Flygtningenævnets baggrundsmateriale

Bilagsnr.:	**133**
Land:	Sierra Leone
Kilde:	British Home Office.
Titel:	Operational Guidance Note.
Udgivet:	17. november 2008
Optaget på baggrundsmaterialet:	15. januar 2009

Home Office
UK Border Agency

OPERATIONAL GUIDANCE NOTE

SIERRA LEONE

CONTENTS

1. Introduction

1.1 This document evaluates the general, political and human rights situation in Sierra Leone and provides guidance on the nature and handling of the most common types of claims received from nationals/residents of that country, including whether claims are or are not likely to justify the granting of asylum, Humanitarian Protection or Discretionary Leave. Case owners must refer to the relevant Asylum Instructions for further details of the policy on these areas.

1.2 This guidance must also be read in conjunction with any COI Service Sierra Leone Country of Origin Information at: http://www.homeoffice.gov.uk/rds/country_reports.html

1.3 Claims should be considered on an individual basis, but taking full account of the guidance contained in this document. In considering claims where the main applicant has dependent family members who are a part of his/her claim, account must be taken of the situation of all the dependent family members included in the claim in accordance with the Asylum Instructions on Article 8 ECHR. If, following consideration, a claim is to be refused, case owners should consider whether it can be certified as clearly unfounded under the case by case certification power in section 94(2) of the Nationality Immigration and Asylum Act 2002. A claim will be clearly unfounded if it is so clearly without substance that it is bound to fail.

1.4 With effect from 27 July 2007 Sierra Leone is a country listed in section 94 of the Nationality, Immigration and Asylum Act 2002 in respect of men only. Asylum and human rights claims must be considered on their individual merits. If, following consideration, a claim made on or after 27 July 2007 by a man who is entitled to reside in Sierra Leone is refused, case owners must certify it as clearly unfounded unless satisfied that it is not. A claim will be clearly unfounded if it is so clearly without substance that it is bound to fail. Sierra Leone is not listed in section 94 in respect of women. However if a claim from a woman is refused, case owners may certify it as clearly unfounded on a case-by-case basis

if they are satisfied that it is so clearly without substance that it is bound to fail. Guidance on whether certain types of claim are likely to be clearly unfounded is set out below.

Source documents

1.5 A full list of source documents cited in footnotes is at the end of this note.

2. Country assessment

2.1 Sierra Leone gained full independence on 27 April 1961. The Sierra Leone People's Party (SLPP) ruled until 1967 when the electoral victory of the opposition All People's Congress (APC) was cut short by the country's first military coup. The military handed over power to the APC and its leader Siaka Stevens in 1968. Siaka Stevens turned the country into a one-party state in 1978, handing the reigns to his deputy, General Momoh, in 1985. Under popular pressure, one party rule ended in 1991 and a new constitution providing for a return to multi-party politics was approved. Elections were scheduled for 1992, but by this stage Sierra Leone's institutions had collapsed, mismanagement and corruption had ruined the economy and rising youth unemployment was a serious problem.[1]

2.2 The Revolutionary United Front (RUF) emerged with backing from Charles Taylor in neighbouring Liberia and in 1991 led a rebellion against the APC Government, leading to a Junior Officers coup in April 1992. Its leader, Capt Strasser, was in turn deposed in January 1996. The RUF refused to take part in elections held in February 1996 and continued the conflict. The elections were won by Ahmad Tejan Kabbah and the SLPP. The new government signed a peace agreement, the Abidjan Agreement, with the RUF but it failed to stop the rebellion. Kabbah's Government was subsequently overthrown in a further coup in 1997. The military junta, headed by Major Johnny Paul Koroma, invited the RUF to join government. The Kabbah Government was re-instated in 1998.[2]

2.3 The rebellion reached Freetown when the RUF, combined with renegade elements of the army, invaded the capital in January 1999. They were repulsed by the Nigerian troops of the Economic Community of West African States Monitoring Group (ECOMOG), but at great human cost. A second peace agreement, the Lome Accord of 1999, to be supervised by a United Nations (UN) peacekeeping force, brought the RUF officially into government, but this collapsed in 2000 when the RUF attacked UN peacekeepers upcountry and threatened to invade Freetown again. Security was restored with the intervention of British troops in May 2000, the signing of the Abuja peace agreement in November 2000, together with the deployment of the United Nations Mission in Sierra Leone (UNAMSIL) across the country. This allowed the gradual restoration of government authority throughout the territory. The war was officially declared over in February 2002.[3]

