



UNITED NATIONS
SIERRA LEONE



United Nations Country Team in Sierra Leone

Written contribution for the Universal Peer Review
documentation for the Third Cycle Review of Sierra
Leone

A. Introduction

1. This report, prepared by the United Nations Country Team (UNCT) in Sierra Leone, focuses on recommendations made to Sierra Leone in the second cycle of the Universal Periodic Review (UPR) in January 2016 and provides an independent joint UN assessment of Sierra Leone's record in implementing these recommendations, highlighting progress made as well as pending challenges. It also identifies some of the recent developments in the human rights situation in Sierra Leone and provides concrete recommendations to the Government of Sierra Leone for the improvement of the human rights situation in the country.
2. Sierra Leone received 208 recommendations in the second UPR cycle at the Human Rights Council, of which 177 were accepted and 31 noted.

B. Developments in the human rights situation

Novel coronavirus, COVID-19, and human rights

3. Sierra Leone recorded its first case of the novel coronavirus disease (COVID-19) in March 2020. Building on the lessons learned during the response to the Ebola virus disease (EVD) that hit the country in 2014–2015, the Government adopted a number of preventive measures that proved to be effective in mitigating the spread of COVID-19, while building up the capacity of response of the health system with the support of international partners, including the UNCT. On 25 March 2020 the President declared a 12-month state of emergency in accordance with Article 29 of the Constitution, as a measure to prevent the transmission of COVID-19. The Parliament of Sierra Leone ratified the state of emergency on 26 March 2020, with the agreement that the Attorney General and Minister of Justice would present to Parliament, within two weeks, the regulatory framework of the state of emergency. However, the regulatory framework was not presented within the agreed timeframe. The UNCT recommends that proclamations of state of emergency are accompanied by clear regulations, properly tabled in Parliament, gazetted and publicized.
4. The Government should certainly be commended for the prompt response to the COVID-19 emergency, particularly on the approach adopted, trying to balance the protection of lives with the need to sustain people's livelihoods. Sierra Leone adopted only a three-day full lockdown in two occasions, due to difficulty for the population in sustaining longer periods. Special cash transfer provisions were made for people with disabilities during the lockdown periods. However, the COVID-19 emergency regulations placed restrictions on inter-district movement, which combined with closure of businesses and markets, have impacted on people's livelihoods and food security, particularly that of the most vulnerable groups.
5. The findings of a June 2020 Emergency Food Security Monitoring System (E-FSMS) assessment implemented by the Ministry of Agriculture and Forestry (MAF) and the United Nations World Food Programme (WFP) showed a deterioration in food security since prior to the onset of the COVID-19 outbreak, with the proportion of households categorized as food insecure increasing

from 47 percent (January 2020) to 63 percent (June 2020). Nutrition data from the Ministry of Health and Sanitation (MoHS) Management Information System (MIS) also indicate declining nutritional status of women and children since the beginning of the pandemic, reflecting the impact of traditional and customary norms associated with women's access to land, resources and control over the produce¹ as underlying conditions that exacerbate the effects of the crisis. In addition, women and other vulnerable groups (elderly, people with disabilities, slum dwellers, etc.) face a series of challenges in accessing financial services, technology and market services.² Constrained by lower incomes, households have increasingly resorted to negative consumption-based coping strategies – such as consuming meals more infrequently or eating less diverse food – in order to survive, reflected by an alarming 71 per cent of households having food consumption levels far below what is considered acceptable.³

6. Hunger and deepening poverty - due to the loss of livelihoods as a result of COVID-19 - among the population, particularly when coupled with inequality and increasing level of frustration among young people, can be a major trigger for instability and antisocial behavior. Instances of violence have taken place between local communities, youth and security forces related to the implementation of COVID-19 restrictive measures that impacted people's livelihoods. Cognizant of this, improving the food security situation of the population and increasing the production capacity of the country should continue to be prioritized, particularly through the implementation of productive safety net interventions that provide livelihood opportunities for youth and women and boost the production of nutritious foodstuffs.
7. The UNCT urges the Government to ensure that any limitation or suspension of rights, including the prolonged state of emergency and night curfew, are limited to the extent strictly required by the exigencies of the COVID-19 emergency situation. Further, the UNCT recommends that key human rights principle of inclusion, participation, equality, non-discrimination and accountability guide the socio-economic recovery process in order not to *leave anyone behind*.

