



**STATEMENT BY PATRICIA NARSU NDANEMA; CHAIRPERSON OF
THE HUMAN RIGHTS COMMISSION SIERRA LEONE ON THE
PRESENTATION OF THE STATE OF HUMAN RIGHTS REPORT IN
SIERRA LEONE 2020**

1. Your Excellency, esteemed government functionaries, Civil Society Organizations (CSO) members of the fourth estate, Commissioners and staff of the Human Rights Commission of Sierra Leone good morning. Your excellency, the presentation of the 14th edition of the State of Human Rights in Sierra Leone Report, is in compliance with Section 24(1) of the Human Rights Commission Act (No. 9) 2004, which requires the Institution to catalogue the ways in which fundamental rights and freedoms enshrined in Chapter 3 of the Constitution of Sierra Leone 1991 have been observed or violated, including provisions in regional and international human rights agreements to which Sierra Leone is a state party. This report also presents activities undertaken by the Commission in the protection and promotion of human rights throughout the year 2020.
2. Your excellency, I am pleased to state that the different information contained in this report have been collected by Commissioners and staff from monitoring exercises, observations, engagements with targeted government officials in their various Institutions, civil society organizations, District Human Rights Committees, the Human Rights Working Groups at the district level, direct community engagements, information from complainants, witnesses, perpetrators and other stake holders.
3. During the reporting period, complaints received increased from 326 in 2019 to 363 in 2020. This also includes mobile complaints presented in groups but counted as one. This increase is mainly due to the Commission's robust awareness raising and the positive result coming out of our interventions. Denial of the rights to property constituted 15% being the highest of all complaints received followed by denial of workers rights on benefits and other related matters. Details of success stories and challenges of our interventions are documented in this report.



4. I must state the Commission's deepest appreciation to Ministries, Department and Agencies (MDA), NGOs and Civil Society Organizations who have been very cooperative with the Commission in executing its mandate through our referral partnership platform.

5. Your Excellency, the enjoyment of several rights was seriously challenged due to the Covid-19 pandemic. Article 4 of the International Covenant on Civil and Political Rights, requires states to take positive measures during public emergencies, when the nation feels threatened. The Covid-19 is a public health emergency and the Commission recognizes the proactive steps taken by government to protect the rights to health and life of its citizen even before Sierra Leone recorded its first index case in March 2020. During the pandemic, apart from government's robust intervention in saving lives, we note other quick interventions taken by the government on the enjoyment of some key rights;

6. **On Economic Social and Cultural Rights (ESCR): *Right to Education:*** Although schools were closed, government provided teaching and learning materials to pupils and instituted distant learning sessions through radio and TV programmes to engage students with school work at home. Radios were distributed in some remote communities to give pupils and students the opportunity to participate in the distant learning programme thereby promoting access to educational services during the sit at home phase of responding to the pandemic.

7. ***Respect For Statutory Obligations:*** Noting that the hospitality industry was the hardest hit by the Covid 19, that led to the scaling down or closure of businesses which subsequently affected livelihoods, the HRCSL recognized the payment by government of three months salaries to all registered workers of hotels, restaurants and other entertainment centers to support their families.

8. ***Support to Vulnerable Groups:*** Additionally, HRCSL noted government's support to persons with disabilities and other vulnerable groups with cash transfers through the National Commission for Social Action (NaCSA) to support livelihood of families.



9. ***On Right to Health:*** HRCSL noted also the setting up of interim care centers and quarantine centers/homes, provided food and medical care for infected persons. Although there were a few issues with quarantine homes, we noted steps taken for their continuity. A special pay package was designed for health care workers who risked their lives while executing their duties.

Generally, the Commission noted the following on the enjoyment of rights in 2020.