2.4 The most recent presidential and parliamentary elections were held in August 2007. More than five hundred candidates vied with each other for over one hundred parliamentary seats and seven presidential candidates vied with each other to replace Ahmad Tejan Kabbah as president. The opposition APC won a majority in parliament, winning 59 of the elected seats (as well as three further seats in subsequent by-elections). Ernest Koroma of the APC was elected president in September 2007 after a second round of votes in the presidential election. Domestic and international observers characterised the elections as credible and free but noted irregularities that did not affect the outcome.[4]

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[1] Home Office Country of Origin Information (COI) Key Documents 2008: Sierra Leone (Background Information on Sierra Leone: Recent history) & Foreign and Commonwealth Office (FCO) Country Profile 2008

[2] COI Key Documents 2008: Sierra Leone (Background Information on Sierra Leone: Recent history) & FCO Country Profile 2008

[3] COI Key Documents 2008: Sierra Leone(Background Information on Sierra Leone: Recent history) & FCO Country Profile 2008

[4] COI Key Documents 2008: Sierra Leone (Background Information on Sierra Leone: Recent events and political developments), FCO Country Profile 2008 & U.S. Department of State report on Human Rights

2.5 The 10-year RUF rebellion saw widespread killings, rape, looting and destruction of property, largely in the countryside but also in Freetown in 1999. Renegade soldiers also took part in atrocities against civilians. At least 50,000 people died. A third of the population was displaced. Some 30,000 civilians were deliberately maimed through the amputation of limbs and other physical atrocities. Thousands of children were forcibly recruited into the RUF ranks where they too committed gross human rights abuses, often against their own families. Although human rights have greatly improved since the end of the conflict, a few issues such as the protracted detention of remand prisoners, and the widespread practice of female genital mutilation, remain of concern.[5]

2.6 In January 2002, The UN and the Government of Sierra Leone established the Special Court for Sierra Leone to bring to justice those who bear the greatest responsibility for war crimes and atrocities. The Court opened in March 2004. A total of thirteen people have been indicted, from all sides of the conflict. Foday Sankoh and Sam Bockarie (two leading members of the RUF) have since died and the whereabouts of another indictee is unknown. Of the ten remaining individuals, three from the APRC military junta have been convicted and sentenced to long prison terms. Their appeals against the length of these terms were rejected in March 2008. Three individuals from the CDF, a pro-government militia force, have also been convicted and sentenced to long prison terms. Their appeal also failed, in May 2008. The trial of the remaining three indictees, from the RUF, is on-going, as is the trial of the most high profile indictee, former Liberian President Charles TaylorTaylor, who is being tried in The Hague for security reasons. A Truth and Reconciliation Commission (TRC) was also established in 2002. The Commission heard around 9,000 testimonies, and submitted its report in 2005. A Human Rights Commission (a key recommendation of the TRC report) has now been set up.[6]

2.7 In 2004, UNAMSIL handed over responsibility for security countrywide to the Republic of Sierra Leone Armed Forces (RSLAF) and Sierra Leone Police (SLP). The last UN peacekeepers withdrew in December 2005 leaving a civilian UN presence to support the Government. The Government generally maintained effective control of the security forces during 2007.[7]

2.8 According to the U.S. Department of State, the Government generally respects the human rights of its citizens. In 2007, however, there were reports of police theft and extortion, prolonged detention in poor conditions, and the security forces using excessive force on detainees, including juveniles. There were also reports during the year of the authorities arresting journalists and harassment of opposition party supporters by ruling party members. At times, the judiciary is subject to government influence and corruption.[8]

3. Main categories of claims

3.1 This Section sets out the main types of asylum claim, human rights claim and Humanitarian Protection claim (whether explicit or implied) made by those entitled to reside in Sierra Leone. It also contains any common claims that may raise issues covered by the Asylum Instructions on Discretionary Leave. Where appropriate it provides guidance on whether or not an individual making a claim is likely to face a real risk of persecution, unlawful killing or torture or inhuman or degrading treatment/ punishment. It also provides guidance on whether or not sufficiency of protection is available in cases where the threat comes from a non-state actor; and whether or not internal relocation is an option. The law and policies on