Constitutional review

8. The Government of Sierra Leone launched the constitutional review process in July 2013, which, after being extended on several occasions, ended on 24 January 2017 with the submission of the final report to former President Ernest Bai Koroma. The Government's White Paper on the report was published on 10 November 2017 in the Sierra Leone Gazette Vol. CXLV111 No. 79⁴, leaving

¹ 'Sierra Leone Gender and Agriculture Policy Brief', 2018.

² 'National Gender Profile of Agriculture', 2018.

³ Ministry of Agriculture and Forestry (MAF) and World Food Programme (WFP), Emergency Food Security Monitoring System, June 2020

⁴ Government White Paper Out. Available at: <https://www.globaltimes-sl.com/government-white-paper-out/>.

little or no time for Parliament to debate it and promote a referendum prior to the national elections of 7 March 2018. In the White Paper, the Government rejected 102 out of 134 recommendations on the ground that the provisions in the current Constitution were adequate and/or that existing statutes already addressed the concerned issue. The review of the 1991 Constitution is one of the recommendations of the Truth and Reconciliation Commission and the UNCT calls upon the Government to resume the constitutional review process and ensure that the Government's White Paper is aligned with international and regional human rights obligations.

Human Rights Commission of Sierra Leone

9. The Human Rights Commission of Sierra Leone (HRCSL) was established by the Act of Parliament No. 9 of 2004 with the mandate to advise the Government on promoting and protecting human rights in the country. The Commission started operations in 2007⁵ and, despite funding challenges and institutional capacity gaps, it earned an 'A' status from the International Coordinating Committee (ICC) in October 2016. In June 2018, soon after assuming power, the Government introduced a wider restructuring of the boards of all government institutions. This included the Board of the HRCSL, which caused some general concern at national and international level as the measure was not in accordance with the HRCSL Act of 2004, specifically sec. 4(3)(g).⁶ However, the HRCSL has since been fully reconstituted in a transparent process with all five Commissioners currently in place. The Government should ensure allocation of adequate resources in order to enable the Commission to discharge its mandate effectively and independently in accordance with the Paris Principles⁷. It is also recommended that the Government's budgetary allocation is in accordance with the work plans of the Commission.

Special Court of Sierra Leone

10. The Special Court of Sierra Leone was established in 2002 as a result of an agreement between the United Nations and the Government of Sierra Leone, with a mandate to try crimes against humanity and other serious violation of international humanitarian law. The Special Court was closed in December 2013 and residual tasks were transferred to the Residual Special Court for Sierra Leone (RSCSL), including witness protection, supervision of prison sentences and management of the archives of the Special Court. In September 2020, the RSCSL granted conditional early release to the former Revolutionary United Front (RUF) commander Augustine Gbao, allowing him to serve the remainder of his 25-year sentence in Sierra Leone. He will

⁵ 'History of Human Rights Commission Sierra Leone, <www.hrc-sl.org/History.aspx>.

⁶ The Act states that "the member is dismissed or removed in accordance with the conditions stipulated in subsection (7) of section 137 of the Constitution as if he were a Judge of the Superior Court of Judicature."

⁷ The Paris Principles, Composition and guarantees of independence and pluralism para. 2; adopted by the general Assembly resolution 48/134 of 20 December 1993.

complete his full sentence in April 2028. Gbao is the third RSCSL convicted person to receive conditional early release. The first person was returned to Sierra Leone in March 2015 and completed his sentence in May 2018, and the second person was granted conditional early release in 2018 and will complete his sentence in March 2023. In September 2020, the Court dismissed an application by Charles Taylor, the former President of Liberia, for him to be transferred temporarily from the UK to a safe third country due to the COVID-19 pandemic⁸. In September 2013, the Appeals Chamber upheld the Trial Court conviction of Charles Taylor for war crimes and crimes against humanity committed in Sierra Leone.⁹ Under an agreement with the UK, he is serving his 50-year sentence at HM Prison Frankland. The UNCT recommends to allocate the required resources for the digitization of all archived documents and artifacts.