- **On Civil and Political Rights (CPR) during the pandemic;**
10. ***On the rights to life, liberty and Security of Persons;*** guaranteed in the Constitution of Sierra Leone 1991, the African Charter on Human and People's Rights and the International Covenant on Civil and Political Rights, the commission noted the 76 loss of lives which resulted from the pandemic, the loss of lives at the Freetown Male Correctional Center following the 29th April incident, the loss of life in Lunsar on 30th April following the attack on the Lunsar Police Stations and other structures by youth, the loss of life in Tombo following the protest on the limitation of fishing boats allowed at sea due to the Covid 19 restrictions, and the loss of lives in Makeni resulting from the relocation of a generator to Lungi Airport, in Port Loko District.
 11. ***On enforced disappearance of persons:*** The Commission did not observe neither did it receive complaints from the public of enforced disappearance of persons done by the state or by other persons on behalf of the state.
 12. ***On Cruel, Inhuman and Degrading Treatment:*** The practice still remains prevalent in police cells. Acts of brutality by the police and some military officers were glaring during the outset of the covid-19 pandemic. The Commission also received complaints on inhuman and degrading treatment meted against children by their families.
 13. ***On Freedom of the Press and Speech:*** Radio, televisions and newspaper houses operated unhindered in the country. The Commission did not observe neither did it receive complaints on the denial of this right. Government took bold steps to repeal part V of the Public Order Act of 1965 which criminalized free speech, this was to increase citizens' participation in governance and create an enabling environment for journalist to freely practice their trade. All pending cases of journalists related to seditious libel provisions were removed out of court.



14. **Death Penalty Abolition:** acting on the sustained recommendations of the Human Rights Commission, other national and international human rights organizations and also in response to one of the recommendations of the Universal Periodic Review (UPR) 3rd cycle, government abolished the death penalty thus enabling Sierra Leone to join other progressive nations across the world. The Commission acknowledges the fulfilment of the President's commitment to abolish the death penalty being one of the voluntary pledges of the 3rd Cycle of the Universal Periodic Review (UPR).

15. **Freedom From Deprivation of Property** especially land, government took steps in legislative reform processes especially in the acquisition of land by non-natives. In order to address many land rights issues, the Ministry of Lands, Housing and Country Planning embarked on a nationwide consultation creating space through the setting up of an investigations committee on land issues for people to air their grievances on land related issues. The Commission formed part of the Investigations Committee. These consultations culminated in the drafting of two twin bills titled 'The National Land Commission' and the 'Customary Land Rights' Bills.
 - **The Judiciary**

16. HRCSL notes the reopening of the Magistrate Court in York to give access to justice to rights holders in the Waterloo Judicial District and the recruitment of 31 State Counsels. We note steps taken to progressively decongest the correctional centers which also falls in line with recommendations proffered at the 3rd cycle Universal Periodic Review on prison decongestion.

17. The Commission continues to express concern over the number of inmates without indictments being indicators for overcrowding. At the Freetown Male Correctional Center (FMCC) for an example, the Commission during monitoring visits, observed and noted 250 inmates without indictment and had spent over three years in detention. This constitutes a major human rights violation contrary to human rights provisions. On sexual violence against women and girls, government launched the Sexual Offenses Model Court to deal with perpetrators of sexual violence. HRCSL monitoring of the courts commends the judiciary for its effective functioning thus granting justice to victims of sexual violence. We however note from our monitoring visits the improper functioning of some One Stop Centers in the country.



- **Detention Facilities** (*Police Cells/Correctional Centers*)

18. As mandated by Section 7(2)(g) of the Commission's Act, it continued monitoring places of detention. The Commission notes great improvement in the hygienic conditions in all correctional centers visited. Prolonged detentions and overcrowding in most police cells were glaring. Noting the non-availability of remand homes for juveniles in other districts apart from Bo, juveniles continue to be detained with adults in police cells as observed during our monitoring. For example, at the Kabala Police Station, an act which contravenes provisions in the Child Rights Act 2007 and the International Convention on the Rights of the Child. Most cells monitored were observed to be in appalling conditions.

- **Economic Social and Cultural Rights**

19. **Right to Education:** Government increased its budgetary allocations to the Ministry of Basic and Senior Secondary School Education (MBSSSE) from 21-22% to address the many concerns in the educational sector. In line with Sustainable Development Goal 4 which speaks to inclusion and non-discrimination, government through the 'Radical Inclusion Policy' of the Ministry lifted the ban on pregnant school girls imposed in 2010 now giving them access to educational services. To promote girls' education, and in keeping with government's Medium Term National Development Plan (2019-2023), the Dr. Kadie Sesay Girls Secondary School was opened in Port Loko District, the North-West region. The FQSE continues to offer core text books to schools, teaching and learning material and subsequently leading to increase in school enrolment.

