

Cover page

**Sierra Leone UPR Second Cycle Stakeholders Report – Joint Submission**

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**Background information**

In 2010 Amnesty International-UK (AI-UK) trained 19 CSOs on the UPR process including the submission of stakeholders' reports to the Human Rights Council pursuant to UN Resolution 5/1. All the 19 CSOs submitted individual reports to AI-UK which were subsequently collated and sent to the OHCHR in Geneva.

In early 2011 another international organisation, International Services for Human Rights (ISHR), with headquarters in Geneva, also trained CSOs in the Mano River basin on the UPR process. This motivated most CSOs in Sierra Leone to be interested in the UPR process.

In November 2011 the Human Rights Commission for Sierra Leone organised a two day national conference to sensitise CSOs and the general public about the UPR Recommendations accepted by the Government of Sierra Leone in the first cycle. Fortunately most of the recommendations submitted by CSOs were reflected in the recommendations by the Council to Sierra Leone and 126 out of 129 were accepted by the government.

Immediately after the conference CSOs and journalists mobilised themselves to form a network to follow up government implementation of the recommendations and for the submission of second cycle joint stakeholders' reports. In March 2012 the CSO UPR Monitoring Group- Sierra Leone (CUMG-SL) was formed comprising CSOs and journalists. The mandate of CSO UPR Monitoring Group is to monitor the implementation of the UPR process, engage stakeholders and submit stakeholders' reports to the Human Rights Council in Geneva.

In February 2014 CUMG-SL was among CSOs that submitted a midterm assessment report to UPR info that was published in their mid-term report<sup>1</sup>. This report highlighted the status of implementation of the recommendation since 2011.

It is in fulfillment of this mandate the CUMG-SL is submitting this report to UN Human Rights Council for the 24<sup>th</sup> session of second cycle UPR to be held in January- February 2016. CUMG-SL is working assiduously to attain ECOSOC status for active participation in all subsequent UPR processes.

Since May 2014 Sierra Leone is experiencing a catastrophic Ebola epidemic. This had a devastating effect on the implementation of the recommendations and the human rights situation in general. CUMG-SL members therefore raised corruption as an emerging issue exacerbated by the Ebola epidemic.

**(See annex showing list of CSO members submitting this report)**

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<sup>1</sup> [www.upr.info/uprmidtermreport/sierraleone](http://www.upr.info/uprmidtermreport/sierraleone)

## A. Introduction and Methodology

1. The CUMG-SL has prepared this joint report in order to respond to the status of implementation of the recommendations accepted by the Government of Sierra Leone during its first cycle review and also to raise concerns about emerging human rights issues. Several key areas are discussed including labour and employment rights, discrimination, access to justice, education, health, teenage pregnancy, poverty and corruption. Key recommendations are made for the Council's attention to be raised with the Government of Sierra Leone to further improve the human rights situation in Sierra Leone.
2. Before preparing this report, information gathering meetings on first cycle UPR recommendations and emerging issues were held nationwide (including four in the regional headquarter towns of Bo, Makeni, Kenema and Freetown and one in Moyamba where the Monitoring Group has been active since its establishment). The meetings examined the status of field implementation of the first cycle recommendations and its impact on the ground. Participants included CSOs, journalists and government representatives. This composition was to ensure credibility of information provided by CSOs monitoring the human rights situation on the ground in their different communities. The meeting therefore gave opportunity to CSOs and journalists to recount first-hand information as incidents on their activities on the ground. As such Government representatives had the opportunity to clarify issues raised by the CSOs and journalists. Where consensus on certain issues was not reached they were deferred for further clarification before being included in the report.
3. Members of Parliament (MP) including a Paramount Chief Member of Parliament (PCMP) from Moyamba were consulted. Interestingly the meeting concluded that MPs have never been involved in the UPR process. Fortunately they expressed enthusiasm to work with CUMG-SL up to submitting the report and more importantly in the follow up activities after the second cycle recommendations. A key outcome of this meeting was the establishment of a CSO-MP UPR Network. The MPs present agreed that some of their concerns raised in the meeting on the Sierra Leone human rights situation be included in the report.
4. The final meeting comprised exclusively CSO representatives nationwide. The feedback from participants at this meeting helped to validate this joint submission and the priority issues to be addressed by the Council in its 24th session were unanimously agreed.

