



**HUMAN RIGHTS COMMISSION
OF SIERRA LEONE**

*'Seven Years Working for the
Realization of Human Rights in
Sierra Leone'*

HRCSL - Making Rights Real



THE STATE OF HUMAN RIGHTS IN SIERRA LEONE 2013

Seven Years Working for the Realization of Human Rights in Sierra Leone.



**ANNUAL REPORT OF THE
HUMAN RIGHTS COMMISSION OF
SIERRA LEONE**



The State of Human Rights in Sierra Leone 2013
7th Annual Report of the Human Rights Commission of Sierra Leone
Presented to The President and Parliament of
The Republic of Sierra Leone
Pursuant to Section 24 (1) of
The Human Rights Commission of Sierra Leone Act (Act No. 9) 2004



31st March, 2014

H.E. Dr. Ernest Bai Koroma
President of the Republic of Sierra Leone
State House
Tower Hill
Freetown.

Your Excellency,

I have the pleasure in submitting to you, as required under Section 24 (1) of the Human Rights Commission of Sierra Leone Act (No. 9), 2004, the seventh annual report of the Human Rights Commission of Sierra Leone (HRCSL).

“The State of Human Rights in Sierra Leone, 2013” is a report of the activities of HRCSL covering the period 1st January to 31st December, 2013. As required by the Act, the report includes the ways in which the fundamental rights and freedoms contained in the 1991 Constitution and International and Regional Agreements to which Sierra Leone is a party, have been observed or violated. It also includes steps taken by HRCSL to protect and promote human rights: the results of individual complaints investigated, and the interventions and recommendations made in respect of matters brought before the Commission.

HRCSL respectfully calls on the Executive, Legislature, Judiciary and all other state bodies to implement the recommendations in this report as well as all other outstanding recommendations.

The HRCSL strongly believes that the protection and promotion of human rights, good Governance and the consolidation of peace are prerequisites for sustained democracy and development in Sierra Leone.

Yours Faithfully,

.....
Rev Moses Khanu
Chairperson



Honourable Speaker
Tower Hill
Freetown

Dear Honourable Speaker,

I have the pleasure in submitting to you, as required under Section 24 (1) of the Human Rights Commission of Sierra Leone Act (No. 9), 2004, the seventh annual report of the Human Rights Commission of Sierra Leone (HRCSL).

“The State of Human Rights in Sierra Leone, 2013” is a report of the activities of HRCSL covering the period 1st January to 31st December, 2013. As required by the Act, the report includes the ways in which the fundamental rights and freedoms contained in the 1991 Constitution and International and Regional Agreements to which Sierra Leone is a party, have been observed or violated. It also includes steps taken by HRCSL to protect and promote human rights: the results of individual complaints investigated, and the Interventions and recommendations made in respect of matters brought before the Commission.

HRCSL respectfully calls on the Executive, Legislature, Judiciary and all other state bodies to implement the recommendations in this report as well as all other outstanding recommendations.

The HRCSL strongly believes that the protection and promotion of human rights, good Governance and the consolidation of peace are prerequisites for sustained democracy and development in Sierra Leone.

Yours Faithfully,

.....
REV MOSES KHANU
Chairperson



List of Abbreviations

ACHPR	Africa Charter on Human and Peoples Rights
AfP	Agenda for Prosperity
APRM	African Peer Review Mechanism
CRC	Constitutional Review Committee
CRPD	Convention on the Rights of People with Disabilities
CSOs	Civil Society Organisations
DHRC	District Human Rights Committees
DIHR	Danish Institute for Human Rights
ECOWAS	Economic Community of West African States
EPA	Environmental Protection Agency
FDIs	Foreign Direct Investments
FGC	Female Genital Cutting
FHC	Free Health Care
FSU	Family Support Unit
GIZ	Gesellschaft für Internationale Zusammenarbeit
GoSL	Government of Sierra Leone
HRCSL	Human Rights Commission of Sierra Leone
HRDs	Human Rights Defenders
ICC	International Coordinating Committee
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ILO	International Labour Organisation
IMC	Independent Media Commission
LGBT	Lesbian Gay Bi-sexual and Transgender
MALOA	Malen Affected Land Owners' Association
MDAs	Ministries, Departments and Agencies
MFAIC	Ministry of Foreign Affairs and International Cooperation
MoD	Ministry of Defence
MoLSS	Ministry of Labour and Social Security
MRU	Mano River Union
MSWGCA	Ministry of Social Welfare Gender and Children's Affairs
MWR	Ministry of Water Resources
NaCSA	National Commission for Social Action
AML	African Minerals Limited
CDIID	Complaints, Discipline and Internal Investigation Department
NANHRI	Network of Africa National Human Rights Institutions
NCPD	National Commission for Persons with Disability



Contents	Page
Executive Summary	viii
Key Challenges & Recommendations	ix
Chairperson's Foreword	1
Executive Secretary's Review	3
Commissioners' Profiles	5
Part 1: Background and Historical Context	
1.1 Context	8
1.2 Vision, Mission and Core Values	9
1.3 Mandate of the HRCSL	10
Part 2: Activities of HRCSL	
2.1 Capacity Building	11
2.1.1 Staff Retreat	11
2.1.2 Workshop on conducting Effective National Inquiry	11
2.1.3 Leadership training for Commissioners and Staff	12
2.1.4 Training on Business and Human Rights	13
2.1.5 Induction of Directors	14
2.1.6 International training/conferences	14
2.1.7 Review of HRCSL Human Resource Manual	16
2.2 HRCSL's Finances	16
2.2.1 Government Subvention	16
2.2.2 Projects	16
2.3 Staff Matters	17
2.4 Recruitment and Separation	18
2.5 Dissemination of 2012 SOHR	18
2.6 Strategic Interactions with Partners	20
2.7 Monitoring Activities	25
2.8 Supports to the Implementation of the TRC Recommendations	26
2.8.1 The Reparations Programme	26
2.8.2 Technical Processing of TRC Archives	26
2.8.3 Representation at the Constitutional Review Committee	26
2.9 Library and Documentation Centres	26
2.10 Media Outreach	26
2.11 Commemoration of Human Rights Days	27
2.12 Complaints Handling and Management	29
Part 3: The State of Human Rights in Sierra Leone	
3.0 Protection and Promotion of Human Rights	39
3.1 Civil and Political Rights	39
3.1.1 Right to Life	39
3.1.2 Security of the Person	40
3.1.3 Freedom of Expression and the Press	41
3.1.4 Freedom of Assembly, Association and Movement	42



Statement of Comprehensive Income

<i>In thousands of Leones</i>	<i>Notes</i>	2012	2011
INCOME			
Government Support	2	3,513,002	3,031,167
External Support	3	1,443,820	1,203,086
Refund		1,095	25,709
Proceeds from sale of Asset		5,311	45,800
Transfer		-	272,220
Total Income		5,235,448	4,305,762
EXPENDITURE			
Staff Cost	4	2,391,526	2,123,652
Administrative Expenses	5	1,010,988	1,075,422
Program Expenses	6	286,910	196,627
IRISH AID	7	43,296	389,303
UNIFEM	9	29	1,460
GIZ	10	4,787	18,971
JSCO	12	-	40,000
UNDP (Access to Justice)	8	34,939	-
UNFPA	13	215,224	348,239
OSI/IWP	14	44,722	167,578
PBF	11	854,118	482,181
Total Expenditure		4,886,539	4,843,433
Surplus/ (Deficit) For the Year		348,909	(537,671)

These Financial Statements were approved on 17th March.....2014



.....Chairman/Commissioner



Human Rights Commission of Sierra Leone
Financial Statements for the year ended 31st December, 2012

Statement of Financial Position

In thousands of Leones	Notes	2012	2011
Assets			
Non-current assets			
Property, plant and equipment	17	951,107	503,624
Total Non-current assets		951,107	503,624
Current assets			
Cash and cash equivalents	15	510,702	32,863
		510,702	32,863
Total assets		1,461,809	536,487
Liabilities			
Non-Current Liabilities			
Accumulated Fund	16	191,861	(157,047)
Capital Grant		1,182,005	570,332
Current Liabilities			
Creditor		41,943	89,202
Accrued Audit Fee		46,000	34,000
Total liabilities		1,461,809	536,487

