA and some NGOs intervened by identifying and registering such children for assistance, which greatly improved the situation. Ben Hirsch Orphanage supported by GOAL-SL ran an interim care in Burma III community in Kenema where such children were accommodated before being reunited with their families.

### 3.6 Vulnerable Groups

GoSL's Agenda for Change (PRSP II) classified women in extreme poverty, street children, Persons with Disabilities, Elderly persons, Persons living with HIV/AIDs, Commercial sex workers and ethnic minorities, as vulnerable groups.

#### 3.6.1 Persons with Disability

The EVD outbreak affected the enjoyment of basic human rights by persons with disability. HRCSL noted that some Persons with Disability contracted the disease while some died from the EVD.

National Commission for Persons with Disability (NCPD) continued its work during the course of the year and HRCSL noted that it supplied Veronica buckets and other accessories to these communities.

HRCSL notes that little or no progress was made during the course of the year to ensure that public buildings are disable-friendly. Section 24(1) of the Persons With Disability Act 2011 states that *“Persons with disability shall be entitled to a barrier free environment to enable them have access to buildings, roads and other social amenities and assistive devices and other equipment to assist their mobility”*. Article 9 of the CRPD makes this same provision. HRCSL further notes the continued presence of Persons with Disability on the streets begging compromising their dignity and threatening their health and security.

HRCSL notes that NCPD is still challenged with limited human and financial resources to function effectively.

#### Recommendations

1. MSWGCA should ensure the provision of adequate resources to the NCPD for it to function effectively
2. NCPD should continue to encourage Persons with disability to observe Ebola precautionary measures
3. NCPD should collaborate with partners to popularize the CRPD and Persons with Disability Act, 2011
4. GoSL is urged to make public buildings disable friendly.

### 3.6.2 Persons Living with HIV/AIDS:

According to the National HIV/AIDS Secretariat, the prevalence of HIV/AIDS was still stable at 1.5%. The Secretariat however noted that the EVD affected the gains made and further efforts at prevention and protection against HIV/AIDS test on pregnant women were almost impossible. HRCSL noted that some HIV patients died because they stopped accessing health care centres for fear of contracting the virus.

#### Recommendation

The National HIV/AIDS Secretariat should revitalize the National campaign against HIV/AIDS and increase sensitization on the benefits of accessing health care in spite of the EVD.

### 3.7 Youth

In Sierra Leone, Youth is defined as young people between the ages of 15 and 35 years and this group according to the National Youth Commission accounts for approximately 34% of the national population. The major challenges still faced by youth in the country are unemployment, limited educational opportunities, inadequate housing and the difficulties associated with accessing justice.

The outbreak of the EVD affected activities of youths in all spheres of society mainly academic and business. Schools, vocational centres and tertiary institutions closed down in July and remained close until the end of the year. Businesses were required to close down at 6:00p.m under the emergency regulations. Three main social activities including nightlife, football and cinema were also affected.

Notwithstanding this, youths were actively involved in the fight against the EVD. A good number were engaged in community sensitization campaigns, manning check points to ensure that people complied with community byelaws and other preventive measures like hand washing. They assisted NERC in monitoring quarantined homes, running the emergency call centre, the distribution of soap and medicines during the three day stay at home ('osc-to-osc') and were part of the burial teams.



The EVD affected implementation of programmes by the National Youth Commission (NYC). One of which was the continuation of the Graduate Internship Programme (GIP) currently being implemented. Some youths were however sent to UNDP, NaCSA, and the National Ebola Response Centre (NERC) as interns.

The NYC with support from UNFPA, was able to place twenty youths to acquire skills in auto-mechanics, masonry, plumbing, carpentry, electrical installation in Freetown and Makeni. UNFPA provided them with monthly stipends on a quarterly basis until the Ebola outbreak disrupted the process. However, NYC provided them with transportation stipends which enabled them to complete their training. Plans for post training start-up of their businesses, could not be undertaken due to the increased rate of infection of the Ebola Virus.