## A. Priority Human Rights Issues in Sierra Leone since the first cycle review

### *Labour and Employment*

5. Sierra Leone still has obsolete labour laws<sup>2</sup>, inadequate health and safety measures at work and weak implementation of local labour laws and policies. Job opportunities to access skilled labour are very limited to Sierra Leoneans as the country is still struggling to get institutions that provide the required skilled job especially in the mining and agricultural sectors<sup>3</sup>. Most of the jobs are held by foreign nationals as expatriates. More than half of senior management positions are held by these foreign nationals.
6. In the 1<sup>st</sup> cycle, the government of Sierra Leone accepted to sign and ratify ILO conventions Nos. 138 and 159 dealing with minimum age and all forms of child labour and also health and safety at

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<sup>2</sup> Wages and Industrial Relationship Act 1971

<sup>3</sup> Today the London Mining Limited, African Minerals Limited, Koidu Holdings, Sierra Rutile Mining limited, ADAX Bioenergy and Sucfin Agricure Company employ more than 500,000 youths in the country

work. It also accepted to ensure respect for workers and equality at work including mine workers. Most of these commitment are yet to be fully implemented

7. At national level section 8 (3) (b & e) of the 1991 Constitution provides that state policy shall be geared towards ensuring work with equal pay and favorable working environments. Section 14 however does not guarantee employment as a right rather a state policy to be guided by Parliament while enacting legislations.
8. Since the first cycle the government of Sierra Leone took several positive steps towards improving labour and employment conditions in Sierra Leone: The Government is continuing to support a pension policy established in 2001 called National Social Security and Insurance Trust (NASSIT) where all employers are under legal obligation to pay employees 10% of their monthly salaries as employee retirement benefit. In 2014 cabinet adopted a labour policy called Local Content Policy 2014 ensuring at least 10% employees in all senior management position in the private sector be Sierra Leoneans. Government enacted the Minimum Wage Budget Appropriation Act 2015 stipulating that no employer should pay a monthly salary of less than Le500, 000 (\$100.00/month) to any employee. Since the last review, Government has established child labour desks in the Ministry responsible for labour to combat child labour.
9. However there is a very little effort by government to raise public awareness on the existence of these positive steps. Government is not linking these efforts to the UPR Recommendations. Redress mechanisms to ensure full enforcement of these policies are ineffective e.g enforcement of minimum wages, illegal dismissal, and training on health and safety for mine workers. Mining agreements are not in line with existing laws and policies. Government development policy called Agenda for Prosperity made little provision for improving labour and employment conditions.
10. In April 2015 more than 500 employees formerly working for London Mining Limited, Commium SL Limited were dismissed without receiving benefits due to them. London Mining was sold to Timis Corporation while Commium Limited was declared bankrupt and closed. Workers of African Mineral were dismissed because they demonstrated against the management for poor condition of service and no respect for corporate social responsibility. Society for Peace and Development (SPAD-SL) reported that security personnel at Mount Everest Security Agency, Pendrax Security Agency, SSGI Security Agency are still paid less than Le 500,000 per month despite the passage of the Minimum Wage Appropriation Act 2015<sup>4</sup> showing lack of enforcement by government.
11. Government indicates its commitment to encourage investors in the mining and agricultural sectors so as to increase employment. However, Government needs international assistance to develop laws and policies to improve the conditions of labour force in Sierra Leone
12. CUMG-SL recommends to the council to urge the government of Sierra Leone to take the following measures:
  - i. be reminded of its obligation to ensure that all existing obsolete labour laws are reviewed to comply with international minimum ILO standards especially child labour and exploitation & health and safety at work.
  - ii. put measures in place to ensure that penalties and fines are levied against defaulters of all national labour laws.
  - iii. strengthen the Ministry of Labour, Local Content Desk of the Ministry of Trade and Industry and the Industrial Court to speedily and effectively deal with all labour complaints.

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<sup>4</sup> This Act raised minimum wage from 21,000 Leones to 500,000 Leones.