These Financial Statements were approved on 17th March 2014



Chairman/Commissioner



3.2	Human Rights in the Administration of Justice	42
3.2.1	The Sierra Leone Police	42
3.2.2	The Court System	43
3.2.3	The Sierra Leone Prisons	45
3.2.4	Juvenile Justice	46
3.3	Economic, Social and Cultural Rights	47
3.3.1	Right to Just and Favourable Conditions of Work	47
3.3.2	Business and Human Rights in Sierra Leone	48
3.3.3	Right to Education	50
3.3.4	Right to Health	51
3.3.5	Access to Clean and Safe Drinking Water	52
3.4	Women's Rights	54
3.4.1	International Women's Day Celebration	54
3.4.2	Gender Equality in the Agenda for Prosperity	54
3.4.3	The Gender Equality and Women's Empowerment Bill	55
3.4.4	Shelter/Safe Homes	55
3.4.5	Implementation of the Sexual Offences Act	55
3.5	Children's Rights	55
3.5.1	Child Labour	55
3.5.2	Teenage Pregnancy in Sierra Leone	56
3.5.3	Female Genital Cutting	56
3.6	Vulnerable Groups	56
3.6.1	Persons With Disability	57
3.6.2	Persons Living with HIV/AIDs	57
3.6.3	Commercial Sex Workers	58
3.6.4	Older Persons	58
3.6.5	Persons With Different Sexual Orientation	59
3.7	Youth	59
3.7.1	Review of Draft National Youth Policy 2013	59
3.7.2	Graduate Internship Programme	60
3.8	Important Events / Programs in Furtherance of the Promotion and Protection of Human Rights	60
3.8.1	The Agenda for Prosperity (AFP)	60
3.8.2	Fulfillment of Sierra Leone's Treaty Obligations	61
3.8.3	The Universal Periodic Review (UPR)	61
3.8.4	African Peer Review Mechanism	62
3.8.5	Implementation of the TRC Recommendations	62
3.8.6	The Constitutional Review	62
3.9	Human Rights Defenders in Sierra Leone	63

Appendices

1. Human Rights Commission of Sierra Leone Financial Statement for the Year Ending 31st December, 2012



Executive Summary

In compliance with sections 24(1) and 7(g) of the Human Rights Commission Act No. 9 of 2004, HRCSL publishes its seventh annual 'State of Human Rights in Sierra Leone' (SOHR) Report.

The 2013 SOHR is structured in three parts.

Part 1

Provides synoptical information on the historical background of Sierra Leone and the events leading to the establishment of the Commission, including its Mission, Vision and Core Values.

Part 2

Details the activities of the Commission, which include training, workshops and national and international conferences attended by Commissioners and staff of the Commission. Highlights of these activities are the National Mid-Term Review conference which assessed the status of implementation of the Universal Periodic Review (UPR) Recommendations held in September 2013 at the Bank Complex, Kingtom and the development and launching of a monitoring tool for Business and Human Rights in Sierra Leone. It also includes programmes of the Commission to commemorate Human Rights Days such as the African Charter Day, the International Day for Persons with Disability and International Human Rights Day. Strategic engagements with partners in the furtherance of the work of the Commission are also highlighted.

Also included in this section is the report on the finances of the Commission and the dissemination of the SOHR 2012, as well as the provision of information through its Libraries and documentation centres. Some of these activities were supported by donor partners which include the UNDP, Irish Aid and the Irish Human Rights Commission and the Food and Agricultural Organization (FAO).

This section also provides details of processing complaints by the Commission. The statistics shows that the Western Area accounts for the highest proportion of complaints received. The follow up engagement on the implementation of the recommendations in the Bumbuna Public Inquiry Report by stakeholders, concludes this section.

Part 3

Addresses the general state of human rights in Sierra Leone. In particular, it states how the Civil and Political, and Economic, Social and Cultural Rights as guaranteed by the constitution, and other regional and international conventions to which Sierra Leone is a party, were observed or violated.



Human Rights Commission of Sierra Leone
Financial Statements for the year ended 31st December, 2012

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal controls relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal controls.

An audit also includes evaluating the:

- appropriateness of accounting policies used;
- reasonableness of accounting estimates made by management;
- overall presentation of the financial statements; and
- adequacy of design and the effective implementation of internal controls.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Unqualified Opinion

In my opinion the financial statements of the Commission give a true and fair view, in all material respects, of the financial position as at 31st December 2012 and its financial performance for the year then ended.

F/AUDITOR GENERAL



FAITHFULLY SUBMITTED BY THE HUMAN RIGHTS COMMISSION OF SIERRA LEONE



SIGNATURE

Moses B. Khanu
.....

Jamesina E. L. King
.... ..

Bryma V. S. Kebbie

Daphne Olu-Williams
.....

Brima A. Sheriff
..

REV. MOSES B. KHANU COMMISSIONER

JAMESINA E. L. KING COMMISSIONER

BRYMA V. S. KEBBIE COMMISSIONER

DAPHNE OLU-WILLIAMS COMMISSIONER

BRIMA A. SHERIFF COMMISSIONER



Key human rights issues relating to Civil and Political Rights such as rights to life, security of the person, freedom of assembly, movement, expression and the problems affecting human rights in the administration of justice are reported.

In the area of Economic, Social and Cultural Rights, access to clean and safe drinking water, education, health, just and favourable conditions of work are highlighted. While there were some improvements in certain areas such as the free health care and the increase in the minimum wage, there were also notable challenges affecting the full enjoyment of these rights.

The human rights challenges faced by Persons with Disabilities and other socially marginalized groups including women, children, youth, older persons and persons with different sexual orientations and the strides taken by Government and its partners to address them are also discussed.

This section concludes with highlights on activities for the furtherance and promotion of human rights at national, regional and international levels including the launching of the Constitutional Review Committee and Agenda for Prosperity (AfP), and steps taken to implement some of the recommendations of the Truth and Reconciliation Commission (TRC).

Key Challenges and Recommendations

The administration of justice in the country still remains a serious challenge. The continuing problems of delayed trials, denial of bail applications and stringent bail conditions for minor offences and the absence of resident magistrates in certain districts account greatly for the overcrowding and over-detention in the prisons, police cells and remand homes. Furthermore, poor sanitary conditions within these facilities affect the health and welfare of inmates.

HRCSL urges the Judiciary to take steps to ensure fair and speedy trials of matters in the courts, and the government to improve on the conditions of service for the judiciary. The disproportionate use of force by the SLP in the execution of their duties remains a major concern despite its commitment to mainstream human rights based approaches in its operations. The loss of lives as a result of police interventions to restore order can be minimised by making more use of non-lethal weapons such as water cannons, rubber bullets and stun guns.

SLP and the Ministry of Justice should ensure that all investigations relating to loss of lives resulting from police actions are made public and brought to a logical conclusion.

HRCSL again calls on the SLP and Police Council to implement recommendations made in its previous reports to incorporate rights-based approach to policing.

The spate of arrests of journalist and the impromptu search of media houses as a result of their expression of opinions and the continued use of the Criminal and Seditious Libel Provisions of the 1965 Public Order Act



affects the right to freedom of expression. The Commission reiterates its call on the government to take the necessary steps to repeal the Seditious Libel Provision in the 1965 Public Order Act. The acute shortage of clean and safe drinking water particularly in the Western Area, the inadequate supply of essential drugs for the Free Health Care, the lack of infrastructures to accommodate the increased number of pupils caused by the additional year in the Senior Secondary School are issues that require urgent intervention by the Government.

Parliament is yet to enact the Gender Equality Bill which will provide for 30% representation of women at all levels of decision making and empower them as recommended by the TRC. The enjoyment of basic human rights by persons with disabilities is undermined by illiteracy, unemployment, inadequate provision of health care, lack of accommodation, and access to justice.

HRCSL calls on Parliament and the Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA), Ministry of Justice to expedite the process of enacting the Gender Equality Bill, and fully resource the National Commission for Persons with Disability (NCPD) to enable it function effectively.

The Commission welcomes the launching of the Agenda for Prosperity (AfP) and the Constitutional Review Committee (CRC). The AfP is a five year socio-economic development plan, made up of eight pillars amongst which include human rights, gender equality and women's empowerment. This will enable Government to fulfill its human rights obligations particularly economic and social rights to its citizens, and will help to reduce poverty. The Constitutional Review provides the opportunity to ensure that Sierra Leone's constitutional provisions incorporates recommendations of the TRC, UPR and treaty bodies.

HRCSL calls on government to mobilize the necessary resources and partnerships to fully implement the AfP and the CRC process. The Commission further urges government, Parliament and the public to ensure that the CRC process is transparent, participatory and inclusive in harnessing the views and opinions of broad segments of the country.

The Commission recognizes government's efforts in implementing some of the TRC and UPR recommendations, and calls on government to ensure that it upholds its commitments to these national and international human rights mechanisms.

At the Institutional Level, the Commission is determined to increase its service delivery at regional and national levels; however it is faced with serious challenges which continue to militate against its effective operations. The vehicles, office furniture, computers, printers and other equipment procured since the Commission's inception are now worn out and needs replacement. This is compounded by the limited office space within the facilities it currently occupies at headquarters and the challenges of maintaining rented offices in the regions. Steps are being taken to acquire its own property both in Freetown and the Regions.



3.9 Human Rights Defenders in Sierra Leone

HRCSL acknowledges the contribution of Human Rights Defenders in promoting and protecting human rights in Sierra Leone. The Commission notes the existence of the National Network of Human Rights Defenders which serves as a platform to ensure a coordinated approach in their operations.

Although human rights defenders could be exposed to harassment, arrest, detention or death, there were no reports of threats or intimidation by government or security personnel that prevented them from carrying out their work.

Funding remains a major challenge affecting the work of human rights defenders. The closure of UNIPSIL in March, 2014 will have adverse effect on their operations, particularly that of the District Human Rights Committees (DHRCs) that have also been working closely with UNIPSIL and HRCSL.