C. Implementation of accepted recommendations

Equality and non-discrimination

11. Sierra Leone's gender inequality 2018 index (GII) value was 0.644, ranking the country 153 out of 162 countries in the world.¹⁰ As articulated in the Sierra Leone Mid-Term National Development Plan (2019–2023), gender inequalities are exacerbated by discriminatory cultural norms that impinge upon women's access to power, resources and privileges.¹¹ Discrimination based on gender in areas of marriage, divorce, adoption and devolution of property on death is also included in the country's Constitution.¹²
12. Sierra Leone is a signatory to major international and regional treaties and conventions that uphold equality and non-discrimination based on gender. The Government has reiterated its commitment to gender equality and zero tolerance of violence against women through periodic submissions of reports to various bodies – for example, the sixth periodic report to the UN CEDAW Committee (Convention on the Elimination of all Forms of Discrimination Against Women) and the 25-year review to the Beijing Platform for Action – and promoted several laws that advance women's rights.¹³ Furthermore, Sierra Leone is a signatory to the African Union Protocol to the Rights of Women in Africa under the Convention on Human and People's rights.¹⁴

Sexual and gender-based violence

⁸ The Residual Special Court for Sierra Leone, PRESS RELEASE; The Hague, the Netherlands, 7 September 2020. Available on: <http://rscsl.org/Documents/Press/2020/pressrelease-090720.pdf>.

⁹ Special Court for Sierra Leone, SCSL-03-01-A. Available on: <http://www.rscsl.org/Documents/Decisions/Taylor/Appeal/1389/SCSL-03-01-A-1389.pdf>

¹⁰ United Nations Development Programme, Human Development Report 2019, *Beyond income, beyond averages, beyond today: Inequalities in Human Development in 21st Century*, UNDP, New York, 2019.

¹¹ Government of Sierra Leone, 'Sierra Leone Mid Term National Development Plan (2019-2023)', Vol. 1.

¹² The Constitution of Sierra Leone, 1991, Section 27(4)(d).

¹³ Following the approval in 2007 of three gender laws (Domestic Violence Act, the Devolution of Estates Act and the Registration of Customary Marriage and Divorce Act), in 2012 the Sexual Offence Act was also passed. The GoSL also took policy action to address aspects of discrimination against women in land transactions after the approval of the new land policy in 2017.

¹⁴ Sixth periodic report of the Government of Sierra Leone to the CEDAW committee, p3.

13. The Government should be commended for the decisive steps undertaken to address the increasing rate of reported cases of sexual and gender-based violence (SGBV), including against children as young as five years of age. These steps include the 'Hands off our Girls' campaign launched by the First Lady in 2018, the amendment in 2019 of the Sexual Offences Act 2012, the development of a national male involvement strategy for the prevention of and response to SGBV, and the establishment of a toll-free hotline to report cases of SGBV, among others. The Amended Sexual Offences Act 2019 provides new sentencing guidelines that increase the maximum penalty for rape and sexual penetration of a child from 15 years to life imprisonment, the introduction of the offence of aggravated sexual assault, free medical at all Government facilities for survivors of sexual violence and settlement or compromise with a fine of Le10 million or one-year imprisonment, among others. The Government also established the Pilot One Stop Centre in six districts of Port Loko, Kailahun, Moyamba, Pujehun, Koinadugu and Western Area to provide psychosocial counselling, medical examination and treatment, as well as the means to obtain a victim statement and safe homes for survivors. On 24 July 2020, the Government launched the Sexual Offences Model Court (SOMC) to expedite court proceedings over SGBV cases.¹⁵
14. However, the sentencing guidelines of the Sexual Offences (Amendment) Act 2019 propose that child sexual offenders 12–17 years old can be sentenced to a jail term of between 5 to 15 years if found guilty. This means that children below 14 (Age of Criminal Responsibility) could be investigated and prosecuted. The maximum sentence of 15 years would require children be transferred to adult prison facilities to complete the sentence even when the crime was committed when they were children. This provision breaches the principles of juvenile justice that is focused on the rehabilitation of child offenders and section 26 of CAP 44 – Children and Young Persons Act. The UNCT, therefore, recommends the reversal of this provision in the sentencing guidelines.
15. The UNCT remains concerned over the continuous prevalence of rape and other form of sexual violence, including against children, as well as about the prolonged investigation and trial of the cases reported to the Police. The UNCT calls on the Government to carry out an in-depth analysis of drivers of SGBV and support public awareness-raising on the Sexual Offences (Amendment) Act 2019 to effectively prevent and eradicate SGBV in all its forms. At the same time, the UNCT recommends that the prosecution capacity of cases of SGBV is increased, including by investing in forensic laboratories and providing training to Police and Magistrates. Furthermore, the UNCT calls on the Government to increase investment in medical and psychological health services for SGBV victims as well as in the continuous upgrade of the Family Support Unit of the Police.