- iv. ensure effective use of the media and community structures to raise awareness on all labour laws and the local content policy 2012
- v. Invest in creating more employment opportunities in the formal sector

### *Discrimination*

13. There still exists discriminatory laws and practices especially in land ownership and use against women. Women also face discrimination in decision making processes and political representation, mostly due to stereotypes and traditional norms and customs. Equally persons with disabilities in Sierra Leone are facing discrimination with regards to access to transportation, employment, infrastructure, health and education.
14. The GoSL accepted to ratify Optional Protocols to CEDAW and Convention on the Rights of Persons with Disabilities as well as the African Charter on the Rights of Women respectively. It also accepted to fully implement CEDAW and take measures including policies that will ensure gender equality, active participation of women in public and tackle discrimination
15. Government of Sierra Leone has signed and ratified Convention against all forms of Racial Discrimination, CEDAW, ACRWA. However the government has only signed OP-CEDAW, OP-CRPD and OP-ACRWA but not yet ratified.
16. The Sierra Leone 1991 Constitution<sup>5</sup> provides for non discrimination on the basis of race, tribe, sex, place of origin, political opinions, colour or creed including those with disabilities. This provision has a serious lacuna<sup>6</sup> for women as it does not cover their rights with respect to adoption, marriage, divorce, burial, devolution of property on death or other interests of personal or customary laws of a particular race or tribe. Section 171 (15) of the same provides that the Constitution is the supreme law to any other law in Sierra Leone
17. Since the first cycle the government of Sierra Leone took positive steps towards improving non discrimination conditions in Sierra Leone. For the Government has developed a Women's Empowerment and Gender Equality policy that attempts to address some of the issues.. Government has enacted the Persons with Disabilities Act 2011 protecting persons with disabilities against discrimination in education, transportation, employment, accessibility to public buildings and health services. Government has enacted the Local Court Act 2008 giving rights to women to serve as Local Court chairpersons and transferring the power of the Attorney General and Minister of Justice to appoint Chairpersons and supervise the court administration to the Chief Justice.
18. However, there has been very little effort by the government of Sierra Leone to raise public awareness on the existence of these rights. Government is not linking these efforts to the UPR Recommendations. The Chieftaincy Act of 2009 stipulating customary laws prevail in all Paramount Chief election clearly discriminate against women. There are limited or no consultations with women and children especially those with disabilities in the development of land agreements signed between government and mining / agricultural companies. For example, in the mining areas of Tonkolili, Port Loko and Pujehun districts respectively women are routinely not consulted before signing land agreements. Only traditional leaders and male heads of families are consulted during land negotiations.

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<sup>5</sup> Sierra Leone 1991 Constitution Act No 6 is the supreme law of Sierra Leone

<sup>6</sup> Section 27 (4d) of the 1991 Sierra Leone 1991 Constitution

19. Even with the passage of the Persons with Disability Act 2011, persons with disabilities are still facing serious challenges in accessing education, transportation, employment, accessibility to government buildings and health services as to date no effective implementation plan of this act is yet to be made public. The 30% quota of female representatives in Government as recommended by the TRC has not been implemented. Out of the 112 elected Members of Parliament (MP) only 14 are women. The 10% quota for youth in Governance recommended by the Truth and Reconciliation Commission (TRC) is yet to be fully implemented.
20. The CUMG-SL calls on the the HRC in its 24th session to urge the Government of Sierra Leone : to ensure that the rights of women to own land are fully protected in the new Constitution under review; to ensure full participation of land owners including women and children in all land agreements with multinational mining and agricultural companies ; to ensure that PWD Act 2011 and the convention on the Rights of PWD are fully implemented; to take practical steps to legislate the 30% quota for women in all spheres of leadership accepted by the President in 2012 and recommended by Truth and Reconciliation Commission (TRC); to implement the 10% quota in Governance allocated to youth recommended by the TRC; to refrain from establishing numerous Commissions without the resources for their effective functioning.

