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Freedom in the World 2012 - Sierra Leone

2012 Scores

Status: Partly Free

Freedom Rating: 3.0

Civil Liberties: 3

Political Rights: 3

Overview

Despite efforts by ruling and opposition parties to dissuade violence and encourage tolerance, tensions mounted in the lead-up to the 2012 elections. In July, the main opposition party elected former junta leader Julius Maada Bio as their candidate to face incumbent Ernest Koroma in the 2012 presidential race. During the year, the government passed a series of laws to increase protections and incentives for investors, businesses, and entrepreneurs to engage in agricultural and industrial development.

Founded by Britain in 1787 as a haven for liberated slaves, Sierra Leone achieved independence in 1961. Siaka Stevens, who became prime minister in 1967 and then president in 1971, transformed Sierra Leone into a one-party state under his All People's Congress (APC) party. In 1985, Stevens retired and handed power to his designated

successor, General Joseph Momoh. The Revolutionary United Front (RUF) launched a guerrilla insurgency from Liberia in 1991, sparking a civil war that would last for more than a decade. Military officer Valentine Strasser ousted Momoh the following year, but failed to deliver on the promise of elections. Brigadier-General Julius Maada Bio deposed Strasser in 1996, and elections were held despite military and rebel intimidation. Voters chose former UN diplomat Ahmad Tejan Kabbah of the Sierra Leone People's Party (SLPP) as president.

In 1997, Major Johnny Paul Koroma toppled the Kabbah government and invited the RUF to join his ruling junta. Nigerian-led troops under the aegis of the Economic Community of West African States Monitoring Group (ECOMOG) restored Kabbah to power in 1998, and the 1999 Lomé peace agreement led to the deployment of UN peacekeepers. By 2002, the 17,000-strong UN peacekeeping force had started disarmament in rebel-held areas and the war was declared over.

Kabbah won a new term in the 2002 presidential elections, defeating the APC's Ernest Koroma (no relation to Johnny Paul Koroma). The SLPP took 83 of 112 available seats in parliamentary elections that month. However, the SLPP government failed to adequately address the country's entrenched poverty, dilapidated infrastructure, and endemic corruption, and in 2007, Ernest Koroma won a presidential runoff election with 55 percent of the vote, leaving SLPP candidate Solomon Berewa with 45 percent. In the legislative polls, the APC led with 59 seats, followed by the SLPP with 43, and the People's Movement for Democratic Change (PMDC) with 10.

Chieftaincy elections and parliamentary and local council by-elections held between 2009 and 2011 were marred by political violence initiated by APC and SLPP supporters. Following serious clashes in the lead-up to a local by-election in the Pujehun district in March 2009, a UN-facilitated joint communiqué was issued by the APC and SLPP calling for an end to all acts of political violence. A Commission of Inquiry was launched in 2009 to investigate incidences of rape and sexual violence that allegedly occurred during the March attacks, and an independent review was conducted in 2010 to investigate the causes of the political violence. However, by the end of 2011, the government had yet to release the results of the review, and had failed to implement numerous communiqué recommendations, including calls for the establishment of an independent police complaints commission.

By-elections confirmed a regional polarization whereby the ruling APC enjoys support in the north and west, while the opposition SLPP dominates the south and east. In December 2010, President Koroma reshuffled his cabinet in an attempt to diversify geographical representation and include more SLPP partisans.

Political violence continued in 2011. In May, clashes were reported during a parliamentary by-election in Kailahun district. The opposition SLPP held its national convention in July amidst intra-party dissension and elected retired brigadier general Julius Maada Bio, who deposed Strasser in 1996, as their 2012 presidential candidate. A political fracas occurred in the district of Kono in September when the convoy of the Minister of Internal Affairs was attacked, causing his security and police to discharge their weapons. That same month, SLPP presidential candidate Bio was attacked with stones in the city of Bo, and APC party buildings were torched in response.

The government was quick to launch investigations into the September incidents, which resulted in the identification for prosecution of more than 50 people from both political parties. The police also placed a moratorium on political rallies in September. The ban was lifted in December, however, following the signing of an agreement among the country's main political parties to promote cooperation with the police and increase security during political processions. The SLPP and the National Democratic Alliance (NDA) did not sign the agreement, arguing that the government does not have the right to ban political party rallies. Koroma requested International Criminal Court prosecutors to monitor the Sierra Leonean electoral environment in the lead-up to the 2012 elections.

Renewed calls were made in 2011 for a formal inquest into the military junta's 1992 executions of the former police inspector-general and 27 others. The APC government first announced plans to launch an inquest in May 2010, but went silent on the matter following criticism from civil society and the international community that such a move would inflame political intolerance and target current opposition SLPP members who served with the junta. Family members of the victims, however, argue that the Truth and Reconciliation Commission did not thoroughly investigate the extra-judicial killings.

Political Rights and Civil Liberties

Sierra Leone is an electoral democracy. International observers determined that the 2007 presidential and parliamentary elections were free and fair, and that power was transferred peacefully to the opposition. Of the unicameral Parliament's 124 members, 112 are chosen by popular vote and 12 are reserved for indirectly elected paramount chiefs. Parliamentary and presidential elections are held every five years, and presidents may seek a second term.

The APC and SLPP are the main political parties. Other parties include the PMDC, the NDA, and United Democratic Movement (UDM). Both the All Political Parties Women's Association and the All Political Parties Youth Association, which became operational in

2011, play key roles in promoting peaceful electoral campaigning, dialogue, and participation.