Traditional harmful practices

¹⁵ 'Sierra Leone's President Julius Maada Bio launches Sexual Offences Model Court, Praises Hands off Our Girls Campaign', <<https://statehouse.gov.sl/sierra-leones-president-julius-maada-bio-launches-sexual-offences-model-court-praises-hands-off-our-girls-campaign>>.

16. Traditional harmful practices remain prevalent in Sierra Leone, such as the practice of female genital mutilation (FGM) and early marriage, among others. FGM in Sierra Leone is part of the initiation process into secret women's societies, known as Bondo (Sande) and it is practiced by *Soweis*, women who gain some level of authority in their communities. The Government has instituted a ban on FGM for underage girls. Although an increased level of social awareness about the harmful effects of the practice has been noticed and there has been some timid attempts to replace FGM with harmless initiation practices, secret societies, reportedly, continue to use FGM, also for underage girls.
17. The UNCT reiterates that increased efforts should be dedicated to the complete elimination of FGM, by enacting and enforcing legislation that prohibits FGM in all its forms. Awareness-raising campaigns and a national debate on the harmful effects of the practice on girls, women and wider society should also be undertaken.
18. On 21 January 2019, following reports of misuse of secret societies, including to settle political disputes, and incidents of forceful initiations of women and men and gang rape, the Minister of Local Government and Rural Development established a ban on secret societies' activities, which is still in place. The UNCT calls on the Government to strengthen oversight on the activities of the secret societies in all parts of the country, prevent any form of forceful initiation, ensure protection of victims, review powers of Paramount Chiefs with respect to the activities of secret societies, and ensure investigation and prosecution of any practice of ritual killings.

Teenage pregnancy and child marriage

19. In 2015, after the Ebola crisis, the Government of Sierra Leone instituted a ban that prevented pregnant girls from attending school. On 12 December 2019, the Economic Community of West African States (ECOWAS) Court of Justice found that the ban was in violation of the rights of pregnant girls to education and ordered the Government to lift the ban. The Court also ordered to put in place measures to address the alarming rate of teenage pregnancy and sensitize communities against discrimination. In December 2019, the Government established a Sexual and Reproductive Health Taskforce to advise on issues relating to the radical inclusion of adolescent girls and other vulnerable groups into the education system as well as how to integrate comprehensive sexuality education into the basic education curriculum. In March 2020, the ban on visibly pregnant girls attending schools was lifted, and since then the Government also developed two new policies focused on 'radical inclusion and 'comprehensive safety' of all children in the education system. The UNCT commends the Government for all steps taken to facilitate the return of pregnant girls to school.
20. Child marriage remains prevalent in Sierra Leone, though, according to the law, the minimum age of marriage is 18¹⁶. The UNCT commends the Government for the approval of the National Strategy for the Reduction of Adolescent Pregnancy and Child Marriage (2018–2022). The UNCT

¹⁶ According to UNICEF's world children report of 2019, 30 percent of girls in Sierra Leone are married before their 18th birthday.

urges the Government to take continue actions to enforce the Child Rights Act, which prohibits marriage of children under the age of 18, and to enact the bill on the Prohibition of Child Marriage, while supporting the implementation of community mobilization and behavior change campaigns to address this problem.