### *Access to Justice*

21. The country experiences poor administration of justice: delayed trials, interference due to political appointments of legal and police officials; inadequate Legal Aid Scheme for indigents, ineffective victim and witness protection laws, arbitrary detentions, congestion in detention centres and inadequate juvenile facilities and human disappearances especially in the southern district of Moyamba.
22. In the first cycle the GoSL accepted to strengthen the judiciary by improving the conditions of service for judges, the conditions in prisons (especially for juvenile offenders) and the Family Support Unit (FSU): which is the unit of the Sierra Leone Police (SLP) responsible for investigating and prosecuting perpetrators of Sexual and Gender Based Violence (SGBV), and providing support to victims. Furthermore compensation, restitution and rehabilitation for victims of human rights violations were accepted by the GoSL including ensuring local courts' compliance with international human right standards. In fact government accepted to strengthen the Human Rights Commission of Sierra Leone to carry out their mandate fully. Importantly the government accepted to strengthen the Complaints Discipline Investigation Internal Department (CDIID) and establish a separate Independent Police Complaints Board.
23. The government of Sierra Leone is a signatory to ICCPR. Also Chapter 111 of the 1991 Constitution guarantees the right to access justice for all.
24. Since the first cycle the government of Sierra Leone took positive step towards improving administration of justice in Sierra Leone. A new Bill titled the Correctional Service Act 2015 has been enacted changing 'prisons' to 'correctional services'. The new Local Court Act 2008 has replaced the 1965 Local Court Act placing local court administration under the judiciary supervision formerly under the Attorney General & Minister of Justice. Government has also established Local Police Partnership Boards to improve police/community relations and police effectiveness since 2014. Special dates and extra judges are now assigned to speedily prosecute all SGBV cases. A Pre-trial Bill is presently in Parliament to be enacted into law to address the huge complaints of prolonged pre-trial detention. (in certain cases suspects or accused spending days in detention exceeding the penalty provided by law for that particular crime under prosecution.

25. Even with the new Correctional Services Act 2015 there are no significant changes in prison conditions including over congestion, rehabilitation, poor hygiene and food situation. There are still delayed trials due to inadequate number of customary law officers, judges and magistrates especially in the interior. For example, only one High Court Judge covers the entire four southern districts of Bo, Moyamba, Bonthe and Pujehun respectively and the other judge covers the entire eastern districts of Kenema, Kono and Kailahun. In fact the entire judicial system is grossly under funded making it difficult to dispense justice and with the tendency for political interference. There are still stiff bail conditions for minor crimes causing severe over congestion in detention centers. There is no visible implementation plan for the new Local Court Act 2008. The rules and procedures for the appointment of members of the Independent Police Complaints Board is not well popularised. The FSU is seriously underfunded making their ability to investigate and prosecute SGBV cases a huge task. No compensation was given to victims of 2012 Bumbuna incident and workers were denied their rights to freedom of association as stated in the 1991 constitution<sup>7</sup>. The Human Rights Commission of Sierra Leone responsible for protection and promotion of human rights in Sierra Leone is grossly under funded. Even the funds allocated are most times delayed for months affecting their annual plan of action.
26. In the Moyamba district several alleged SGBV perpetrators were released on bail and after spending more than a number of days prescribed by the 1991 Constitution; some even jump bail due to the length of time their cases are delayed. This act is most times taken by the police prosecutors due to delayed advice by the only Customary Law Officer resident in Bo covering the entire seven districts in South and Eastern provinces respectively. During the Bumbuna incident in April 2012 Human Rights Commission (HRCSL)<sup>8</sup> investigated and confirmed Sierra Leone Police deliberately killed a woman and physically wounded nine (9) civilians. Since then no compensation or restitution has been made to victims or their families even though the HRCSL investigation proved human rights violation by the police. Provision was only made for funeral ceremony for the late woman. The budget allocated to Human Rights Commission of Sierra Leone for 2015 was reduced by more than 30%. In 2014 one SSGI security personnel was killed at Sierra Rutile Mining Company Ltd in Ghangatok, Moyamba district and since the head of SSGI ran away no further investigation was done by the Sierra Leone Police.
27. CUMG-SL therefore recommends the following measures to be considered by the Council in the second cycle review. The government of Sierra Leone to:
- i. further strengthen the capacity of judicial system both in budgetary allocation and facilities in the Local and national court systems.
  - ii. increase budget allocation and speedily provide the necessary resources for the effective operation of the Human Rights Commission for Sierra Leone
  - iii. strengthen the Family Support Unit (FSU) to be fully capacitated to investigate and prosecute the huge number of SGBV cases nationwide.
  - iv. upgrade the newly transformed Prison (now Correctional Services) and build more juvenile detention centers in all 12 district headquarter towns so as to comply with minimum international detention standards.
  - v. repeal the seditious libel laws in the new constitution under review.
  - vi. speedily amend the Criminal Procedure Act (CPA) of 1965.
  - vii. fast track the enactment of the Pre-trial Detention Bill.
  - viii. abolish harmful traditional practices dealing with FGM/C both in national and customary laws in compliance with international human rights standards

