



HUMAN RIGHTS COMMISSION OF SIERRA LEONE
PRESS STATEMENT ON THE YENGA BORDER CONFLICT AND THE CLOSURE OF
THE GUINEAN BORDER
2nd February, 2021

The Human Rights Commission of Sierra Leone (HRCSL) came into being following recommendations from the Lomé Peace Accord and Report from the Truth and Reconciliation Commission. In 2004, Government by an Act of Parliament accordingly enacted the Human Rights Commission of Sierra Leone Act which gives HRCSL the primary responsibility to protect and promote human rights of all in the country devoid of region, ethnicity, sex, religion, association etc. In this vein HRCSL also serves as a peace building infrastructure which identifies early warning signs of conflict, documents them and make appropriate recommendations to government and its partners for prevention of any potential conflict.

About two weeks ago while monitoring the media, HRCSL noted that some people who said are residents of Yenga, a small village in the Kissi Teng Chiefdom in Kailahun District alleged through a voice message sent on WHATSAPP that Guinean soldiers had crossed over to their town laying claims to it. They therefore gave government through the same voice message an ultimatum to act fast and stop the Guineans otherwise they would take the law into their hands. This reopened fresh discussions in the media over the Yenga Border conflict which many Sierra Leoneans had thought it had long been resolved.

HRCSL viewed such threats as an early warning sign for conflict and therefore on the 28th of January 2021 dispatched a team to undertake a fact-finding mission led by the Vice Chairperson Victor I. Lansana Esq. and Commissioner Hassan Samba Yarjah to Yenga and also had to cross over to Nongowa the border axis of Guinea by means of a canoe. With the Guinea Border remaining closed, the Team also investigated the impact of this continuous closure. Accordingly, HRCSL engaged stakeholders separately on both sides of the border and did a conducted tour of the border area, the Yenga Community and the Pengu Bengu check point. These engagements and conducted tour were aimed at identifying the human rights issues prevailing in that part of the country in a bid to advise government appropriately. From these engagements and conducted tour, HRCSL has documented the following findings:

1. Security

- There is no security presence at the Sierra Leone border along the Makona/ Moa river as opposed to the Guinean counterpart who have a huge military presence at the foot of the border (Moa River).
- Security presence on the Sierra Leone part is only found at the Pengu Bengu Check Point, which is about 5 miles away from the actual border crossing point.
- Even at the Pengu Bengu Check Point, security presence is very low.
- Residents of Yenga community complained of intimidation and harassment from Guinean security personnel.



- There is no Guinean military occupation of Yenga, the Guineans only crossed the border to come and erect a beacon that was destroyed as a result of the road construction
- The Guinean personnel consider the area where the beacon is erected as a buffer zone and are determined to prevent anyone from meddling in that area.

2. Economic and Social Rights

- There is no presence of any school, health and market facilities in the Yenga border axis;
- Residents complained that sometimes they are prevented by the Guinean security personnel from using their land for farming and other agricultural purposes;
- Residents complained that they are normally asked to pay dues by the Guinean authorities to enable them undertake cross-border trade;
- Residents complained of extortion by the Guinean security personnel during this period of restriction of movement of people across the border
- Residents complained that the Guinean security personnel demolished the only primary school serving the Yenga Village.

3. Development Rights

- GoSL has commenced road construction from Kailahun town to the Yenga border axis
- Residents complained that Guinean security personnel did not allow the erection of street Solar poles, which had been brought by GoSL and Partners to provide light to the community and its environs

Recommendations

HRCSL notes that these infringements contradict both national and international laws, for instance, Section 1 of the Constitution of Sierra Leone 1991, provides that “Sierra Leone is a **Sovereign Republic** ...”, which means that any encroachment or interference into its territory is an act of aggression and it negates the enjoyment of fundamental human rights and freedoms.

Also, Part two of the Constitution and other relevant statutes and policies guarantee the enjoyments of Economic, Social and Cultural Rights.

Additionally, Article 1(1) & (2) of the ICESCR provides that:

1. *All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.*

2. *All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic*



co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence”.

In light of the above HRCSL makes the following specific recommendations:

That GoSL should:

1. Employ with utmost urgency diplomatic channels to resolve the Yenga border conflict once and for all.
2. Increase security personnel at the Pengu Bengu Check point.
3. Deploy security personnel at the mouth of the Makona/Moa river, which is the colonial boundary between Sierra Leone and Guinea from that end
4. In the long term erect permanent structures around the border axis in a bid to make it an economic hub
5. As matter of urgency, provide social amenities including school, health centre, market and a community centre in Yenga.
6. HRCSL calls on the Yengah community especially the youth to desist from using any violent means to claim their rights over the Yengah territory.

Human Rights Commission of Sierra Leone remains committed to the protection and promotion of human rights of all throughout the Sierra Leone.

END

Mrs. Patricia Narsu Ndanema

Chairperson