Recommendations:

1. Government should continue to provide the enabling environment for Human Rights Defenders to carry out their work
2. HRCSL calls on the international community to assist DHRCs in sourcing funds and strengthening their capacity
3. The Network of Human Rights Defenders should be strengthened and encouraged to collaborate with the Human Rights Commission.



3.8.4 The African Peer Review Mechanism

The APRM Secretariat compiled the Country's first Annual Progress Report on the Implementation of the National Programme of Action in Sierra Leone. Representatives from MDAs, civil society and other actors were given the opportunity to make input into the report during the validation exercise in November. The final report would be presented by H. E. President Koroma to the General Assembly of the African Union in January 2014.

3.8.5 Implementation of the TRC Recommendations

The Reparations Programme

The Reparations unit in NaCSA made payments to amputees and some beneficiaries in the severely war wounded category. Each beneficiary received Le. 6,037,500.00 (Six Million and Thirty Seven Thousand Five Hundred Leones). Training in micro financing and business preceded payment which ended on 31st October 2013. The programme enters its final year in 2014.

Recommendation

NaCSA should endeavour to mainstream compensatory packages to the relevant MDAs before phasing out the project.

3.8.6 The Constitutional Review

H.E. President Ernest Bai Koroma launched the Constitutional Review Committee (CRC) on 30th July at the Miatta Conference Hall Youyi Building, Brookfields, Freetown. HRCSL views this development as a fulfillment of the recommendations of the TRC and the UPR. Currently, the Committee comprises eighty (80) members drawn from the government and other national institutions, civil society and political parties and is headed by Hon. Justice Edmond Cowan, a retired judge and former Speaker of Parliament. It will span a period of 18 months during which national consultations would be held and will culminate in a referendum.

Recommendations

1. GoSL and International Partners should ensure that the Constitutional Review Committee functions effectively by providing the necessary funding required for the process
2. GoSL, CRC, and other stakeholders should ensure that the people of Sierra Leone are well informed, actively participate and adequately consulted to meaningfully contribute to the development of a constitution that will be people centered, promote peace, tolerance, inclusion and protect human rights



Although the Commission appreciates the progressive increase in the budgetary support provided by Government, the budgetary allocation falls far below the actual needs of the operations of the Commission as well as to attract specialized staff critical to the work of the Commission.

Government is urged to comply with the Paris Principles which mandates it to support its national human rights institution with among others adequate financial and other required resources to fulfill its functions, particularly, in the light of the current increased demand for the services of the Commission and to maintain its 'A' Status.

Finally, HRCSL urges government to ensure that the recommendations in this report and those in its previous annual reports and the Public Inquiry into the events of Bumbuna are implemented by the relevant Ministries, Departments and Agencies (MDAs).



Methodology

The Commission utilized the following procedures and methods in collecting information for the production of this report. These include:

Complaints received, investigations, interviews, monitoring and research, public education and engagement with partners and desk reviews.

Complaints and Investigations

Complaints received from the public provide information presented in the complaints handling and management section in this report. Data is analyzed and presented in both qualitative and quantitative structures

Monitoring

Monitoring visits to Prisons, Police cells, Remand Homes and Multi-national enterprises using its monitoring tools

Public education

Workshops and training programmes, radio discussions, the dissemination of the SOHRR. 2012 and strategic engagement and collaboration with partners, MDAs were also information gathering processes.

Media monitoring and Desk Review

HRCSL subscribed to over ten local tabloids reviewed on a daily basis in order to identify human rights issues around the country. Those that were of merit formed the basis of some of the monitoring or investigations carried out by the Commission. The outcomes of these activities are factored in this report.

Data collected and verified by reviewing reports published by both local and international agencies working in the field of human rights and related fields have also been used.

Recommendations have been made to the government through its line MDAs. Most of these were generated from findings in its complaints handling, monitoring and outreach activities and some have also come from the general public.



3.8.2 Fulfillment of Sierra Leone's Treaty Obligations

The African Commission subsequently confirmed receipt of Sierra Leone's initial report on the African Charter on Human and People's Rights. This report has to be formally presented for discussion at the African Commission by the GoSL.

In spite of sustained advocacy for the ratification of the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa commonly called the Maputo Protocol, Sierra Leone is yet to ratify and domesticate it.

Recommendations

1. GoSL should urgently liaise with the Secretariat of the African Commission to ensure that the Sierra Leone is scheduled to present its Report at the next session.
2. GoSL should ensure that a high powered delegation attends the next session during which the Report will be discussed.
3. GoSL is urged to submit all outstanding treaty body reports particularly; ICESCR, CRPD and the International Convention on the Elimination of All forms of Racial Discrimination.
4. GoSL is also urged to ratify the optional protocols including the ICCPR on the death penalty.

3.8.3 The Universal Periodic Review (UPR)

The Office of the Attorney General and Ministry of Justice and the Ministry of Foreign Affairs and International Cooperation collaborated with HRCSL to organize a National Mid Term Review Conference on the status of implementation of the UPR recommendations in September at the Bank Complex, Kingtom, Freetown. MDAs gave updates on their activities relevant to the implementation process. An Action Plan that would assist GoSL fast track implementation adopted.

Recommendations

1. GoSL should demonstrate its commitment to the process by implementing all the recommendations against the next reporting cycle.
2. GoSL should use the Action plan as a guide towards implementing particularly the establishment of a National UPR Coordination Working Group (NUCWG) to coordinate the implementation and reporting process.

The final draft of the reviewed policy is yet to be submitted to the Ministry of Youth Affairs.

3.7.2 Graduate Internship Programme

The Graduate Internship Programme (GIP) which was initiated by the National Youth Commission in 2012 exceeded its target of 300 for 2013 to 720. This GIP aims at supporting the employability of young university graduates inspired by three operational principles:

1. Increasing the number of young people benefitting from productive internship opportunities nationwide,
2. Increasing the overall quality of the internship experience, so as to actually contribute to the employability of the intern and to the maximization of both the social and private return of the initiative,
3. Ensuring equal opportunities to access merit based internship positions.

Recommendations

1. The Ministry of Youth Affairs and the National Youth Commission should fast track the finalization of the review of the National Youth Policy.
2. HRCSL calls on GoSL and its partners to support the GIP to make young people more employable.

3.8 Important Events / Programmes in Furtherance of the Promotion and Protection of Human Rights

3.8.1 The Agenda for Prosperity (AfP)

The National Development Programme 2013 to 2018, Agenda for Prosperity was launched by H.E. President Ernest Bai Koroma in July. This document focuses on the socio-economic development of Sierra Leone and has 8 pillars:

- Pillar 1 - Diversified Economic Growth
- Pillar 2 - Managing Natural Resources
- Pillar 3 - Accelerating Human Development
- Pillar 4 - International Competitiveness
- Pillar 5 - Labour and Employment
- Pillar 6 - Social Protection
- Pillar 7 - Governance and Public Sector Reform
- Pillar 8 - Gender and Women's Empowerment

Chairperson's Foreword



Rev. Moses B. Khanu

The 7th edition of “*The State of Human Rights Sierra Leone Report*”, is published at a time when the human rights situation of Sierra Leone is in the lime light. The year ushered in opportunities and challenges in the promotion and protection of human rights.

Sierra Leone fulfilled its treaty reporting obligations by submitting its maiden and consolidated reports on the International Convention on Civil and Political Rights (ICCPR), Convention Against Torture (CAT) African Charter on Human and People's Rights (ACHPR).

The Commission welcomes the passage of the Right to Access of Information Act as had been recommended in previous reports. This is a positive step taken by the government, to ensure accountability and transparency which are necessary for good governance.

The Commission welcomes the passage of the Right to Access of Information Act as had been recommended in previous reports. This is a positive step taken by the government, to ensure accountability and transparency which are necessary for good governance.

HRCSL commends GoSL for the establishment of the Independent Police Complaints Board to address excesses and misconduct of SLP. However, it must be stated that in maintaining law and order, the loss of lives during police operations is regrettable.

Multi-national enterprises are contributing significantly to the country's economic development in terms of youth employment and generation of tax and other revenues. However, their inability to address grievances within the communities they work is causing unrest in certain parts of the country, particularly in Koidu in the East, Sahn Malen in the South and Lunsar in the North.

Delays in the administration of justice, overcrowding in prisons and, inadequate remand homes continue to be of concern to the Commission.

The acute shortage of clean and safe water in many parts of the country particularly in the capital city, Freetown, is of serious concern to the Commission as it affects the enjoyment of other rights such as the right to health, education, leisure and security of the person. The Commission welcomes the initiative by government to set up a Ministry of Water Resources and urges the Ministry to work assiduously towards reducing the problems of access to clean and safe water in the shortest possible time.



HRCSL wishes to draw attention to the fact that since its establishment in 2004, it is yet to have its own building which has constrained its operations. Furthermore, the Commission is going through institutional challenges which include inadequate funding to carry out its work, late payment of subventions by government and insufficient staff. With the closure of UNIPSIL which was providing additional logistical and technical support to the Commission, it is important that Government should ensure that it provides adequate and prompt financial support to the Commission.