<sup>7</sup> Section 26 of the Sierra Leone 1991 constitution

<sup>8</sup> [www.hrsl.org/sites/hrslbumbunaenquiry](http://www.hrsl.org/sites/hrslbumbunaenquiry)

- ix. compensation for human right violations be included in the 1991 constitution with appropriate enforcement mechanism
- x. African Mineral Limited fully compensates victims and their families of the Bumbuna incident in April 2012.

### **Poverty**

- 28. The majority of Sierra Leoneans especially youth and women suffer from inaccessibility of basic needs (microfinance loan, food, shelter, clothing, and water) despite the abundance of Sierra Leone's natural resources. In 2011 Government accepted to continue the fight against poverty with support from international community, including effective measures for poverty alleviation strategy and through political reforms and basic human rights approaches especially right to subsistence, socio-economic development and basic social services within the framework of the MDGs.
- 29. The Government of Sierra Leone has signed and ratified ICESCR , Committed to MDG pillar 1 dealing with poverty and Chapter 11 of the 1991 Constitution provides for the state of Sierra Leone to 'harness all the natural resources to promote national prosperity and an efficient, dynamic and self-reliant economy and manage it in a manner as to secure the maximum welfare and freedom of every citizen on the basis of social justice and equality of opportunity'. In this chapter all organs of Government and all authorities and persons exercising legislative, executive or judicial powers are under obligation to conform, observe and apply these provisions.
- 30. Since the first cycle the government of Sierra Leone has taken positive measures towards alleviating poverty in Sierra Leone. Government has developed the 3rd Poverty Reduction Strategy Paper in the Agenda for Prosperity for 2012- 2017. With the assistance of the international community it has improved the construction of roads in urban cities, feeder roads and food security through opening rural agricultural banks in all the 12 districts.
- 31. However there is a high level of inaccessibility to adequate shelter and food due to non affordability as result of high rate of poverty<sup>9</sup>. According to One family People, during the Ebola outbreak no adequate provision was made for most persons with disabilities and the aged who rely on street begging for their daily survival. As a result the majority of these vulnerable groups went without food for more than six months therefore making them prone to Ebola epidemic.
- 32. CUMG-SL would like the Council to raise the following recommendations to GoSL
  - i. increase budgetary allocation by at least 20% towards accessing basic social facilities including food, shelter, energy and water
  - ii. increase budget allocation for the construction of feeder roads especially those linking farming communities
  - iii. construct additional accessible and affordable low cost housing for poor and marginalised communities
  - iv. create access to revolving loans to at least 60 % among poor communities especially women and youth

### **Heath**

- 33. In the recent past Sierra Leone has gone through devastating civil war (1991 -2002) and now Ebola (since May 2014 to date). Under these circumstances Sierra Leoneans face inaccessibility to their

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<sup>9</sup> UNDP Human development index placed Sierra Leone at 183 out of 187 countries assessed in 2014 annual report

right to adequate health services due to lack of health personnel, medical equipment and medicines in government hospital coupled with poor electricity and water supplies in health facilities putting Sierra Leone among the lowest in the global Human Development Index over the years. In 2012 Sierra Leonean also faced a Cholera outbreak where at least 100 people died. In 2014 Sierra Leone was faced with the worst known epidemic of Ebola that killed more than three thousand persons.