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Practices (USSD) 2007 (Introduction)
[5] FCO Country Profile 2008
[6] COI Key Documents 2008: Sierra Leone (Background Information on Sierra Leone: Recent history) & FCO Country Profile 2008
[7] USSD 2007 (Introduction) & Central Intelligence Agency (CIA) - The World Factbook: Sierra Leone (Introduction)
[8] COI Key Documents 2008: Sierra Leone (Background Information on Sierra Leone: Human Rights) & USSD 2007 (Introduction & Section 1)

persecution, Humanitarian Protection, sufficiency of protection and internal relocation are set out in the relevant Asylum Instructions, but how these affect particular categories of claim are set out in the guidance below.

3.2 Each claim should be assessed to determine whether there are reasonable grounds for believing that the applicant would, if returned, face persecution for a Convention reason - i.e. due to their race, religion, nationality, membership of a particular social group or political opinion. The approach set out in *Karanakaran* should be followed when deciding how much weight to be given to the material provided in support of the claim (see the Asylum Instruction on Considering the Asylum Claim).

3.3 If the applicant does not qualify for asylum, consideration should be given as to whether a grant of Humanitarian Protection is appropriate. If the applicant qualifies for neither asylum nor Humanitarian Protection, consideration should be given as to whether he/she qualifies for Discretionary Leave, either on the basis of the particular categories detailed in Section 4 or on the individual circumstances.

3.4 This guidance is **not** designed to cover issues of credibility. Case owners will need to consider credibility issues based on all the information available to them. For guidance on credibility see the Asylum Instructions on 'Considering the Asylum Claim' and 'Assessing Credibility in Asylum and Human Rights Claims'.

3.5 All Asylum Instructions can be accessed via the Horizon intranet site. The instructions are also published externally on the Home Office internet site at: http://www.ukba.homeoffice.gov.uk/documents/asylumpolicyinstructions/

3.6 Female Genital Mutilation (FGM)

3.6.1 Some asylum and/or human rights claims will be based on a fear that the applicant or their daughter(s) will against their will be subjected to FGM at the hands of non-state actors.

3.6.2 ***Treatment.*** No law prohibits FGM in Sierra Leone and it was practised widely at all levels of society during 2007, particularly as part of the initiation into women-only secret societies. UNICEF and other groups estimate that 80 to 90 per cent of women and girls in Sierra Leone have undergone FGM, although some local groups put the figure lower. In 2007, FGM was reportedly practised on girls as young as five years old.[9]

3.6.3 Although a number of non-governmental organisations (NGOs) work to eradicate FGM and to inform the public about its harmful health effects, active resistance by women's secret societies hinders these efforts. However, there has been progress in reducing the practice and in 2006 an anti-FGM NGO reported that by year's end, 1,800 practitioners had agreed to 'lay down their knives'. The NGO found that many practitioners still engaged in the practice because it represented their sole source of income, so multiple programmes were created to help former practitioners find alternative sources of income. In addition, the Amazonian Initiative Movement, another anti-FGM NGO, reported 35 practitioners ceased performing FGM in Lunsar to conduct agricultural projects. In February 2008, the social welfare minister, Haja Musu Kandeh, reportedly stated that the Government has an expressed commitment to ban the practice of FGM, though she did not state when the ban would take effect.[10]

3.6.4 ***Sufficiency of protection.*** During 2007, police occasionally detained practitioners on accusations of forced mutilation or manslaughter, however, human rights workers reported that police remained hesitant to interfere in cultural practices.[11] As FGM is not illegal, individuals are unlikely to be able to seek and receive adequate state protection.