Much of the Administration's efforts in 2011 were focused on cementing the electoral framework in preparation for the 2012 elections. The government finalized key management capacity support agreements to ensure that the National Elections Commission (NEC) will be able to credibly undertake electoral administration and voter registration. In March, a critical consultative workshop was held regarding electoral law reform, and resulting recommendations called for the need to address the legal deficiencies that occurred during the 2007 elections, including the authority of the NEC to nullify votes, rules for the election of the president, and forfeiture of parliamentary seats. Measures were also taken to reform the Political Parties Registration Commission to ensure sanctions are in place for any breaches of the code of conduct by political parties. The country's first biometric voting registration system was also established. President Ernest Koroma has also pledged to promote a 30 percent quota for women to be represented in elective positions, and a draft gender equality bill to that effect was introduced in Parliament in September 2011; however, it had not passed by year's end.

While corruption remains a serious problem, Koroma has actively encouraged and supported the work of the Anti-Corruption Commission. Several key cases were concluded in 2011, including the acquittal of the director-general of the National Revenue Authority and the conviction of numerous public officials. In August, senior civil servants signed performance contracts, and the new Civil Service Code of Conduct was put into effect. In September, a public sector pay reform program was also launched. Sierra Leone was ranked 134 out of 183 countries surveyed in Transparency International's 2011 Corruption Perceptions Index.

Freedoms of speech and the press are constitutionally guaranteed, but these rights are occasionally restricted. In June 2010, the Sierra Leone Broadcasting Corporation (SLBC) was officially launched as the independent national broadcaster. The APC and SLPP relinquished control of their radio stations in 2010, allowing for incorporation into the SLBC, and in 2011, the High Court upheld decisions made by the Independent Media Commission (IMC) to deny a license to the APC-run Freetown City Council and to close down the SLPP radio station. In June 2011, a journalist with *The Exclusive*, a private daily newspaper, was murdered by protestors participating in a violent dispute over land outside of Freetown. The police arrested three suspects, including a police officer; the investigation was ongoing at year's end. The IMC is working with the SLBC to determine coverage policies and regulatory mechanisms for the 2012 elections. Numerous independent newspapers circulate freely, and there are dozens of public and private radio and television outlets. The government does not restrict internet access, though

the medium is not widely used. A proposed Freedom of Information bill remained pending in Parliament at year's end.

Freedom of religion is protected by the constitution and respected in practice. Academic freedom is similarly upheld.

Freedoms of assembly and association are constitutionally guaranteed and generally observed in practice. However, police used force, including tear gas and live ammunition, to break up the September 2011 demonstrations in Bo. The government also implemented a ban on all political demonstrations and meetings from September to December in the wake of the protests. Workers have the right to join independent trade unions, but serious violations of core labor standards occur regularly. Nongovernmental organizations (NGOs) and civic groups operate freely, though a 2008 law requires NGOs to submit annual activity reports and renew their registration every two years.

The judiciary has demonstrated a degree of independence, and a number of trials have been free and fair. However, corruption, poor salaries, police unprofessionalism, prison overcrowding, and a lack of resources threaten to impede judicial effectiveness.

Drug trafficking and other crimes pose a threat to the rule of law and the stability of the wider Mano River region. The Sierra Leone Transnational Organized Crime Unit continued to register success in 2011 in carrying out substantial drug interceptions.

The Special Court for Sierra Leone (SCSL), a hybrid international and domestic war crimes tribunal, has been working since 2004 to convict those responsible for large-scale human rights abuses during the civil war. The trial that began in 2007 of former Liberian president Charles Taylor, accused of fostering the RUF insurgency, concluded in March 2011. However, judgment regarding the eleven counts of war crimes, crimes against humanity, and other gross violations of international law had not been delivered by year's end. Efforts continued in 2011 to transfer the SCSL to a Residual Special Court for Sierra Leone in the Hague as a follow-up mechanism to the SCSL.

The Human Rights Commission of Sierra Leone continued its work in 2011 despite funding and logistical shortcomings. In June, the Commission held its first public hearing for 235 former soldiers who had been forcibly retired, ostensibly due to chronic illness and/or mental imbalances. The Commission found that the retirees had been subject to discrimination, inhumane treatment, and violation of their privacy. The government did not appeal the decision, and has been supportive of the Commission's independence.

Continued progress was made in 2011 in rendering Sierra Leone more attractive for business. Infrastructure investments were made in thermal and hydro-power plants, and

major roads were upgraded. In July, Parliament passed the 2011 Finance Act, the revised Petroleum Exploration and Production Act, and the Intellectual Property Rights Law, while the National Electricity Act regulating electricity and water usage was adopted in November. This bundle of legislation has created increased incentives for investors, businesses, and entrepreneurs to engage in agricultural and industrial development, particularly in the manufacturing sector. It also safeguards against piracy, makes it easier to pay taxes, and to register businesses. Major investments were made in the iron ore and oil industry in 2011, and production will begin in 2012; GDP is consequently expected to increase by 51 percent in 2012.

Laws passed in 2007 prohibit domestic violence, grant women the right to inherit property, and outlaw forced marriage. Despite these laws and constitutionally guaranteed equality, gender discrimination remains widespread and female genital mutilation and child marriages are common.

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