Sexual and reproductive health

21. Access to quality health care remains a concern, particularly for women and adolescent girls. Sierra Leone's maternal and child mortality rates are among the highest in the world. The high maternal mortality ratio and neonatal mortality ratio are further worsened by other long-term health complications, such as obstetric fistula, uterine prolapse and infertility. According to the 2013 Demographic and Health Survey (DHS), out of adolescent girls aged 15 to 19, about 28 percent are pregnant or had given birth. The impact of COVID-19 on maternal health and family planning services, including pre- and post-natal care, might lead to an increase in unplanned pregnancies and maternal mortality.
22. The UNCT calls on the Government to allocate sufficient resources to the health sector for the following measures: upgrading and equipping tertiary, secondary and primary health care facilities to be able to provide quality basic and comprehensive emergency obstetric care and newborn services; increasing RMNCAH commodity security including life-saving drugs and contraceptives to prevent teenage pregnancy and school dropouts; developing and implementing a short- and long-term strategy to improve access to qualified, skilled and well-distributed RMNCAH workforce; strengthening adolescent friendly health service delivery with emphasis on programmes targeting teenage pregnancies and strengthening the community-based primary health care system to improve family practices, including preventive, promotive and care-seeking behaviours and to enhance social accountability for quality service provision.

Administration of and access to justice

23. In 2018, the Justice Sector Reform Strategy and Investment Plan (JSRSIP IV) was developed by the Justice Sector Coordination Office. The Judiciary has appointed more judges to address the acute shortage of judicial personnel, and each district has currently a resident Magistrate and provincial headquarter towns have two resident magistrates. Saturday courts and other specialized courts, such as the Anti-Corruption Commission (ACC) court, Industrial court and Sexual Offence courts also complement the improvement on pre-trial detentions and access to justice. The bail and sentencing guidelines for the judiciary has been rolled out. The Legal Aid Board has now more than 100 staff across eight offices nationwide, with individual paralegals operating at the subdistrict level and providing legal advice, mediation and representation for vulnerable people in rural communities, including those in pre-trial detention and prisons.
24. However, challenges to the justice system persist, evidenced in low public confidence and lengthy trial proceedings, because of indefinite adjournments, and limited access to justice in marginalized

communities and for most vulnerable populations.¹⁷ The current use of the remand system also contributes to overcrowding in the correctional centres. The outbreak of COVID-19 has added an additional burden to the structural problems experienced by the justice sector as well as to the correctional centres. The UNCT stresses the importance of passing the Criminal Procedure Bill into law to decongest correctional centres and to accelerate trials. The Justice Sector Coordination Office (JSCO) should take the lead in this issue.

25. The Local Courts Act 2011 brings traditional justice mechanisms under the remit of the judiciary. The Act is a positive move towards increasing access to justice even in the most remote areas. However, the lack of resources to fully implement the Act impinges on the adequate functioning of local courts. It is estimated that about 80 percent of the population uses the local courts, yet cases brought before the local courts are characterized by imposition of excessive fines and arbitrariness in several forms. Bail regulations are rarely complied with¹⁸. Concerns have been raised about the qualifications of some Local Court Chairpersons to administer justice in some cases, especially given that they have the authority to deal with minor criminal matters and can hand down custodial sentences of up to six months, as well as about protection of rights of women and girls, particularly in cases of maintenance, divorce, inheritance and acquisition of property, including land. It is therefore recommended that refresher trainings are provided to the Local Court Chairpersons on human rights in the administration of justice and women and children's rights, among others. The UNCT also recommends enhancing oversight over the operations of the local courts.
26. The UNCT commends the efforts of the Government in fighting corruption and implementing the United Nations Convention Against Corruption, signed by the Government in 2003 and ratified in 2004. The country was reviewed in 2016 and 2019 under the Implementation Review Mechanism of the Convention. The UNCT commends the Government for the amendment of the ACC Act in 2019. The UNCT urges the Government to continue efforts to implement the recommendations of the two reviews as well as to ensure that the ACC is granted the same level of constitutional guarantees and financial, institutional and operational independence as, for example, the office of the Auditor General. The UNCT also suggests that the Government consider codifying and establishing a formal whistle-blower protection system, beyond the measures established in the ACC Act (Amendment 2019), to encourage public officials to report acts of corruption.