[9] Home Office Country of Origin Information (COI) Service Female Genital Mutilation (FGM) Country Information Report 2008 (Countries: Sierra Leone) & USSD 2007 (Section 5)
[10] COI Service FGM Country Information Report 2008 (Countries: Sierra Leone) & USSD 2007 (Section 5)
[11] USSD 2007 (Section 5)

3.6.5 ***Internal relocation.*** FGM is practised throughout the country. Whilst there have been incidents of it being forcibly carried out on women and children, there is little evidence that it is routinely carried out forcibly against the will of adults and the Krio people in and around Freetown, for example, shun the practice. There is freedom of movement in Sierra Leone[12] and it is therefore possible for an adult who is personally, or whose daughter, is at risk of forcible FGM in her home area to avoid that risk by moving to an area of the country where it is not practised, such as the environs of Freetown. Whether it would be unduly harsh to expect her to do so will depend on the circumstances of the particular case, but it would not in general be unduly harsh to expect a young healthy woman to relocate internally.

3.6.6 ***Caselaw.***

> **[2006] UKHL 46 Fornah (FC) v Secretary of State for the Home Department.** On 18 October 2006, the House of Lords allowed Zainab Esther Fornah's appeal against the Court of Appeal's findings. The Lords did not accept that 'young women in Sierra Leone' constituted a particular social group (PSG) within the terms of the 1951 Refugee Convention, however, the Lords considered that 'uninitiated' or 'intact' women in Sierra Leone are a PSG.
>
> **[2003] UKIAT00080 S (Sierra Leone).** With regard to the issue of internal relocation, the Tribunal found that although it would initially prove difficult for a young, educated, healthy single woman to relocate internally to Freetown, and establishing herself there may involve a degree of hardship and discomfort, the threshold to be crossed is a high one and it would not be unduly harsh to expect her to do so.

3.6.7 ***Conclusion.*** Each case should be considered on its individual merits. It is unlikely that an adult would be subjected to FGM against her will but that may not be the case for children. Where a real risk is established in the home area, although sufficiency of protection cannot be relied upon, it will not usually be unduly harsh to expect the applicant to relocate internally to escape those who she fears would subject her or her children to FGM. The House of Lords judgement in the case of Fornah considered 'uninitiated' or 'intact' women in Sierra Leone as a particular social group within the 1951 Refugee Convention. Therefore, where a real risk is established and internal relocation would, in the particular circumstances of the case be unduly harsh, a grant of asylum is likely to be appropriate.

3.7 Members/former members of rebel groups

3.7.1 Some applicants make asylum and/or human rights claims based on a fear of mistreatment by the Government or other persons or groups as a result of their or a family member's involvement with the RUF or other opposition groups.

3.7.2 ***Treatment.*** The eleven year civil conflict officially ended in February 2002 and the RUF's political wing contested the presidential and parliamentary elections of May 2002, albeit with limited success.[13]

3.7.3 In January 2002, The UN and the Government of Sierra Leone established the Special Court for Sierra Leone to bring to justice those who bear the greatest responsibility for war crimes and atrocities. The Court opened in March 2004. A total of thirteen people have been indicted, from all sides of the conflict. Foday Sankoh and Sam Bockarie (two leading members of the RUF) have since died and the whereabouts of another indictee is unknown. Of the ten remaining individuals, three from the APRC military junta have been convicted and sentenced to long prison terms. Their appeals against the length of these terms were rejected in March 2008. Three individuals from the CDF, a pro-government militia force, have also been convicted and sentenced to long prison terms. Their appeal also failed, in May 2008. The trial of the remaining three indictees, from the RUF, is on-going, as is the

[12] USSD 2007 (Section 2)
[13] COI Key Documents 2008: Sierra Leone (Background Information on Sierra Leone: Recent history) & FCO Country Profile 2008

trial of the most high profile indictee, former Liberian President Charles TaylorTaylor, who is being tried in The Hague for security reasons. A Truth and Reconciliation Commission (TRC) was also established in 2002. The Commission heard around 9,000 testimonies, and submitted its report in 2005. A Human Rights Commission (a key recommendation of the TRC report) has now been set up.[14]

3.7.4 ***Sufficiency of protection.*** The Special Court does not pursue rank and file combatants or foot soldiers, but some former low-level members of rebel groups may face harassment from other members of the general public because of their activities during the period of civil conflict. During 2007, the SLP, which has primary responsibility for maintaining internal order, lacked investigative, forensic and riot control capabilities. Police corruption also continued to be a problem.[15] However, there is no evidence to indicate that the SLP is not able to offer assistance to anyone seeking their protection, including members or former members of rebel groups.