In spite of these highlighted challenges, the Commission is pleased to state that it registered successes key amongst which was the hosting of the Mid-Term Review Conference on the Universal Periodic Review (UPR) which served as a stocktaking process of Sierra Leone's performance on the Status of implementation of the UPR recommendations ahead of its next review process scheduled for January/February, 2016. The stocktaking process highlighted imperative TRC recommendations that are yet to be implemented, principally the establishment of the TRC Follow up Committee.

Regrettably the slow pace of implementation of the bulk of the Commission's recommendations in its previous SOHRs still affects the Commission's work in promoting and protecting human rights. Retaining the "A" accreditation status is highly dependent on the provisions of adequate financial resources and implementation of the Commission's recommendations by GoSL when the Human Rights Commission of Sierra Leone comes up for review in 2016. The Commission remains committed to work with MDAs to implement the outstanding recommendations in order to ensure positive gains in the protection and promotion of human rights in Sierra Leone.


.....
REV MOSES KHANU
Chairperson



2. GoSL should sign and ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa and ensure its effective implementation.
3. NASSIT should formulate an improved minimum standard pension package of at least Le 300,000 (Three hundred thousand Leones).

3.6.5 Persons with Different Sexual Orientation

United Nations resolution 17/19 cautions states against systemic violence and discrimination on the grounds of sexual orientation and gender identity.

In the year under review, Pride Equality, (an organization working on LGBTI rights) published a report entitled "Discrimination on the Basis of Sexual Orientation in Access to Health Care an Violence / Bias: A Sierra Leone Case Study" which catalogued violence and discrimination against the LGBTI Community.

HRCSL received a complaint from the head of Pride Equality of alleged violence directed at him. HRCSL, together with the UNIPSIL HRS invited him for further details but he did not honour the invitation. HRCSL learnt that he made a report to the police who issued him with medical report form, but the investigation was not concluded because he never reported back to the police.

The Commission remains committed to the principle of equality and non discrimination and to ensure that the rights of all persons are protected.

Recommendations

1. GoSL should continue to protect persons with different sexual orientation from violent attacks and discrimination.
2. SLP should investigate any reported cases of violence based on the sexual orientation or identity of a person
3. Persons with different sexual orientation are urged to make report and substantiate claims of harassment and violence against them to the police.

3.7 Youth

3.7.1 Review of Draft National Youth Policy 2013

The National Youth Commission in collaboration with the Ministry of Youth Affairs engaged various youth groups in Freetown, Bo, Kenema and Makeni to get their inputs to enrich the draft policy. The involvement of youth in national decision making, youth unemployment and the need to review labour laws were discussed.

Recommendation

GoSL should work with relevant partners to ensure that persons living with HIV/ AIDs are protected and prohibit stigmatization against them by enforcing the law.

3.6.3 Commercial Sex Workers

HRCSL notes with concern the increase in the number of young women and girls engaged in commercial sex.

This group is subjected to inhuman and degrading treatment by their clients. On November 17th, Advocaid in collaboration with Movement of Vulnerability and Empowerment (MoVESL) organized a workshop for Commercial Sex Workers to discuss experience and constraints they faced. During the engagement, 95 % of them disclosed that they were not only exposed to police harassment but also to maltreatment from clients and sometimes forcefully exposed to narcotic drugs and anal sex. These are grave allegations that undermine the right to life, dignity, security of the person and liberty.

Recommendation

The SLP should ensure that all reported cases by commercial sex workers are investigated and were necessary prosecuted.

3.6.4 Older Persons

The 3rd Session of the AU Conference of Ministers of Social Development (Camsd3) which took place in Addis Ababa, Ethiopia from 26-30 November 2012, states that “*ageing has not received adequate attention on national agendas and older persons remain confronted by poverty and social exclusion amongst others*”.

GoSL adopted the National Social Protection Policy in 2011 to address the welfare of the aged. Pillar 6 of the AfP provides for the provision of Social Safety Net for elderly people. However, HRCSL is concerned that government is yet to strengthen the social protection delivery system to ensure that older people are afforded equal opportunity to access basic services.

HRCSL further notes that Sierra Leone is yet to ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa.

Recommendations

1. GoSL through the Social Security Safety Net should strengthen and improve the social protection delivery system to improve on the living standard of older people.



Francess P. Alghali (Mrs.)

The year 2013 saw increased interaction of the Commission with International and Regional Human Rights Networks and Human Rights Mechanisms.

The Commission was represented at the annual meeting of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), the 54th Session of the African Commission on Human and Peoples Rights (ACPHR) and the biennial meeting of the African Network of National Human Rights Institutions (NANHRI). These meetings provided opportunities for networking and experience sharing on best practices for the advancement of human rights. Through initiatives of NANHRI the capacity of Commissioners and Staff were enhanced by our participation in the APT/NANHRI training on Pre-trial Detention, the Raoul Wallenberg Training on Human Rights and the NANHRI/APT training on Human Rights Education. We hope they would continue to provide avenue for staff capacity building for the Human Rights Commission of Sierra Leone.

The study tour of Commissioners and the Executive Secretary to the Commission for Human Rights and Administrative Justice (CHRAJ), Ghana was undertaken during the year to complete the induction programme of the reconstituted Commission. This was timely as Commissioners' having had a feel of the operations of HRCSL were now in position to make a comparative analysis by observing the working of a sister NHRI and identify best practices. Let me take this opportunity to thank the Chairperson, Commissioners and staff of CHRAJ, Ghana for the fruitful study tour programme, excellent arrangements and hospitality accorded to the Commission. We hope our partnership will continue to grow.

During the course of the year, the Commission was for the first time able to have its full complement of Directors to provide the necessary support to the Executive Secretary to carry out the functions of the office. It is hoped that they would work assiduously in their various roles to enhance the effectiveness of the Commission to fulfil its mandate.

This year was a time of reflection for the Commission, emanating from the theme of IHRD'2013 “20 years working for your rights”. Selecting as a sub theme 'HRCSL: Seven Years Working for the Realization of Human Rights in Sierra Leone', the celebrations highlighted the successes and challenges of HRCSL in protecting and promoting human rights in Sierra Leone over the past seven years.



Looking back over the seven years since the establishment of the Commission, there have been changes and advances in human rights in Sierra Leone and many people and organizations helped the Commission to bring about these gains. We want to particularly acknowledge the efforts of the Human Rights Section of UNIPSIL in nurturing and supporting the Commission to make it the premier human rights institution it is today.

With the impending closure of UNIPSIL, the Commission is faced with huge challenges. These challenges include provision of support to the District Human Rights Committees (DHRCs); the need for more staff and resources to meet the demand for our services especially by vulnerable groups and in the rural areas; the need for increased technical capacity and financial resources to address the emerging issue of business and human rights and the constitutional review. The sustainability of the operations of the Commission has now become urgent in order for us not to see a reversal of the gains that have been made and the non-fulfilment of our mission which is “...to take the lead role in building a culture of human rights (including respect for individual responsibilities) which maintains human dignity for all in Sierra Leone in full compliance with the Constitution, laws, international and regional instruments through effective partnership and collaboration.”

.....
FRANCESS ALGHALI (MRS)
Executive Secretary



3.6.1 Persons With Disability

The problems of illiteracy, unemployment, accommodation, access to justice and poor health care continue to undermine the dignity and enjoyment of rights of persons with disability. Groups of persons with disability living in various places faced threats of eviction that degenerated into violent confrontations. In June, persons with disability living in the St. Moses Camp of the Orthodox Church in Waterloo were asked to vacate the premises of the mission after a misunderstanding with the Church Administration over the ownership of the land. The matter was resolved through the intervention of HRCSL and NCPD.

Similarly, between November and December, persons with disability who have been squatting at an abandoned government building at Pademba Road, Freetown since 2002 were given one month’s notice to quit the edifice. The incident which almost degenerated into violence was resolved by the intervention of the MSWGCA.

Notwithstanding, HRCSL notes the progress being made in operationalizing the National Commission for Persons with Disability (NCPD) with the setting up of its headquarters in Freetown. The NCPD however is challenged with limited resources to effectively carry out its mandate. MSWGCA is currently spearheading the drafting of the state report on the implementation of the CPRD to the UN Committee on CRPD.

Recommendations

1. GoSL should provide resources to support the full functioning of the NCPD
2. NCPD in collaboration with the MSWGCA and Partners should popularize the Persons with Disability Act 2011, at all levels.
3. The Public Service Commission and the Human Resource Management Office should develop an affirmative action policy for employment opportunities for persons with disability both in the civil and public service.
4. Private companies and institutions are encouraged to take advantage of the incentives in the Act and recruit and retain persons with disability.

3.6.2 Persons Living with HIV/AIDS

The prevalent rate of HIV/AIDs remained at 1.5 per cent for the past five years. HRCSL commends the National Commission for the Prevention of HIV/AIDs for their effort in the fight against the spread of the disease. HRCSL notes that people living with the disease still face stigmatization in their communities.

The Ministry of Social Welfare Gender and Children's Affairs (MSWGCA) has established Child Welfare Committees at both regional and district levels to plan and discuss the rights and welfare of children.

However, child labour continues to be a major problem in the country affecting the enjoyment of the right to education by children.