20. The Commission during its monitoring of schools observed that enrolment at Kabala Senior Secondary School in Koinadugu district for an example increased from 1,500 students in 2018/2019 academic year to 1,822 in the 2019/2020 academic year which puts additional pressure on other services as observed like some other schools monitored. The Commission notes the recruitment of more teachers to catch up with the increased enrolments. In some schools, it was observed that there were no qualified teachers in key subjects such as mathematics, English, Chemistry. We note the launch of adult literary centers across the country thus giving access to education for right holders. The persistent strike actions by the two large universities seriously affected the smooth operations of these universities.

21. **Right to Health:** Government's allocation to the sector still stands at 11% since 2019 and has still not met the Abuja Declaration which requires African states to allocate 15% of its budget to the health sector. However, the Commission noted the continued rehabilitation of



Peripheral Health Units (PHUs) in some parts in the country to give medical access to rights holders in rural communities.

22. To improve on maternal and child health, the Commission during its monitoring of hospitals observed the establishment of a fully equipped special care baby unit at the Kailahun District Government Hospital. Government took proactive steps in addressing the pandemic since its outbreak through the establishment of covid precautionary measures, interim care centers, setting up of quarantine homes, lock downs, distribution of beds and lockdowns to curb the spread of the diseases across the country.
23. **Access to Safe Drinking Water:** The HRCSL observed and monitored steps taken by the Guma Valley Water Company to address concerns over access to safe drinking water. It observed the repairs of 84 damaged water tanks in the Western Rural and Urban Districts with 40 of them directly connected to the Guma's networks and the remaining serviced through bowsers. However, access to water continues to still pose some challenges as communities such as Kanningo, Sumaila Town, Rokel, Njagelema in the center of town are still challenged, thus leading to destruction of government and private water pipes in a bid to access water. In some cases, community water bowsers go unserviced for weeks thus putting pressure on especially children to go fetch water from distant areas.
24. **Electricity:** Although electricity does not stand alone as a right, access to it facilitates the enjoyment of other rights and improved standards of living. We recognise the ongoing rural electrification programme using renewable energy sources mainly solar. The country's energy sector has also seen initial growth through the improvement following the ongoing connection to the West African Power Pole project linking the network of grids from Ivory Coast through Liberia and Sierra Leone to Guinea. This is expected to boost energy availability to a wide range of people in the country and subsequently contribute to growth of local businesses and industry.
25. I wish to state that last year, we raised some challenges affecting the operations of the Commission during the presentation of the report to His Excellency and today, I on behalf of the Commission is grateful to state that we received one vehicle and this is the first time that the Commission is receiving a vehicle from government since its establishment, authorisation was given to recruit some staff and we now have some appreciable amount added to address our financial concerns. Although its clear in the Paris Principles that National Human Rights



Institutions should be fully funded by government, I still register my appreciation on behalf of the Commission for the president's response to our concerns.

26. Additionally, I express my deepest gratitude to the Embassy of Ireland for their technical and financial support to the work of the Commission and the United Nations Development Program (UNDP), not forgetting also the Embassy of China for making available some logistics to enable the Commission execute its mandate.

27. To conclude, I strongly call on the government to;

- To take deliberate steps to increase budgetary allocations to the HRCSL as accepted at the recently concluded UPR and in consonance with the Paris Principle that governs the operation of NHRIs.
- We call on the government to make a pronouncement on the publication of a new government white paper in respect of the Constitutional review, being one of governments voluntary pledges at the UPR.
- To Commit his government to enacting a law that addresses individual police accountability for violations of human rights as it happens in other countries
- President to give an executive clearance to the Ministry of Finance geared towards developing a national human rights action plan as promised during our last presentation of the SoHR 2019.

Let me use this opportunity on behalf of the Commission to wish Our Excellency and his government a happy Christmas and a bright and productive new year.

I thank you for your time.

It is now my pleasure, on behalf of my colleague Commissioners and staff, to present to our excellency the Commission's 14th annual report on the State of Human Rights in Sierra Leone 2020 which from our assessment remains satisfactory.

END