3.7.5 ***Internal relocation.*** The law provides for freedom of movement within Sierra Leone and the Government generally respected this right in 2007.[16] Therefore, low-level members or former members of rebel groups will be able to internally relocate to another part of Sierra Leone where they are not known and will not be at risk should they encounter harassment from members of the wider public, and unless there are factors specific to the individual case it would not be unreasonable to expect them to do so.

3.7.6 ***Conclusion.*** Applications based on minor involvement with rebel groups are unlikely to lead to a grant of asylum as such individuals are not generally facing persecution by either the Government or society in general. Members, former members or those related to suspected members of rebel groups who encounter harassment from the wider public will be able to seek redress from the authorities or internally relocate to another part of Sierra Leone. Applications under this category are therefore likely to be clearly unfounded and as such should be certified.

3.7.7 Applicants who are, or who are suspected to be, high profile members of rebel groups, may be of interest to the Special Court of Sierra Leone and may face prosecution upon return there on account of their involvement in the civil conflict. Such applications are unlikely to lead to a grant of asylum as there is no evidence to indicate that those who are prosecuted in the Special Court face treatment from the authorities that amounts to persecution. Case owners should note, however, that members of the RUF and other rebel groups have been responsible for numerous serious human rights abuses. If it is accepted that an applicant was an active operational member or combatant for the RUF or another rebel group and the evidence suggests he/she has been involved in such actions, then case owners should consider whether one of the Exclusion clauses is applicable. Case owners should refer such cases to a Senior Caseworker in the first instance.

3.8 General Political/humanitarian situation

3.8.1 Some applicants will make an asylum and/or human rights claim based on ill-treatment amounting to persecution due to the general political, human rights and/or humanitarian situation in Sierra Leone.

3.8.2 ***Treatment.*** The most recent presidential and parliamentary elections were held in 2007, in which the opposition APC won a majority in parliament and Ernest Koroma was elected president. Domestic and international observers characterised the elections as credible and free. In 2004, UNAMSIL handed over responsibility for security countrywide to the RSLAF and SLP. The last UN peacekeepers withdrew in December 2005 leaving a civilian UN presence to support the Government. The Government generally maintained effective

[14] COI Key Documents 2008: Sierra Leone (Background Information on Sierra Leone: Recent history) & FCO Country Profile 2008
[15] USSD 2007 (Section 1)
[16] USSD 2007 (Section 2)

control of the security forces during 2007.[17]

3.8.3 According to the U.S. Department of State, the Government generally respects the human rights of its citizens. In 2007, however, there were reports of police theft and extortion, prolonged detention in poor conditions, and the security forces using excessive force on detainees, including juveniles. There were also reports during the year of the authorities arresting journalists and harassment of opposition party supporters by ruling party members. Discrimination and violence against women, child abuse, people trafficking and forced labour are reportedly also problems within society in Sierra Leone, and the judiciary is subject to government abuse and corruption.[18]

3.8.4 ***Sufficiency of protection.*** In light of the nature of this category of claims, the availability of sufficient protection from the state authorities is not relevant.

3.8.5 ***Internal relocation.*** In light of the nature of this category of claims, the availability of an internal relocation option is not relevant.

3.8.6 ***Caselaw.***

> **[2003] UKIAT00068 C (Sierra Leone).** The Tribunal rejected the claim that the appellant would have his human rights infringed by being returned to Sierra Leone and living in inhuman conditions in the internally displaced persons (IDP) camps in Freetown. The Tribunal found that the appellant would be returned to a country where large sections of the population have been displaced, but where large sections of the population are returning to their places of origin and where the situation appears to be stabilising and improving.

3.8.7 ***Conclusion.*** Since the end of the civil conflict, applicants from Sierra Leone may encounter problems exacerbated by poverty and wrecked infrastructure, but the Government generally respects the human rights of its citizens. Therefore, applicants who apply for asylum based on the general political, human rights or humanitarian situation are not generally likely to be able to demonstrate that they will be at real risk of ill-treatment amounting to persecution within the terms of the 1951 Convention or torture or inhuman or degrading treatment that would engage the UK's obligations under Article 3 ECHR. The grant of asylum or Humanitarian Protection in such cases is not likely to be appropriate. Applications under this category are therefore likely to be clearly unfounded and as such should be certified.