Correctional services and the rights of prisoners

27. The country's 19 correctional centers are designed to hold 1,935 inmates, however figures from the Sierra Leone Correctional Services (SLCS) indicate that Sierra Leone has a population in

¹⁷ Government of Sierra Leone, *Justice Sector Reform Strategy and Investment Plan IV 2019-2023*, pg. 1.

¹⁸ Consultant report on Analysis of the Findings of a Comprehensive Capacity Assessment of the Human Rights Commission of Sierra Leone, 2020, pg. 24.

detention of about 4,732 inmates as at December 2019¹⁹. Due to the prolonged pre-trial detention and lack of consistent application of the Bail Regulations (2018), correctional centres continue to be overcrowded, compromising the human rights of prisoners as detention conditions are still short of minimum international standards due to poor hygienic conditions and inadequate medical attention and food.²⁰

28. The UNCT commends the Government for the continues reforms in the Justice sector. The UNCT urges the Government to provide adequate resources for the implementation of the Correctional Services Act, the Prison Courts (created in 2019) and the implementation of the Bail Regulation and Bail Guidelines and oversight of the Bail and Sentencing Committee at the Judiciary. The UNCT recommends that the Government increase efforts to ensure that prison conditions are aligned with the Mandela Rules.
29. There is also an increase in the number of children in conflict with the law in detention under deplorable conditions (poor bedding, inadequate food, lack of water supply). Reportedly, there are 54 children (33 in Freetown and 21 in Bo) in detention and some have been detained between one to three or more years without charge. The UNCT urges the Judiciary to fast track cases and release children in detention to their families or in alternative placement, and adopt child-friendly approaches, such as diversion and alternatives to detention for child offenders.

Security forces and the use of force

30. There has been improved structure and coordination within the security sector as well as with local security mechanisms, many of which involve the participation of civil society.²¹ The 2018 elections were found to be largely peaceful and it was assessed that security forces acted in a professional manner.
31. However, crowd control techniques used by the Police with the support of military, through the implementation of the Military Aid to Civil Power (MAC-P), tend to display an excessive use of force. Loss of people's lives has been recorded during clashes between young people and security personnel in some occasions²².

¹⁹ <https://www.prisonstudies.org/country/sierra-leone>

²⁰ Ibid., pg. 2.

²¹ For example, the Local Police Partnership Boards, District Security Committees (DISECH) and Chiefdom Security Committee (CISECH).

²² Based on data of the Armed Conflict Location and Event Data Project (ACLED), from January 2020 to July 2020, Sierra Leone recorded 49 violent incidents with 25 fatalities.

32. The Complaints, Discipline and Internal Investigations Department of the Police and the Independent Police Complaints Board have both suffered from lack of funding and high staff turnover, affecting their capacity to investigate public complaints of Police misconduct.
33. The UNCT recommends that UN principles on the use of force are part of the regular training of the Police and other security forces. The UNCT also recommends that specific legislation to enhance police accountability is introduced and oversight mechanisms are strengthened to be able to properly conduct their tasks. Any case of excessive use of force should be investigated and perpetrators should be brought to justice.

Freedom of expression

34. The enjoyment of freedom of expression has been a key challenge for journalists, politicians and civil society organization activists (CSOs) due to the criminalization of persons under sections 26 and 27 of the 1965 Public Order Act. Journalists and, also, political personalities have been sent on remand on grounds of criminal libel.²³ On 23 July 2020, the Sierra Leone Parliament unanimously approved the repeal of Part V of the 1965 Public Order Act (POA) which criminalized libel and, at the same time, approved the Independent Media Commission (IMC) Act 2020. This development has been widely welcomed by media activists, human rights defenders and CSOs due to its importance for media freedom and the enjoyment of the right to freedom of expression, which is guaranteed in Section 25(1) of Act No. 6 of the 1991 Constitution of Sierra Leone. The UNCT equally welcomes the repeal of the POA and recommends that the repeal is fully implemented for all outstanding cases.
35. Whilst the repeal of the 1965 POA has been widely welcomed, concerns have been expressed over the new Independent Media Commission (IMC) Act 2020, due to the fact that the requirement for registration of newspapers only under the Partnership Act and the Company Act 2009 eliminates 'sole proprietorship' businesses, thereby undermining media pluralism, which the Commission, pursuant to Section 8(1)(a) of the Act²⁴, is expected to promote. The UNCT recommends that the rights to freedom of expression are guaranteed without distinction and that necessary action is taken to expunge any legal provision which has the potential to inhibit the enjoyment of the right.