### Recommendations

1. NERC, Youth groups and District Ward Committees should continue to engage youths in the fight against Ebola.
2. NYC should continue to source funds for completion of all planned training programmes and provide trainees with startup kits to commence their businesses.

## 3.8 Important Events in Furtherance of the Protection and Promotion of Human Rights

### 3.8.1. Fulfillment of Sierra Leone's Treaty Reporting Obligations

The MSWGCA elicited views from various line MDAs including HRCSL and CSOs and the UN System to compile Sierra Leone's 6th report on the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). The Report was presented to the Committee of Experts in Geneva, on 19th February and followed by an official dialogue with the Committee. The Committee considered the sixth Report and made concluding comments among them Concluding Observation 9, which states:

*“The Committee urges the State party to take immediate steps to ensure the incorporation of the Convention into its domestic legal system in order to make its provisions directly applicable. It calls up on the State party, as a matter of priority, to incorporate into appropriate national legislation a definition of discrimination against women in conformity with article 1 of the Convention. The Committee further calls up on the State party to incorporate the principle of equality between women and men in line with article 2 of the Convention into the Constitution, which*

*is currently being reviewed. Furthermore, the Committee urges the State party to honour its commitment to swiftly enacting the gender equality and women's empowerment bill. Lastly, it recommends that the State party expedite its efforts to ratify the Protocol to the African Charter on Human and Peoples ' Rights on the Rights of Women in Africa '.*

## **Recommendation**

MSWGCA should take steps to implement the recommendations of the Committee against the next reporting cycle

### **3.8.3 Implementing the TRC Recommendations**

#### **The Reparations Programme for War Victims in Sierra Leone**

The Reparations Programmes designed by the TRC with the objective to 'work to help restore the human dignity of victims and promote healing and reconciliation' entered its sixth year of implementation by the Reparations Directorate of the National Commission for Social Action (NaCSA). Activities undertaken by NaCSA were funded by the government and the Multi Partner Trust Fund (MPTF).

GoSL provided Le**6,138,000,000** (Six billion one hundred and thirty eight million Leones) for payment of rehabilitation grant. The bulk of this money was used to conduct a physical re-verification exercise for 2,512 of the severely wounded victims in the residual case load in April: out of this number only 1,618 were certified as eligible beneficiaries. Each beneficiary received Le**3,000,000** (three million Leones).

In addition, GoSL provided Le**500,000,000** (five hundred million Leones) as counterpart funding to the MPTF grant of Le**6,037,500,00** (six million thirty seven thousand five hundred Leones). This was used to conduct monitoring of the use of the Rehabilitation Grant that was provided to 1,298 beneficiaries in 2013.

NaCSA was unable to implement all its planned activities such as medical evaluation for the second batch (950) of war wounded victims whose status had not been determined and certified, due to the outbreak of the EVD. Furthermore, due to the unavailability of funds, training and distribution of training kits and micro grants to the remaining 2,592 victims of sexual violence could not be done.

## Recommendations

1. NaCSA should source fund from GoSL, donor partners and the public to complete its training programme for victims of sexual violence
2. The Board of Trustees for the Trust Fund for War Victims should assist NaCSA in raising funds for the completion of all programmes before the implementation period ends.

### 3.8.3 The Constitutional Review (CRC)

The process of reviewing the 1991 Constitution continued with consultations in the first half of the year. The Constitutional Review Committee (CRC) which is tasked with reviewing the 1991 Constitution undertook a series of activities to ensure the success of the entire process. In early 2014, it held a technical workshop where a roadmap for the Constitutional Review Process was developed. In March Parliamentarians were engaged in a Mediation and Conflict Resolution Session. Key among the activities of the CRC was the consultations with over 100 MDAs and CSOs. Through these consultations the CRC received over 50 position papers from various groups.