3.9 Prison conditions

3.9.1 Applicants may claim that they cannot return to Sierra Leone due to the fact that there is a serious risk that they will be imprisoned on return and that prison conditions in Sierra Leone are so poor as to amount to torture or inhuman treatment or punishment.

3.9.2 The guidance in this section is concerned solely with whether prison conditions are such that they breach Article 3 of ECHR and warrant a grant of Humanitarian Protection. If imprisonment would be for a Refugee Convention reason, or in cases where for a Convention reason a prison sentence is extended above the norm, the claim should be considered as a whole but it is not necessary for prison conditions to breach Article 3 in order to justify a grant of asylum.

3.9.3 According to the U.S. Department of State, prison conditions remained poor in 2007. Overcrowding was a major problem, including at Freetown's Pademba Road Prison, which was designed to house 324 prisoners, but held 1,161, according to the Prison Authority.

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[17] COI Key Documents 2008: Sierra Leone (Background Information on Sierra Leone: Recent events and political developments), FCO Country Profile 2008, USSD 2007 (Introduction) & CIA - The World Factbook: Sierra Leone (Introduction)

[18] COI Key Documents 2008: Sierra Leone (Background Information on Sierra Leone: Human Rights) & USSD 2007 (Introduction & Section 1)

During 2007, human rights observers reported that detention conditions frequently fell below minimum international standards because of overcrowding, lack of access to food, unhygienic conditions, and insufficient medical attention.[19]

3.9.4 International monitors, including the International Committee of the Red Cross (ICRC), enjoyed unrestricted access to prisons, detention centres, and police holding cells in 2007. During the year, the Government permitted family visits for prisoners, but according to NGO reports, family members had to bribe prison guards to visit. The ICRC also provided a message delivery service that allows prisoners housed in all district prisons to communicate with their families on a quarterly basis. Men and women were held in separate cells in 2007, however, in many prisons, men and women were held in the same block and shared facilities. While an effort was made to prevent juveniles from being detained with adults during 2007, 73 minors were imprisoned with adult offenders in Pademba, Bo, Makeni, Kambia, Kenema, and Kailahun. In the three juvenile facilities, detainees reportedly did not have adequate access to food, education, or vocational training. In most cases pre-trial detainees were held with convicted prisoners.[20]

3.9.5 ***Conclusion.*** Whilst prison conditions in Sierra Leone are poor, with overcrowding being a particular problem, conditions are unlikely to reach the Article 3 threshold. Therefore, even where applicants can demonstrate a real risk of imprisonment on return to Sierra Leone a grant of Humanitarian Protection will not generally be appropriate. However, the individual factors of each case should be considered to determine whether detention will cause a particular individual in his particular circumstances to suffer treatment contrary to Article 3, relevant factors being the likely length of detention the likely type of detention facility and the individual's age and state of health. Where in an individual case treatment does reach the Article 3 threshold a grant of Humanitarian Protection will be appropriate.

4. Discretionary Leave

4.1 Where an application for asylum and Humanitarian Protection falls to be refused there may be compelling reasons for granting Discretionary Leave (DL) to the individual concerned. (See Asylum Instructions on Discretionary Leave) Where the claim includes dependent family members consideration must also be given to the particular situation of those dependants in accordance with the Asylum Instructions on Article 8 ECHR.

4.2 With particular reference to Sierra Leone the types of claim which may raise the issue of whether or not it will be appropriate to grant DL are likely to fall within the following categories. Each case must be considered on its individual merits and membership of one of these groups should *not* imply an automatic grant of DL. There may be other specific circumstances related to the applicant, or dependent family members who are part of the claim, not covered by the categories below which warrant a grant of DL - see the Asylum Instructions on Discretionary Leave and the Asylum Instructions on Article 8 ECHR.

4.3 Minors claiming in their own right

4.3.1 Minors claiming in their own right who have not been granted asylum or HP can only be returned where they have family to return to or there are adequate reception, care and support arrangements. At the moment we do not have sufficient information to be satisfied that there are adequate reception, care and support arrangements in place for minors with no family in Sierra Leone.