²³ For instance, in April 2020, a female politician and journalist was arrested and detained for 22 days before being charged for sedition and defamation relating to her social media posts.

²⁴ "The objectives of the Commission are (a) to promote a free and pluralistic media throughout Sierra Leone and (b) to promote fair competition among media institutions and persons engaged in the provision of media services, among others.

36. The UNCT also urges the Government to ensure that citizens, including those who hold opposing views to Government actions, are allowed to exercise the right to freedom of expression and peaceful assembly, openly and without fear of reprisal. The UNCT also urges the Government to take the necessary steps to enact legislation for the protection of human rights defenders in order for them to carry out their activities safely and free of reprisals.

Death penalty

37. Based on statistics from Prison Watch Sierra Leone, there has been an increase in the number of prisoners on the death row (currently there are 83 condemned prisoners²⁵). The UNCT calls on the Government to accede to the 2nd Optional Protocol of the ICCPR and undertake all necessary actions to abolish capital punishment.

Rights of persons with disabilities

38. Although Sierra Leone has made strides in addressing the rights of persons with disabilities (PWDs), the implementation of the Disability Act (2011) remains weak. The UNCT recommends that the Government ratify the Optional Protocol on the UNCPRD and improve the access of PWDs to education, healthcare and economic empowerment. In particular, the UNCT recommends that the dedicated quota for PwD in schools is met and all children can access education as well as that households of children with disabilities are enrolled under the dedicated social safety net programmes, and social protections and programming for PwD are strengthened. Moreover, the UNCT recommends strengthening the registration of PwDs in order to ensure their access to social services.

Land rights

39. Several instances of violent protests - involving local youth, landowners and farmers - have occurred against large-scale agricultural investment companies and mining companies over the use and property of land and/or compensation rights. The UNCT recommends that the Government ensure that the informed consent is given by communities prior to any investment in their land.

Citizenship

²⁵ SLCS data, reported as at 5 October 2020.

40. The UNCT welcomes the amendment of the Citizenship Act No. 4 of 1973 and No. 11 of 2006. The Citizenship (Amendment) Act 2017 provides for citizenship by birth and by descent to be granted through the mother, not just the father²⁶. Likewise, the claim to be of “negro African descent” in order to receive citizenship can now be claimed either through the mother or father, grandmother or grandfather. Based on the Constitution, persons who are not of “negro African descent” are denied citizenship by birth, though they can apply for naturalization, subject to presidential approval. The UNCT recommends to eliminate any form of discrimination in the Act.
41. The UNCT welcomes the progress that has been made in the implementation of the Civil Registration and Vital Statistics System (CRVS). The Government is currently developing a births and death registration mobile application, which will enhance permanent and continuous real time birth and death notification and registration across the country. The UNCT recommends that the Government allocate the necessary resources to the National Civil Registration Authority to ensure the effective operationalization of the CRVS in all areas of the country.

Human trafficking

42. Sierra Leone is a source, transit and destination country for children and women trafficked for the purposes of forced labour and commercial sexual exploitation. Trafficking within the country is more prevalent than transnational trafficking and the majority of victims are children. The Government has begun implementing the Labour Migration Policy to improve the response to the vulnerability of migrants to trafficking in Sierra Leone and abroad.²⁷
43. In February 2020, the Sierra Leone High Court for the first time since 2005, sentenced two persons guilty of human trafficking to lengthy jail terms. The UNCT commends the Government for prosecuting human trafficking offences, as it will be a deterrent for those who engage in this modern-day form of slavery.
44. The UNCT recommends to increase efforts to investigate and prosecute cases of human trafficking, including within the country. The UNCT recommends to ensure that victims of human trafficking are protected. The UNCT recommends to amend the 2005 anti-trafficking law to ensure that it reflects international standards and human rights principles.

²⁶ Section 1, The Citizenship (Amendment) Act, 2017, replacing section 5 of the Citizenship Act 1973.

²⁷ <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/sierra-leone/2019>