GoSL contributed its own share of \$ 1.6m (One Million Six Hundred Thousand U.S Dollars) to the process. Donor partners provided funds for the execution of the Committee's activities and to CSOs and media partners, to undertake civic and public education as well as consultations on the review process.

Notwithstanding these achievements, the outbreak of the EVD hampered the work of the CRC in the second half of the year. Regional consultations to gather information, views and aspirations of citizens to be included in the reviewed constitution, were not held as planned.

CSOs and the public have called on the CRC for a consideration of some of the TRC and UPR recommendations, especially the abolition of the death penalty to be included in the revised Constitution.

## Recommendations

1. The CRC should pay attention to the TRC recommendations especially those recommendations on human rights and repeal of legislation.



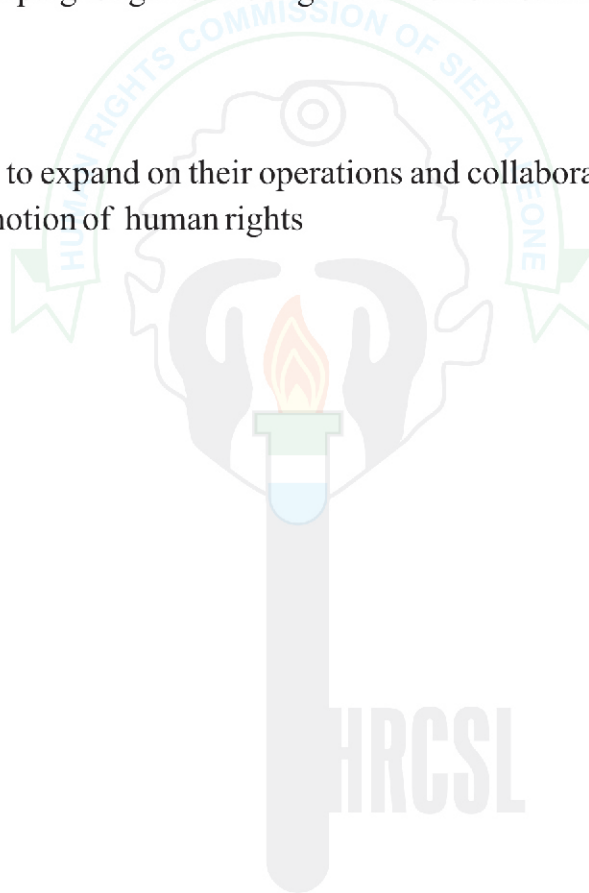
2. The CRC should ensure that it captures the views of the public by engaging not only in nationwide consultation, but also with different groups; men, women, youth and communities.

### 3.9 Human Rights Defenders (HRDs)

The Human Rights Defenders in collaboration with HRCSL engaged in complementing the efforts of the government and its partners through monitoring of quarantined homes and radio sensitizations. They called on government and NERC to pay attention to the logistical needs of the security personnel as well as other frontline health workers. HRD was also involved in massive campaigns against the stigmatization of health workers by the public.

#### Recommendation

HRCSL calls on HRDs to expand on their operations and collaborate with other partners in the protection and promotion of human rights



## **Part 4: Recommendations**

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

#### **4.1 Civil and Political Rights**

##### **4.1.1 Right to life**

###### **Recommendation**

GoSL should immediately investigate the shooting incident in 2014 and speedily conclude investigation of the 2012 incident.

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

###### **Recommendations**

1. GoSL and the CRC should implement the TRC and Universal Periodic Review (UPR) recommendations for the abolition of the death penalty.
2. HRCSL urges the government through the Office of the Attorney General and Minister of Justice, to sign the Second Optional Protocol to the ICCPR on the abolition of the death penalty.