3.5.2 Teenage pregnancy in Sierra Leone

Teenage pregnancy persisted in the year under review, in spite of campaigns and sensitizations undertaken by various groups to raise awareness on the causes and effects of teenage pregnancy. In May, Government and its development partners launched a 'National Strategy for the Reduction of Teenage Pregnancy' with the slogan "Let Girls Be Girls and Not Mothers". The aim of the strategy is to get teenagers back to school and ensure a brighter future for the girls and women of Sierra Leone. This has been identified as a flagship programme in the AfP.

3.5.3 Female Genital Cutting

Girl Child FGM is still being practiced across the country. In Kono and Pujehun Districts girls were attacked and forcefully initiated into the Bondo Secret Society.

Government has however expressed commitment in the AfP for the enactment of a law against underage initiation rites for girls.

Recommendations

1. Ministry of Labour should work with the Ministry of Social Welfare Gender and Children's Affairs on the elimination of child labour in the country.
2. GoSL should fully implement its commitment of enacting a law against the initiation of children.
3. GoSL should ensure the full implementation of the Child Rights Act.
4. GoSL should fully domesticate ILO Conventions 138 and 183 which it has ratified.

3.6 Vulnerable Groups

Vulnerable groups include persons living with disabilities, persons with different sexual orientation, persons living with HIV/AIDS, commercial sex workers, the elderly, ethnic minorities, children affected by poverty and women in extreme poverty.

COMMISSIONERS

Rev. Moses B. Khanu - Chairperson



Rev. Moses B. Khanu is serving his second term in the Commission. He is a cleric of the Baptist Convention and holds a Master of Theology (M.Th.) degree from Fourah Bay College, University of Sierra Leone and a Master of Education (M.Ed) degree in Guidance and Counseling, Njala University, Sierra Leone. He also holds Post Graduate Diplomas from the Academy of Missions, Hamburg, Germany and the Ecumenical Institute, Geneva.

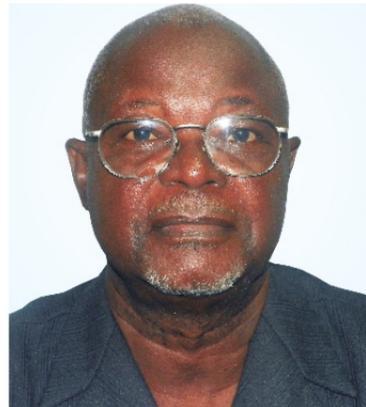
The illustrious career of Commissioner Khanu which spans over 36 years, has taken him to the Presidency of both the Council of Churches in Sierra Leone (CCSL) (1992-1999) the Evangelical Fellowship of Sierra Leone (EFSL) (2002-2005), the General Secretary of the Baptist Convention in Sierra Leone (1991-1999) and Co-Chairman of the Inter-Religious Council of Sierra Leone (1997-1999). His expertise include skills in mediation, having participated in the Lomé Peace negotiations that ended the decade-long civil war in Sierra Leone, and an in-depth knowledge of the diverse religions in Sierra Leone, which are required capacities to foster reconciliation, inter-faith dialogue and co-operation.

Jamesina King – Vice Chairperson



Jamesina King is a lawyer with a post graduate degree from Georgetown University Law Centre, Washington D.C. and a certificate in "Implementing Human Rights Conventions" from University of Nottingham Human Rights Law Centre, U.K. She is a Leadership Advocacy for Women in Africa (LAWA) Fellow and past President of Legal Access through Women Yearning for Equality Rights and Social Justice (LAWYERS) – an organization of female lawyers in Sierra Leone dedicated

to enhancing women's access to justice. She was the first Chairperson of HRCSL, and served in that capacity for two years. She is serving her second and final term in the Commission. Prior to her service in the Commission, she worked as a private legal practitioner in a law firm in Freetown (1994-2006). She is a strong advocate on women's empowerment, peace, security and gender equality.



Bryma V. S. Kebbie

Bryma V. S. Kebbie holds a B.A (Econ.) degree of Durham University (1968). He was Assistant Manager in the United Africa Company (SL) Ltd (1968-1970) and an Auditor in the Sierra Leone Audit Department (1970-1979). He was called to the Bar by the Honourable Society of Gray's Inn in July, 1982, after which he entered into private legal practice in Sierra Leone until he was appointed Deputy Foreign Minister (1996-1998) and later transferred to the Ministry of Justice as Deputy Minister (1998-1999).

He further took up appointment as Director of Public Prosecution – DPP (1999-2010). He was also the Consultant DPP in the Commonwealth of Dominica under the auspices of the Commonwealth Secretariat in London (January 2005-December 2006). He has served in several other capacities, including being a member of the College Council of Bunumbu Teachers' College, Sierra Leone (1993-1996) and the Management Committee of the Kenema Town Council (1995-1998). Until his appointment as a Commissioner in July, 2012, he was a private Legal practitioner. He currently oversees the Directorate of Complaints, Investigations and Legal Service.



Daphne A. O. Olu-Williams

Daphne A. O. Olu-Williams is an experienced Trainer/Facilitator and a committed and dedicated Gender Activist. She holds a B.Sc in Economics and Social Sciences and a post-graduate Diploma in Education, from the University of Sierra Leone. She has participated in several trainings in Leadership and Advocacy. Until her appointment as Commissioner in July 2012, she worked as an independent Consultant on Gender and Development issues. She is founder of the African Kind Hearts Organisation (AKHO), a communitybased organisation which aims at empowering women and

girls in rural communities. In her capacity as Coordinator of AKHO, she served as board member in various local and international human rights institutions and women's rights advocacy networks.

3.4.3 The Gender Equality and Women's Empowerment Bill

MSWGCA, the Human Rights Commission, the Office of the First Lady and other Women's Organizations collaborated with the Sierra Leone Female Parliamentary Caucus to advocate for the enactment of the Gender Equality Bill that provides for the minimum 30% representation for women in governance. It also includes other issues affecting women's rights such as health, water and sanitation, land and property, security, justice and education.

3.4.4 Shelters/Safe Homes

The two Safe Homes for victims of sexual and domestic violence that were constructed in Makeni and Freetown since 2010 through the UN Peace building funds are yet to be functional due to lack of resources. There is need to provide safe homes for victims of SGBV in order to minimise the trauma and facilitate their rehabilitation.

3.4.5 Implementation of the Sexual Offences Act

In a bid to minimize the occurrence of violence against women, Government enacted the Sexual Offences Act in 2012 as a major step in addressing violence against women. The Special Saturday Courts have been working very hard to fast track the trial of cases of sexual and gender based violence. HRCSL noted the contribution made by several organizations such as WIMSAL and AMNET in raising awareness on the Sexual Offences Act, and the promotion and protection of the rights of women and girls.

However, there are still problems in investigating GBV cases and the prolonged trials of GBV results in the victims and their witnesses losing interest and abandoning their cases.

Recommendations

1. MSWGCA should mobilize resources for the operationalisation of the two safe homes and the construction of additional ones throughout the country.
2. MSWGCA, MoJ and Parliament should speedily enact the Gender Equality and Women's Empowerment Bill.

3.5 Children's Rights

3.5.1 Child Labour

The government has ratified the core ILO Conventions and most recent of them is ILO Convention 138 and 183 (Minimum Age Convention and Worst Forms of Child Labour respectively).

HRCSL notes the separation of the Ministry of Energy and Water Resources into two separate ministries in the bid to ensure that more attention is paid to the provision of adequate water supply.

Recommendations

1. MWR, GVWC and SALWACO should take steps to ensure the provision of water to all the Districts and the Western Area.
2. The GVWC should as a matter of urgency, take proactive steps to improve on the provision of water supply in the Western Area as a matter of urgency.

3.4 Women's Rights

3.4.1 International Women's Day Celebration

The Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA) in collaboration with the Human Rights Commission, UN Gender Theme and other partners successfully commemorated International Women's Day on the 8th March, in Freetown. This event brought together high profile dignitaries from around the world including former first lady of Britain Mrs. Cherie Blair, Director General of UNIDO Dr. Kandeh Yumkella among others. In recognition of the right of women, 8th March was declared a public holiday by His Excellency the President. By this pronouncement, Sierra Leone has become the only country in West Africa that has set aside March 8 as a public holiday.

3.4.2 Gender Equality in the Agenda for Prosperity

The Ministry of Social Welfare, Gender and Children Affairs and the Gender Adviser to H.E the President together with other stakeholders provided technical support and lobbied for a stand-alone pillar on gender equality and women's empowerment in the National Development Plan referred to as the Agenda for Prosperity (AfP) under Pillar 8, and also ensured that gender was mainstreamed in the entire document.

The goal of Pillar 8 of the AfP is to empower women and girls through:

- (a) Education, reducing socio economic barriers and supporting formal and non-formal education;
- (b) Increasing their participation in decision making in public, private, and traditional institutions, and access to justice and economic opportunities;
- (c) Strengthening prevention and response mechanisms to violence against women and girls; and
- (d) Improving the business environment for women, with access to finance and capacity development.