34. The Government of Sierra Leone accepted to review and improve maternal health care policies and introduce necessary changes to ensure pregnant women's access to medical facilities and reproductive health information throughout the country. The Government of Sierra Leone has signed and ratified ICESCR, Committed to MDG goal 4 dealing with health. Chapter 11 of the 1991 constitution<sup>10</sup>.
35. Since the first cycle the government of Sierra Leone took the following positive step towards improving health conditions in Sierra Leone: Government is still supporting the free health care Initiative launched in 2010 by H.E. President Koroma providing free health care for children under five years, lactating mothers and pregnant women. It is reviewing its health policy especially Basic Package of Essential Health Services Programme. Government is still committed to the Child health policy 2007.
36. However the free health care policy has not been reviewed to date. There are reports of lack of essential drugs in most Peripheral Health Units in the remote villages. All health policies do not have accountability and redress mechanisms where there is a violation. There were grossly inadequate ambulances in all referral centers save for the Ebola where government received more ambulances. As a result of the Ebola outbreak 12 medics specialized in various fields died out of 111 Sierra Leonean medics helping the situation ; whilst 136 nurses died in trying to treat patients of the disease especially in Kailahun.
37. CUMG-SL recommends the following to be considered by the Council in second cycle review for the state of Sierra Leone
  - i. review, strengthen and adequately monitor the free health care initiative and all existing health policies as part of post Ebola Recovery Programmes
  - ii. ensure increased salaries and incentives for all health workers especially those in remote villages
  - iii. ensure that all budget increments for health workers reflect international obligations and post Ebola challenges especially donor support.
  - iv. Ensure that the constitutional review includes health as fundamental human right to be in consonance with Chapter 111 of the 1991 constitution under review

### ***Education***

38. In the state of Sierra Leone there are growing signs of steady decline in educational standards mostly due to high level of poverty and inadequate government policy to increase access to education for both children and adults. Government accepted to continue with programmes and measures to improve enjoyment of the right to education, particularly for women and children including increasing annual budgets as well as setting up mechanisms to investigate ways to improve educational management and teaching methods. It has also accepted to incorporate human rights education and training into the school curriculum.

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<sup>10</sup> Chapter 11 Section 8 provides for economic objective of the state of Sierra Leone to 'adequate medical and health facilities for all persons, having due regard to the resources of the State' which all organs of Government and authorities and persons exercising legislative, executive or judicial powers are under obligation to conform, observe and apply in the discharge of their duties



39. Government of Sierra Leone has signed and ratified International Covenant on Economic, Social and Cultural Rights (ICESCR), committed to MDG pillar 2 dealing with attainment of universal primary education. Chapter 11 of the 1991 Constitution provides for economic objective of the state of Sierra Leone to 'direct its policy towards ensuring that there are equal rights and adequate educational opportunities for all citizens at all levels by ensuring that every citizen is given the opportunity to be educated to the best of his ability, aptitude and inclination by providing educational facilities at all levels and aspects of education such as primary, secondary, vocational, technical, college and university and safeguard the rights of vulnerable groups, such as children, women and the disabled to prevent barriers to educational facilities. This will include providing the necessary structures, finance and supportive facilities for education as and when practicable. In addition it is to strive to eradicate illiteracy through free adult literacy programmes, free compulsory basic education at primary and junior secondary school levels and free senior secondary education as and when practicable. The GoSL has also adopted in 2010 the Professor Gbamanja recommendations prescribing the educational obligation for the government and private institutions.
40. Since the first cycle the government of Sierra Leone took the following positive steps towards education in Sierra Leone: conducted a commission of inquiry which investigated the poor examination results of 2008 and produced White paper called Professor Gbamanja Commission of Enquiry; established Tertiary Education Commission with mandate to monitor all education policies; established a School Management Committee in all schools in the country and Tertiary Education Commission and Teaching Service Commissions respectively; supported a Conference of Principals to promote junior and secondary education; promoted free girl child education at J.S.S level; increased the education budget; introduced performance contracts for principals and head teachers; and aborted access courses to universities.
41. In 2013 Government of Sierra Leone barred more than one thousand students to sit to the West Africa Senior School Certificate Examination (WASSCE) due to a policy that each candidate must pass BECE before qualifying for the WASSCE. Parents were not well sensitized on this policy and therefore their children lost a whole academic year before proceeding to sit to their WASSCE the following year. In 2012 Government added an additional year to the initial three years for all senior Secondary Schools (SSS) which created psychological impact on the parents and pupils as most parents were not prepared for the additional year expenditure and students were already preparing for their WASSCE. Most schools in the interior are not recognized by government due to policies and bureaucracies. All educational decisions are taken in the capital city Freetown where most headmasters and principals can hardly afford to visit. Most schools in remote villages are manned by untrained and unqualified teachers (called community volunteer teachers). In nearly all schools in the country there are limited Braille and sign language reading and learning materials for the visually, speech and hearing impaired making access to education for persons with disability a huge challenge.
42. CUMG-SL recommends the following to be considered by the Council in second cycle review for the government of Sierra Leone:
- i. ensure that all educational budget increments reflect international obligations, commitments and post Ebola challenges.
  - ii. strengthen all policies geared towards improving basic education especially girl child education, adult literacy and education of persons with disabilities.
  - iii. extend free education from primary to senior secondary schools at least for two years starting 2015/16 academic year.