##### **4.1.2 Security of the Person**

###### **Recommendations**

1. Ministry of Works (MoW) and the SLRA should take urgent steps to repair the Rogbere and Aberdeen Bridges.
2. Ministry of Agriculture, Forestry and Food Security (MAFFS), the Ministry of Lands, Country Planning and Environment, Office of the National Security (ONS), and Environmental Protection Agency (EPA) should take measures to prevent squatters from occupying disaster prone areas and mobilize resources to relocate current inhabitants of these areas.

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

###### **Recommendations**

1. Parliament should repeal the seditious libel provisions of the Public Order Act of 1965 to ensure freedom of the press. It is worth noting that this is the



2. eighth time the Commission is making this recommendation.
2. GoSL should continue to support the work and independence of the IMC.

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

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

#### **Recommendations:**

1. SLP should provide training for its personnel on the UN Standard Minimum Rules for the Treatment of Prisoners.
2. SLP should ensure that they do not violate the constitutional detention limits for persons in police cells
3. Ministry of Internal Affairs (MIA) and the Sierra Leone Correctional Services should ensure that inmates in police custody are provided with adequate food and facilities.
4. SLP should find safer means of arresting bike riders in motion, and should conduct research regionally and internationally for a more appropriate alternative
5. SLP in collaboration with Sierra Leone Road Safety Authority, and the leadership of the Bike Riders' Association to organize trainings and mentorship to ensure adherence to road traffic regulations
6. GoSL should provide adequate funding for SLP and such resources should be appropriately distributed to all areas of operations
7. GoSL should provide adequate resources for the full operations of the IPCB.

### **4.2.2 The Court System**

#### **Recommendations**

1. The AGMJ, Police and the Correctional Centre Authorities should respect the constitutional limits for detention and follow due process for all suspects whether they are military personnel or civilians
2. The Judiciary should recruit additional magistrates to serve in the provinces and find alternative ways to expedite cases in the courts so as to reduce the number of remand and trial inmates
3. GoSL should provide adequate resources to the Judiciary in order to improve on access to justice. Special attention should be paid to the provision of



- specialized storage facility to secure court files and exhibits
4. The Judiciary should use custodial sentences as a last resort for punishing those juveniles who come into serious conflict with the law
  5. The Judiciary should also ensure speedy trial of juveniles to reduce the time spent in detention.

#### **4.2.3 The Sierra Leone Correctional Services**

##### **Recommendations**

1. Ministry of Internal Affairs should capacitate the Sierra Leone Correctional Service in order to fully implement the new Act
2. The Judiciary should take concrete steps to accelerate matters in the courts as well as charge others to court especially for detainees on remand
3. GoSL should improve conditions of service for Correctional Officers
4. The Ministry of Internal affairs and the Correctional Service Authority should facilitate the institution of a Coroner's Inquest into every death occurring within the Correctional Centres
5. MSWGCA should ensure the proper functioning of juvenile detention facilities and establish remand homes in all districts
6. GoSL and the Ministry of Internal affairs guided by international standards, should allocate more resources to juvenile administrations.

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

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

##### **Recommendations**

1. MLSS should ensure that all employers comply with, 'The Minimum Rate of Pay Rules'
2. GoSL should adequately resource the MLSS to fully operationalize its newly established offices
3. The MLSS should work with the Law Reform Commission and Parliament to complete reform of laws to ensure just and favourable conditions of work in line with international standards.

### 4.3.2 Right to Education

#### Recommendations

1. In order to improve on the quality and accessibility, MEST should conduct an evaluation of the radio and TV teaching programme
2. MEST should sensitize parents and the general public on the importance of the Radio and TV teaching programmes to increase pupils' participation.
3. MEST should continue with and integrate the radio and TV teaching programme into the education curriculum after the EVD