She served as Electoral Commissioner at the National Electoral Commission – NEC (2006- 2008) supervising the Western Region and acted as Chairperson on several occasions. She also served as Chairperson of the West African Civil Society Forum (WACSOFF) Sierra Leone (2005), National General Secretary, Young Women's Christian Association (2001-2003), and Youth Supervisor - SOS Children's Village (1998-1999). She is also a motivational speaker and writer. She currently oversees the Directorate of Education, Communication and Training.



Brima A. Sheriff – Commissioner

Brima A. Sheriff holds a Master of Arts degree in Peace and Development Studies from Njala University, Sierra Leone and a B.Sc. in Agricultural Education from the same institution. He is a seasoned Human Rights Activist with over eight years experience working in local and international contexts at the middle and senior management levels. He possesses extensive experience in monitoring and documenting human rights, strategic planning and campaigning.

He also has expertise in Organizational Development and Change Management. He joins the Commission with a wealth of experience as a trainer, educator, film maker, theatre artist and facilitator. He had served as Campaigns and Growth Coordinator (2004 – 2006) and until his appointment in July, 2012, he was Director of Amnesty International. He currently oversees the Directorate of Monitoring and Research.



Part 1: Background and Historical Context

1.1 Context

The Republic of Sierra Leone is located in West Africa, bordered by Guinea to the north and east, Liberia to the southeast and the Atlantic Ocean to the west and southwest. It is a member state of the Mano River Union (MRU), Economic Community of West African States (ECOWAS), Organisation of Islamic Cooperation, African Caribbean and Pacific Group of States, the African Union and United Nations, among others.

Sierra Leone is divided into four administrative regions namely Eastern Province, Northern Province, Southern Province and Western Area. The Western Area is sub-divided into Western Urban and Western Rural, while the three provinces comprising the three other regions, are sub-divided into twelve districts.

According to the 2004 National Population Census Report, it has a population of 5,696,871 (with an annual growth rate of 1.8), which may have increased over the years. Sierra Leone comprises eighteen ethnic groups, each with its own language and customs. The Mende and Temne are the two largest ethnic groups and Mende and Temne are spoken widely in the country. The Mendes are predominantly found in the South and the East, while the Temnes occupy the North. English is the official language and Krio, the lingua franca, is spoken nationwide.

The two most widely practiced religions are Christianity and Islam although there are traditional religious beliefs being practiced as well. Sierra Leone has been widely acclaimed for its high level of religious tolerance which is also reflected in the Report of the United Nations Special Rapporteur on Religious Freedom who visited the country in 2013.

Sierra Leone experienced a very violent and devastating civil war from 1991 to 2002, spanning a period of eleven years. The war wreaked havoc on the country's economy and its entire social fabric, exposing the citizenry to untold hardship and vulnerability. It destroyed communities' social infrastructure and institutions. People were maimed and an estimated 50,000 people were killed. During that period, gross violation of human rights and lawlessness were the order of the day causing a large portion of the population to flee to neighbouring countries of Liberia and Guinea

The country is endowed with many natural resources including diamonds, iron ore, bauxite and rutile. In recent years, the discovery of oil and gas in the southern region has increased the potential for direct foreign investments. Despite the abundance of natural resources, the country is still ranked amongst the world's poorest countries in the world. (UNDP/HDI 2012). Although much has



There has been some improvement in the provision of safe drinking water by the Sierra Leone Water Company (SALWACO) in the rural communities including Pujehun, Mile 91, Lunsar, Kambia, Kabala and Kailahun and it is hoped that this will be extended to other rural areas.

The availability of clean and safe drinking water is a problem within Freetown. The water catchment areas have been invaded by either squatters or sold to individuals to put up private structures, polluting the water dams and reducing the availability of water supply for residents of Freetown.

Furthermore, notwithstanding the efforts of the Guma Valley Water Company (GVWC), unreliable supply of pipe-borne water, poor maintenance of pipes, illegal connections, unofficial and non-payment of bills continued to undermine the right to clean and safe drinking water. This acute shortage continues to impact negatively on the well being of all particularly women and children who are out on the streets as early as 3.00 a.m. to fetch water.



Women out to fetch water from damaged pipes as water shortage intensifies in the Freetown Municipality



Children in a long queue to fetch water in the Wellington Community



HRCSL noted with concern the inadequate and late disbursement of funds from Central Government to the Local Councils to support the operations of government hospitals in the regions. The Commission continues to monitor the implementation of the Free Health Care (FHC) for pregnant women, lactating mothers and children under five aimed at curbing infant mortality and maternal morbidity.

Compared to 2012, HRCSL observed an improvement in the supply of free health care drugs in terms of quantity and promptness of delivery at several Government hospitals. During a monitoring visit to the Princess Christian Maternity Hospital (PCMH) in September, the Commission observed some improvement in the facilities and the number of medical personnel serving the hospital. These personnel included one Gynaecologist, one Obstetrician Gynaecologist, one Medical Officer, and one Anaesthetist.

There were however some hospitals and peripheral health units that reported delays in receiving supplies and the non-availability of essential drugs. In Pujehun, patients had to buy drugs which would have been prescribed and provided under the FHC. It was also reported that in March, a consignment of free health care drugs that arrived in Kailahun Government Hospital was discovered by the police to have expired.

Recommendations

1. GoSL should ensure prompt and adequate disbursement of funds to the Local Councils for the operations of the hospitals.
2. The Ministry of Health and Sanitation should ensure that hospitals have basic medical supplies to facilitate their operations.
3. The Ministry of Health and Sanitation should ensure the provision of more toilets and showers for the Kenema Government Hospital.

3.3.5 Access to Clean and Safe Drinking Water

UN Resolution 64/292 of the General Assembly explicitly recognized human right to water and sanitation.

The resolution calls on Government to provide financial resources, help capacity building and technology transfer to ensure the provision of safe, clean, accessible and affordable drinking water and sanitation for all. Furthermore, Article 1.1 of the General Comment No. 15 of the Committee on Economic, Social and Cultural Rights of the UN Human Rights Council states that *“the human right to water is indispensable for leading a life in human dignity. It is a prerequisite for realization of other human rights”*.



been done through post-war reconstruction efforts, the problems of poor infrastructure, high youth unemployment, and widespread poverty in particularly the rural areas persist.

The Lomé Peace Agreement of 1999 and the recommendations of the 2004 Truth and Reconciliation Commission (TRC) Report led to the enactment of the HRCSL Act (Act No. 9 of 2004), which established the Commission. HRCSL became operational in December 2006.

In recognition of its work as a credible and independent National Human Rights Institution and in compliance with the Paris Principles governing such institutions, the Commission was accredited an “A Status” in 2011 by the UN International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC). As a result of the improved human right situation in the country, Sierra Leone gained a seat at the UN Human Rights Council in 2012

1.2 VISION, MISSION AND CORE VALUES

Vision

A Sierra Leone where a culture of human rights prevails and the people respect the rule of law and live in peace and dignity.

Mission

The Human Rights Commission of Sierra Leone exists to take the lead role in building a culture of human rights (including respect for individual responsibilities) which maintains human dignity for all in Sierra Leone in full compliance with the Constitution, laws, international and regional instruments through effective partnership and collaboration.

Core Values

As an Independent Human Rights Institution, HRCSL is committed to upholding these core values:

Professionalism: encompassing discipline, competence, dependability, integrity, expertise, team spirit, tactfulness
Service with humility

Independence: including fairness, objectivity, impartiality

Inclusiveness: ensuring diversity

Accessibility: covering empathy, tolerance, understanding

Accountability: embracing honesty

Collaboration



1.3 Mandate of HRCSL

Section 7 of the Human Rights Commission Act of 2004 stipulates that the main objective for the establishment of HRCSL is to protect and promote human rights in Sierra Leone, and states the following as the functions of the Commission:

- Investigate or inquire into complaints of human rights violations.
- Promote respect for human rights through public awareness and education programmes.
- Publish guidelines, manuals and other materials explaining the human rights obligations of public officials in the protection of human rights.
- Cooperate with institutions including public interest bodies, Non Governmental Organisations (NGOs) and international organisations working in the field of human rights.
- Review existing legislation and advise the Government concerning their compliance with international obligations.
- Monitor draft legislation, policies, programmes and administrative practices to ensure human rights compliance.
- Advise and support Government in the preparation of reports under international human rights instruments or treaties.
- Monitor and document violations of human rights in Sierra Leone.
- Publish an annual report on the State of Human Rights in Sierra Leone.

Independence

Section 14 of the Act guarantees the independence of the HRCSL and states that “except as otherwise provided in the Act, the Commission shall not be subject to the control or direction of any person or authority”.

Jurisdiction

Under Sections 1 and 7 of the Act, HRCSL has the mandate to address all rights guaranteed by the Constitution, or embodied in all international agreements to which Sierra Leone is a party. However, Section 16 of the Act stipulates that HRCSL cannot investigate any matter pending, or already decided by a court of competent jurisdiction or any human rights violation that occurred before 26th August 2004.

Relationship with the Courts

HRCSL is not a substitute for the courts. It can refer to the High Court for contempt any person who refuses, without justifiable cause, to comply with a decision, direction, or order within a specified time. Any person aggrieved by any decision of HRCSL may appeal to the Supreme Court. The HRCSL has power to intervene in legal proceedings involving any human rights issue by issuing amicus curiae briefs.