- iv. provide scholarships and other educational assistance for disadvantaged students' as a result of Ebola epidemic
- v. Provide secondary and tertiary institutions with Braille, sign language teachers and other relevant teaching and learning materials.

### ***Teenage pregnancy***

- 43. Government implemented a policy that banned pregnant teenage girls from accessing education until safe birth clearly indicating government unwillingness to promote the right to girl child education. Government took a strong measure after the Ebola outbreak in May 2015 by invoking Public health Emergency 2014 culminating into the closure of all schools and colleges in the country (between June 2014 to April 2015). During this period the country recorded more than 100 pregnant school girls. Government in April 2015 promulgated a policy banning all such girls from taking exams especially public exams conducted by WAEC and to discontinue normal school. All efforts to advocate allowing these girls have not so far changed government position on the matter.
- 44. Government accepted to develop National Action Plans on Children and on Human Rights and take measures to establish strategies to protect girls and prevent them from falling pregnant. It also accepted to improve enjoyment of the right to education, particularly for children. Government of Sierra Leone has ratified the UNCRC and committed to MDG pillar 2 dealing with girl child education. Government enacted the Child Rights Act in 2007 and the sexual Offences Act 2012 criminalizing sex with a girl below the age of consent (18 years).
- 45. Since the first cycle the government of Sierra Leone has taken some positive steps towards tackling teenage pregnancy in Sierra Leone: It has established the Reduction of teenage pregnancy secretariat at the Ministry of Health. It has also adopted a national action plan to address teenage pregnancy. Government is embarking on awareness raising programmes on teenage pregnancy.
- 46. However there are inadequate funds for the secretariat to effectively perform its functions. Ineffective enforcement of the Sexual Offences Act 2014 is also responsible for the levels of teenage pregnancy. Equally so more than seventy percent of Sierra Leoneans are subjected to customary laws which allow early marriage<sup>11</sup>.
- 47. In 2015 more than 100 teenage pregnant girls were disallowed to sit to their exams and others to continue their normal schools.
- 48. CUMG-SL recommendations to be considered by the Council in second cycle review for the Government of Sierra Leone:
  - i. review all teenage pregnancy policies to reflect minimum international human rights standards on girl child education.
  - ii. Allow/support all teenage pregnant girls to return to school.
  - iii. intensify family planning teaching programmes in all schools.

### ***Corruption***

- 49. The mismanagement of Ebola funds reported by the Audit Service Sierra Leone (ASSL) in early 2015 clearly highlighted high levels of corruption in the use of public/donor funds meant for national development and the fight against Ebola Virus Disease. Even though corruption was not addressed

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<sup>11</sup> Section 170 of the Sierra Leone 1991 Constitution provides for customary law as part of the laws of Sierra Leone

in the first cycle, it was raised as very important issue during the district consultative meetings.. According to the report on the audit of the management of the Ebola funds between May-October 2014 more than Le26 billion Leones(USD5.8M) were expended without supporting documents. The report pointed out that ‘for the financial years 2010 to 2012 inclusive, a total of 76 recommendations we made to the Ministry of Health, but only 26 (i.e 34%) were implemented. This shows a challenge in the management of public funds in the country.