4.3.2 Minors claiming in their own right without a family to return to, or where there are no adequate reception, care and support arrangements, should if they do not qualify for leave on any more favorable grounds be granted Discretionary Leave for a period as set out in the relevant Asylum Instructions.

[19] USSD 2007 (Section 1)
[20] USSD 2007 (Section 1)

4.4 Medical treatment

4.4.1 Applicants may claim they cannot return to Sierra Leone due to a lack of specific medical treatment. See the IDI on Medical Treatment which sets out in detail the requirements for Article 3 and/or 8 to be engaged.

4.4.2 Quality and comprehensive medical services are very limited in Freetown, and are almost nonexistent for all but most minor treatment outside of the capital. Medicines are in short supply and due to inadequate diagnostic equipment, lack of medical resources and limited medical specialty personnel, complex diagnosis and treatment are unavailable. The quality of medications in Sierra Leone is inconsistent and counterfeit drugs remain a problem. Many primary health care workers, especially in rural areas, lack adequate professional training.[21]

4.4.3 Mental health is part of the primary health care system. Actual treatment of severe mental disorders is available at the primary level, but there are no community care facilities for people with mental disorders and regular training of primary care professionals is not carried out. Therapeutic drugs are generally available.[22]

4.4.4 Where a case owner considers that the circumstances of the individual applicant and the situation in Sierra Leone reach the threshold detailed in the IDI on Medical Treatment making removal contrary to Article 3 or 8 a grant of Discretionary Leave to remain will be appropriate. Such cases should always be referred to a Senior Caseworker for consideration prior to a grant of Discretionary Leave.

5. Returns

5.1 Factors that affect the practicality of return such as the difficulty or otherwise of obtaining a travel document should not be taken into account when considering the merits of an asylum or human rights claim. Where the claim includes dependent family members their situation on return should however be considered in line with the Immigration Rules, in particular paragraph 395C requires the consideration of all relevant factors known to the Secretary of State, and with regard to family members refers also to the factors listed in paragraphs 365-368 of the Immigration Rules.

5.2 Sierra Leonean nationals may return voluntarily to any region of Sierra Leone at any time by way of the Voluntary Assisted Return and Reintegration Programme (VARRP) implemented on behalf of the UK Border Agency by the International Organization for Migration (IOM) and co-funded by the European Refugee Fund. IOM will provide advice and help with obtaining travel documents and booking flights, as well as organising reintegration assistance in Sierra Leone. The programme was established in 1999, and is open to those awaiting an asylum decision or the outcome of an appeal, as well as failed asylum seekers. Those wishing to avail themselves of this opportunity for assisted return should be put in contact with the IOM offices in London on 0800 783 2332 or www.iomlondon.org.

6. List of source documents

- Home Office Country of Origin Information (COI) Service Country of Origin Information Key Documents: Sierra Leone (dated 4 April 2008). http://www.homeoffice.gov.uk/rds/country_reports.html

- Home Office COI Service Female Genital Mutilation Country Information Report (dated 20 June 2008). http://www.homeoffice.gov.uk/rds/country_reports.html

- Foreign and Commonwealth Country Profile 2008: Sierra Leone (last reviewed on 3 June

[21] U.S. Department of State International Travel Information: Sierra Leone
[22] World Health Organisation Mental Health Atlas 2005: Sierra Leone

2008). http://www.fco.gov.uk/en/about-the-fco/country-profiles/sub-saharan-africa/sierra-leone

- U.S. Department of State report on Human Rights Practices (USSD) 2007: Sierra Leone (released on 11 March 2008). http://www.state.gov/g/drl/rls/hrrpt/2007/100503.htm
- U.S. Department of State International Travel Information: Sierra Leone (dated 10 June 2008). http://travel.state.gov/travel/cis_pa_tw/cis/cis_1016.html
- Central Intelligence Agency World Factbook 2008: Sierra Leone (last updated on 6 November 2008). https://www.cia.gov/library/publications/the-world-factbook/geos/sl.html
- World Health Organisation Mental Health Atlas 2005: Sierra Leone. http://www.who.int/mental_health/evidence/mhatlas05/en/index.html

Directorate of Central Operations and Performance
17 November 2008