### 4.3.3 Right to Health

#### Recommendations

1. GoSL and Parliament should ensure that the current constitutional review include the enjoyment of the highest attainable standard of physical and mental health as a fundamental human rights in the revised constitution
2. MoHS should ensure that health care personnel are properly trained on the management of EVD and establish emergency response infrastructure to enable GoSL to respond to future outbreaks
3. MoHS and ONS should establish infrastructure for the prevention, treatment and control of epidemic, endemic and other diseases;
4. MoHS should support the reopening of private health care facilities for the treatment of non-Ebola cases
5. GoSL should provide adequate logistical and financial support to the MoHS to contain and eradicate the disease within the shortest possible time
6. GoSL and the College of Medicine and Allied Health Sciences (COMAHS) and international partners should increase the intake and training of doctors, nurses, lab technicians and other frontline health workers through scholarships, improved conditions of service and strengthening of existing healthcare facilities nationwide
7. The Free Healthcare Programme should be revitalized to ensure the reduction of maternal and infant mortality and for the healthy development of the child
9. MOHS, EPA and the Local Councils should step up efforts to ensure the

- improvement of all aspects of environmental hygiene nationwide
10. GoSL should allocate at least 15% of the annual budget to the health sector in line with the Abuja Declaration and ensure its judicious use
11. GoSL should erect a memorial to honour all doctors, nurses and other frontline health workers who lost their lives in active service to eradicate the EVD
12. GoSL and its international partners should provide a special health care programme to address the healthcare and psychological needs of survivors.

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

##### **Recommendations**

1. The Ministry of Water Resources and SALWACO should extend the provision of clean and safe drinking water throughout the provinces
2. GVVCO should improve on the management of water supply system. This calls for the effective coordination with road construction companies in order to protect the water pipes
3. GoSL should prioritize the provision of access to clean and safe drinking water in its developmental projects and budgetary allocation.

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

##### **Recommendations:**

1. The Judiciary should take steps to reduce delays in trial of GBV cases
2. The MSWGCA and Law Reform Commission should expedite the work on the Gender Equality Bill
3. HRCSL calls on the CRC to incorporate the views of women and marginalized groups into the revised constitution as captured in the position papers of various women's groups.



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

##### **Female Genital Cutting (FGC)**

###### **Recommendations**

1. The Judiciary should expedite the trial of the pending cases of death related to FGC
2. GoSL should ensure the full implementation of the Child Rights Act particularly Section 33 (1) which provides for the prevention of torture and degrading treatment of children.

#### **4.6 Vulnerable Groups**

###### **Recommendations:**

5. MSWGCA should ensure the provision of adequate resources to the NCPD for it to function effectively
6. NCPD should continue to encourage Persons with disability to observe Ebola precautionary measures
7. NCPD should collaborate with partners to popularize the CRPD and Persons with Disability Act, 2011
8. GoSL is urged to make public buildings disable friendly.

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

###### **Recommendation**

The National HIV/AIDS Secretariat should revitalize the National campaign against HIV/AIDS and increase sensitization on the benefits of accessing health care in spite of the EVD.

#### **4.7 Youth**

###### **Recommendations**

1. NERC, Youth groups and District Ward Committees should continue to engage youths in the fight against Ebola.

2. NYC should continue to source funds for completion of all planned training programmes and provide trainees with startup kits to commence their businesses.

## **4.8 Important Events in Furtherance of the Protection and Promotion of Human Rights**

### **4.8.1. Fulfillment of Sierra Leone's Treaty Reporting Obligations**

#### **Recommendation**

MSWGCA should take steps to implement the recommendations of the Committee against the next reporting cycle

### **4.8.2 Implementing the TRC Recommendations**

#### **The Reparations Programme for War Victims in Sierra Leone**

#### **Recommendations**

1. NaCSA should source fund from GoSL, donor partners and the public to complete its training programme for victims of sexual violence
2. The Board of Trustees for the Trust Fund for War Victims should assist NaCSA in raising funds for the completion of all programmes before the implementation period ends.

### **4.8.3 The Constitutional Review (CRC)**

#### **Recommendations**

1. The CRC should pay attention to the TRC recommendations especially those recommendations on human rights and repeal of legislation.
2. The CRC should ensure that it captures the views of the public by engaging not only in nationwide consultation, but also with different groups; men, women, youth and communities.