50. Government of Sierra Leone has signed and ratified UN Convention Against Corruption, AU Charter Against Corruption, and article 6 (5) of the Sierra Leone 1991 Constitution states that ‘The State of Sierra Leone shall take all steps to eradicate all corrupt practices and the abuse of power’. Since the end of the eleven years civil war (1991- 2002), which was a result of high level of corruption and abuse of power, the government of Sierra Leone took positive steps towards eradicating corruption and abuse of power in Sierra Leone. The GoSL continues to support the work of the Anti Corruption Commission (ACC) and has provided an enabling environment for the ACC to conduct its functions efficiently. However high levels of poverty among the general public is making the work of the ACC problematic as more reports to deal with corrupt practices overwhelm the Commission. Also the 1991 Constitution does not give the ACC absolute investigative and prosecutorial power on matters of corruption. When the Auditor Service Sierra Leone (ASSL)<sup>12</sup> produced a highly professional report commended by the citizens as people’s report the Minister of Information and the Parliament had different positions as to who has primacy over the report until an MOU was signed between the Parliament and ACC. The government relied on the constitutional provision giving Parliament primacy to all ASSL reports. CUMG-SL is concerned that high level political interests has the tendency prevent the ACC from carrying out its roles and allows corrupt acts to go unpunished.

51. CUMG-SL recommends the following measures to be considered by the Council in second cycle review of the state of Sierra Leone:

- i. take appropriate measures to ensure independent financing of the ACC order than financing from the consolidated funds approved by Parliament and controlled by the Ministry of Finance and Economic Development.
- ii. ensure improved conditions of service for all employees both in private and public sectors in order to alleviate the situation in which employees feel that they need to engage in corrupt practices in order to survive.
- iii. allow CSOs to monitor the standard operational manual signed between the Sierra Leone Police (SLP), Parliament of Sierra Leone and the ACC.
- iv. ammend the Constitutional provision in the 1991 Constitution under review to allow ACC have primacy over any corrupt practices (including within the ACC itself) in the Auditor General’s report.

#### *Conclusion*

52. The government of Sierra Leone can ensure peace, human rights and democratic society towards its policy of Agenda for Prosperity if all the issues raised by CSOs are fully addressed in 24th session of Council meeting.

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<sup>12</sup>[www/Assl-report-on-the-mismanagement-of-ebola-funds-may-2014](http://www/Assl-report-on-the-mismanagement-of-ebola-funds-may-2014)

**Annex : List of CSO members submitting joint report on Sierra Leone UPR Second Cycle Review**

1. Vocational Training Centre for the Blind, Kenema
2. Movement Against Poverty
3. Opportunity Training Centre, Kenema
4. Women's Forum
5. Women's Coalition
6. Women in Action Against SGBV
7. DRIM Sierra Leone
8. Voice of Women
9. Pikin to Pikin Movement
10. Youth Advocacy Network
11. Mustard Seed Foundation
12. Defence for Children International
13. Sierra Leone Red Cross Society
14. One Family People
15. International Rescue Committee
16. Sister's Unite
17. Matru on the Rail War Wounded and Amoutte Camp
18. Mission 4 Salone
19. St Paul School for the Blind
20. Amnesty International Sierra Leone
21. Polio Persons Development Association
22. Campaign for Good Governance
23. MaterPeace Sierra Leone
24. Coalition for Justice and accountability
25. Kids Advocacy Network
26. Campaign Against Violence
27. Ladies in Development
28. Civil Society Budget Advocacy Network
29. Awoko News Paper
30. Women Forum for Human Rights and democracy
31. Forum for Sierra Youth Network
32. Capacity Builders- Sierra Leone
33. Centre for Accountability and Rule of law
34. Youth in Action International
35. Disability Watch- Sierra Leone
36. Conscience International