Recommendations

1. GoSL should provide the required facilities to support the implementation of the 6-3-4-4 System.
2. GoSL should expedite the establishment of the Teaching Service Commission as contained in the recommendations of the Gbamanja Commission of Inquiry Report.
3. GoSL should increase subsidy to schools and ensure prompt and regular payment of these subsidies.
4. WAEC should endeavour to publish the results of all public examinations before the start of the academic year.
5. WAEC should ensure that results are sent to schools immediately these are released on the internet.
6. GoSL should work towards the provision of Information Communication and Technology (ICT) resource centres for schools.

3.3.4 Right to Health

The enjoyment of the Right to Health is guaranteed by Article 12 of the ICESCR and Article 16 of ACHPR which recognize that everyone has the right to the highest attainable standard of physical and mental health. Article 16 of ACHPR specifically calls on state parties to take the necessary measures to protect the health of their people and to ensure that they receive medical attention when they are sick.

In Magburaka and Port Loko in the north, GoSL rehabilitated the existing infrastructures of the Government Hospitals to meet the increasing demand of the free health care service delivery.

The complaint of late arrival of free health care drugs in hospitals visited was reduced as compared to 2012. In the Southern Region, it was reported that several government hospital authorities registered satisfaction in the supply of free health care drugs.

The irregular supply of electricity, inadequate medical personnel, poor sanitation and general facilities continue to plague government hospitals in the country as a whole. In September, at the Connaught Hospital in Freetown, gloves, dressings, I.V stands and bed screens were lacking. There are no permanent janitors in most wards which poses sanitation problems especially for those prone to infections such as children and the elderly.

In Moyamba, there was only one doctor at the Hospital who does general medical practice, surgery, attends to pregnant women and children and also provides administrative oversight. Pujehun also had one doctor in the Government Hospital.



3.3.3 Right to Education

Article 13 of the ICESCR guarantees the right of everyone to education, and that primary education is compulsory and available to all. Additionally, Article 17 of the ACHPR states that every individual shall have the right to education. The 2004 Education Act also guarantees the right to basic education, defined as six years of primary school and three years of junior secondary school. The Act requires the government to provide basic primary education free of charge. Although Chapter 3 of the Constitution does not guarantee the right to education, the Constitutional Review Commission recommended in 2007, the inclusion of this right in the Bill of Rights.

The UN Special Rapporteur on Right to Education, Katarina Tomasevski assessed the fulfillment of this right under four frameworks: availability, accessibility, acceptability and adaptability which call on government to respect the Right to Education.

As part of the implementation strategy of the 6-3-4-4 system of education as recommended by the Gbamanja Commission of Inquiry, the Ministry of Education has included the phasing out of the two shifts system of schooling in its strategic plan for 2014-2018 to make teaching and learning more effective .

However, this system which became operational in 2012 currently poses challenges amongst which are inadequate structures to accommodate additional year in the new system, shortfall and delay of payment of Government's subsidy to schools and the shortage of trained and qualified teachers.

During the year there was delay in payment of Government subsidy to the schools which affected their operations. In the case of Kenema, teachers and school authorities went on sit- down strike in January, as a result of the delay. Teachers of the Holy Rosary Secondary School, the only girls secondary school in Pujehun went for several months without their salaries.

The Commission notes the increase in number of female candidates that sat to the Basic Education Certificate Examination (BECE) in 2013, but the late publication of BECE results at the end of October affected the first term work of pupils that enrolled in Senior Secondary Schools (SSS).

The introduction of internet results for public examinations by the West African Examination Council (WAEC) before they are sent to the schools is considered to be unfair to less privileged candidates. In some rural communities, there are no internet cafes, computers and print devices. As a result, pupils have to pay prohibitive fares and other costs to access their results. Most parents could not afford this amount.



Part 2: Activities of HRCSL

2.1 Capacity Building

2.1.1 Staff Retreat

To reflect on the successes and challenges in the implementation of Strategic Plan 2 (SP2), a three day annual retreat was held at Hotel Mariam in Freetown from 4th-6th February, with support from GoSL. Lead facilitator was Mr. Emmanuel Gaima, an independent Governance Consultant.

The development of comprehensive directorate work plans was the main outcome of the retreat. At this retreat also, the HRCSL Staff Welfare Association Bye-Laws was adopted and a Staff Welfare Association was formed.



The Chairman of HRCSL, Commissioner Rev. Moses Khanu making his welcome statement during the opening of the staff retreat at Hotel Mariam

2.1.2 Workshop on conducting Effective National Inquiry

A workshop on Running Effective National Inquiries was held from the 19th -21st March, 2013. This was made possible with support from the Commonwealth Forum of National Human Rights Institutions (CFNHRI), and the Australian Human Rights Commission. The workshop was attended by key stakeholders from civil society organizations, non governmental organizations, representatives of the media and community based organizations.



Commissioner Brima A. Sheriff facilitating a group discussion during the training on Conducting Effective National Inquiries

2.1.3 Leadership training for Commissioners and Staff

With support from the Irish Human Rights Commission and UNDP, a five day training in Leadership for Commissioners and selected staff of HRCSL was held from 22nd - 26th April, 2013, at the Kona Lodge, Freetown. The training was facilitated by Mr. Jan Kuyper and Mr. Ewoud Plate of MDF Training and Consultancy. The objective of the training was to strengthen the competency and confidence of HRCSL Commissioners and Staff with regards to leadership, communication and management, in order to achieve organizational goals.



School Pupils crossing flooded path in Manonko, Lunsar

In December, a riot took place in upper Malen in Malen Chiefdom, Pujehun District in which land owners resisted SOCFIN operations on their land. The police came in with riot gears to quell down the tension. Shots and teargas were fired and several arrests were made. Residents had to flee into the bushes for safety for several days.

Recommendations

1. GoSL through the Ministries of Justice, Trade and Industry, Lands, Country Planning and the Environment, Ministry of Agriculture, Forestry and Food Security and Mines and Mineral Resources should review all large scale land acquisition agreements signed with multinational businesses in order to address current issues affecting communities.
2. Multi-national companies should strengthen their redress mechanisms to investigate all allegations relating to their operations and provide effective remedies to aggrieve communities in line with the UN Guiding Principles on Business and Human Rights.
3. Ministries of Lands, MLSS, Mines and Mineral Resources and Trade and Industry should collaborate with HRCSL and FAO to engage and monitor businesses in Sierra Leone using the HRCSL's 'Guidelines for Monitoring Business and Human Rights in Sierra Leone' and FAO's 'Voluntary Guidelines on the Responsible Governance of Land Tenure, Fisheries and Forests in the Context of National Food Security'.

However, the Commission is concerned about several allegations received from various communities that the activities of these companies continue to pose serious human rights challenges where they operate. These include:

1. Forced Land acquisition
2. Labour related rights
3. Environmental degradation and pollution
4. Forced displacement.
5. Poor resettlement of locals
6. Unfavourable land lease agreements
7. Restricted movements of local community members

In Lunsar, Marampa Chiefdom, it was alleged that the operation of London Mining resulted in flooding of Manonko Village and its environs, contaminating drinking water sources and restricting the free movement of residents. HRCSL monitoring team visited the site on 24th October, and was informed by the community that the flooding was caused as a result of embankments done by London Mining around the water ways. Accessing the Manonko village was a problem for the team as the route to the village was flooded. Inhabitants of the village had to cross through the flood barefooted; school children had to remove their uniforms as they walk through the flood.

HRCSL contacted the Community Liaison Officer of London Mining Company (LMC) Mr. Desmond Doherty who declined to comment on the issue. Mr. Doherty later sent a text message to HRCSL Regional Senior Human Rights Officer in which he suggested that the HRCSL should talk to the Head of Media at the London Mining Company, Mr. Osman Lahai. HRCSL tried several times to reach Mr. Osman Lahai but without success.



Consultant Jan Kuyper facilitating a session during the Leadership Training at Kona Lodge

2.1.4 Training on Business and Human Rights

The UNDP Sierra Leone, Irish Aid and DANIDA, organized a training on the UN Guiding Principles on Business and Human Rights for Commissioners and Staff of HRCSL on the 21st-24th May, 2013. The overall objective of the training was to share and discuss with HRCSL the international standards and Guidelines for Monitoring Business and Human Rights. The training was facilitated by Claire Methven O'Brien, Senior Adviser and Nora Gotzmann, Adviser, Danish Institute for Human Rights (DIHR).

As a result of this training, HRCSL has developed and launched its “**Guidelines for Monitoring Business and Human Rights in Sierra Leone**”.



Training on Business and Human Rights at the CCSL Hall



2.1.5 Induction of Directors

As part of its continuing effort to address the staffing needs, the Commission recruited and conducted induction training for three new Directors. This was the first time in its seven years of existence that the Commission had a full complement of Directors. The training took place on 26th and 27th June at the Conference Room of the Human Rights Commission headquarters.