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

#### **Recommendation**

HRCSL calls on HRDs to expand on their operations and collaborate with other partners in the protection and promotion of human rights.

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



**BRIMA A SHERIFF**

**COMMISSIONER**

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**DAPHNE OLU-WILLIAMS**

**COMMISSIONER**

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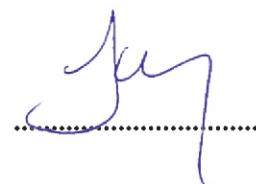
**BRYMA V. S. KEBBIE**

**COMMISSIONER**

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**JEMESINA E.L. KING**

**COMMISSIONER**

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**REV. MOSES B. KHANU**

**COMMISSIONER**

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## APPENDIX

### AUDIT REPORT



Human Rights Commission of Sierra Leone  
*Financial Statements for the year ended 31<sup>st</sup> December, 2013*

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal controls relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal controls.

An audit also includes evaluating the:

- appropriateness of accounting policies used;
- reasonableness of accounting estimates made by management;
- overall presentation of the financial statements; and
- adequacy of design and the effective implementation of internal controls.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

#### Unqualified Opinion

In my opinion the financial statements of the Commission give a true and fair view, in all material respects, of the financial position as at 31<sup>st</sup> December 2013 and its financial performance for the year then ended.

  
AUDITOR GENERAL



Human Rights Commission of Sierra Leone  
Financial Statements for the year ended 31<sup>st</sup> December, 2013

## STATEMENT OF FINANCIAL POSITION

<i>In Thousands of Leones</i>	Notes	2013	2012
<b>Assets</b>			
Non Current Assets			
Property, Plant and Equipment	17	657,808	951,107
Total Non-current Assets		<u>657,808</u>	<u>951,107</u>
<b>Current Assets</b>			
Cash and Cash Equivalent	15	230,174	510,702
		<u>230,174</u>	<u>510,702</u>
<b>Total Assets</b>		<u>887,982</u>	<u>1,461,809</u>
<b>Liabilities</b>			
Non Current Liabilities			
Accumulated Fund	16	(358,147)	191,861
Capital Grant		1,176,409	1,182,005
<b>Current Liabilities</b>			
Creditor		54,720	41,943
Accrued Audit fee		15,000	46,000
		<u>887,982</u>	<u>1,461,809</u>

These Financial Statements were approved on 20<sup>TH</sup> MARCH 2015

.....Chairman/Commissioner




Human Rights Commission of Sierra Leone  
Financial Statements for the year ended 31<sup>st</sup> December, 2013

## STATEMENT OF COMPREHENSIVE INCOME

<i>In Thousands of Leones</i>	Notes	2013	2012
<b>INCOME</b>			
Government	2	4,950,112	3,513,002
External Support	3	1,275,901	1,443,820
Refund		20,358	1,095
Proceeds from sale of Assets		6,000	5,311
Transfer		-	272,220
Interest Received		93	-
Total Income		<u>6,252,464</u>	<u>5,235,448</u>
<b>EXPENDITURE</b>			
Staff Cost	4	3,972,093	2,291,526
Administrative Expenses	5	1,349,255	1,010,988
Program Expenses	6	98,976	286,910
Irish Aid	7	459,000	43,296
UNDP	8	-	34,939
UNIFEM	9	-	29
GIZ	10	-	4,787
PBF	11	919,410	854,118
UNFPA	12	470	215,224
OSI/WP	13	3,243	44,722
Total Expenditure		<u>6,802,447</u>	<u>4,786,539</u>
Surplus/(Deficit) for the year		(549,983)	348,909

These Financial Statements were approved on.....20<sup>TH</sup> MARCH.....2015

..........Chairman/Commissioner





Ebola is real, lets continue the fight

**HRCSL: Making Rights Real**