The topics covered included the Human Rights Commission's Act (No 9) 2004; the Paris Principles which governs the operations of all National Human Rights Institutions; the Human Resource Manual, the Terms of Reference of each Director, the organizational structure of the Commission among others. The training was facilitated by Commissioners and the Executive Secretary. Additionally, a Directors' retreat was organized on 20th-21st August at Kona Lodge, to further equip them with the requisite knowledge, attitudes and skills to execute their functions in line with the Commission's vision, mandate and core values. The training sessions were facilitated by Mr. Emmanuel Gaima.

2.1.6 INTERNATIONAL TRAINING/CONFERENCES

Commissioners and staff attended international conferences and participated in various trainings in a bid to enhance their capacity.

Commissioners/Staff	Seminar/Workshop/Training/Conference Attended	Organizers	Country	Date
Raymond Katta	International Conference on Human Rights, Sexual Orientation and Gender Identity	Norwegian Foreign Ministry	Norway	14th-16th April 2013
Fabundeh Ansumana	Training on Investigating Allegations of Torture	NANHRI	South Africa	23rd - 24th April 2013.
Gloria Bayoh	Meeting of the 57th Session of the Commission on the Status of Women	Commission on the Status of Women	New York	7th - 21st March, 2013
Commissioner Bryma V. S. Kebbie	Meeting of 53rd Ordinary Session of the African Commission	Africa Commission	Banjul	8th - 18th April, 2013
Commissioner Brima A. Sheriff	IDP Conference and Validation	IOM	Nigeria	2nd-4th April, 2013



3.3 Economic, Social and Cultural Rights

3.3.1 Right to Just and Favourable Conditions of Work

The GoSL improved the conditions of personnel in the public service by reviewing the minimum wage to Le. 480,000.00. The implementation of the Local Content Policy adopted in 2012 will promote the growth and development of indigenous businesses and the employment of Sierra Leoneans in the private sector.

The Commission recognizes the effort of Government in providing an enabling environment that has attracted Foreign Direct Investments (FDIs) which has led to increased job opportunities. However, the conditions of work in these FDIs still pose some challenges in terms of meeting national and international labour standards. Through its community engagement the Commission received feedback of disparity between local and foreign nationals in their terms and conditions of service. The lack of industrial courts in the provinces also poses a serious problem in accessing labour justice.

HRCSL welcomes the effort of the Ministry of Labour and Social Security for deploying labour officers in Makeni and Kenema, the headquarter towns of the Northern and Eastern regions respectively. Notwithstanding this, there are technical and logistical challenges inhibiting their operations such as the limited number of personnel, office supplies and vehicles.

Recommendations

1. The Ministry of Labour and Social Security (MLSS) should ensure the full operationalization of the regional offices by reviewing its organizational structure to make provision for the presence of Assistant Labour Commissioners in the regions.
2. MLSS should work in partnership with the Ministry of Trade and Industry to implement the Local Content Policy and Parliament should speedily enact the draft Local Content Policy into law.
3. MLSS should collaborate with the Judiciary to establish Industrial Courts in the regions.

3.3.2 Business and Human Rights in Sierra Leone

The activities of Business Enterprises operating in Sierra Leone especially Multinational Corporations such as ADDAX Bioenergy, Magbass Sugar Cane Company, SOCFIN Agricultural Company, African Minerals Ltd, OCTEA in Kono, Sierra Rutile Mining and London Mining companies continue to impact on the communities in which they operate. On the positive side, these companies create employment opportunities for Sierra Leoneans more especially the youth.



2. The Ministry of Internal Affairs, the Prison Department and MoJ should facilitate the institution of a Coroner's Inquest into every death occurring within the Prison.
3. The Judiciary should take steps to accelerate trials in the court especially for those prisoners on remand.
4. Government should institute due process on the matter relating to the detention of the 18 military personnel.

3.2.4 Juvenile Justice

Article 37 of the UN Convention on the Rights of the Child and Standard Minimum Rules for the Administration of Juvenile Justice provide guidelines and guarantees for juvenile justice.

HRCSL observed the continued detention of juveniles with adult inmates in both police cells and prisons nationwide. In the Northern and Eastern Regions, there are still no juvenile detention facilities in spite of the persistent calls by the Commission for the construction of remand homes in those two regions.

In Freetown, the Kingtom Remand Home was observed to be in a relatively good condition. Basic welfare issues such as water, electricity and food supplies were regularly provided. Goal Ireland, International Rescue Committee (IRC) and Family Homes Movement (FHM) also support the facility by providing basic medical supplies.

The Approved School in Freetown and the Bo Remand Home are fraught with challenges including the lack of essential facilities such as training materials and social amenities for inmates.

During its monitoring and public engagement, HRCSL received complaints that SLP was giving incorrect ages to juveniles in conflict with the law to face criminal charges particularly in areas where there are no remand homes.

HRCSL also noted the prolonged trial of juvenile cases and the lack of legal representation particularly for very serious offences. At the Kingtom Remand Home, there were eleven children whose cases had been committed to High Court for over a year.

Recommendations

1. Government should establish Remand Homes in the Northern and Eastern Regions.
2. MSGWCA should ensure that separate facilities are created for the detention of Juveniles in conflict with the law.
3. The Judiciary is urged to provide in-house training on juvenile justice for magistrates and other law officers.
4. SLP should take steps to follow the Age Assessment Guidelines in ascertaining the ages of juveniles in conflict with the law.



Commissioners/Staff	Seminar/Workshop/Training/Conference Attended	Organizers	Country	Date
Francess Alghali	Meeting of 53rd Ordinary Session of the African Commission	Africa Commission	Gambia	8th-18th April, 2013
Commissioners Rev. Moses B. Khanu, Daphne Olu-Williams & Brima A. Sheriff	26th ICC Annual Meeting	ICC	Geneva	4th - 9th May, 2013
Commissioner Rev. Moses B. Khanu Commissioner Daphne Olu-Williams Commissioner Bryma V.S. Kebbie Commissioner Jamesina King Francess Alghali	Study Visit to the Commission for Human Rights and Administrative Justice (CHRAJ)	HRCSL & CHRAJ	Ghana	15th- 17th May, 2013
Commissioner Bryma V. S. Kebbie	Commonwealth Round Table Conference on Peace Building	Commonwealth Secretariat	England	1st-3rd May, 2013
Mohamed Bawoh	Study visit to Ireland on Case Management System	Irish Human Rights Commission	Ireland	7th -11th July, 2013
Paul J. Moriba	Training in Programmes and Performance Budgeting: Practical Implementation	Crown Agent International	USA	13th -26th July, 2013
Beresford M. Davies and Frederick I. Kamara	A Regional Blended Learning Course for representatives from African National Human Rights Institutions	NANHRI	Nigeria	9th - 13th Sept., 2013
Commissioner Daphne Olu-Williams	54th Ordinary Session of the African Commission	NANHRI	Gambia	22nd - 28th Oct., 2013
Commissioner Brima A. Sheriff	Annual AU Humanitarian Symposium	African Union	Kenya	28th-29th Oct., 2013
Commissioner Brima A. Sheriff	Training Workshop on - Kampala Convention	Africa Commission	Senegal	14th -5th November, 2013
Commissioners Jamesina King, Bryma V.S. Kebbie, Daphne Olu-Williams, Brima A. Sheriff, Raymond Katta (DES) & Joseph Kamara (DMR)	9th Biennial Conference on Human Rights Institutions	NANHRI	Ghana	27th -30th November, 2013



2.1.7 Review of HRCSL Human Resource Manual

In order to strengthen its administrative capacity and effective operations, the Commission is currently engaged in reviewing its Human Resource Manual to meet the changing demands in employment regulations and conditions of service. With the appointment of the Human Resource Officer, it is hoped that the Manual will be completed soon and will address issues relating to staff welfare and development.

2.2 HRCSL's Finances

2.2.1 Government Subvention

The Government of Sierra Leone met its obligation to the Commission in the sum of Le.4,950,111,949 for operational costs, salaries and other emoluments. Although subvention was paid in two installments, there were delays in the disbursement of funds which affected the timely implementation of planned activities.

Some of the activities undertaken with GoSL subvention included;

- Monitoring activities nationwide
- Meetings with strategic partners
- Annual Review and Planning Retreat for Commissioners and Staff in February
- Attendance of Commissioners at ICC Meeting in Geneva in April;
- Capacity Development for the Senior Accounts Officer in USA in July
- Follow up round table meetings in October with SLP, SLAJ, IMC and MOJ on the implementation of the recommendations of HRCSL's Bumbuna Inquiry Report, 2012.
- Consultations with relevant MDAs, CSOs and Business Enterprises on HRCSL's Draft Monitoring Guidelines on Business and Human Rights in November.

2.2.2 Projects

HRCSL in collaboration with its international partners undertook a number of projects during the course of the year.

HRCSL received the last tranche of the UN Peace Building Fund in the sum of \$180,097.73 from the Office of the High Commissioner for Human Rights (OHCHR), for the implementation of some of its projects.

Some of the activities undertaken included;

- Public education nationwide.
- Regional training of trainers for law enforcement agencies in July.
- Production and dissemination of SOHR 2011 Report.
- Study tour of Commissioners and Executive Secretary to CHRAJ in Ghana on quasi-judicial function.



3. The Judiciary should provide training for Court Chairmen on the provisions of various laws relating to their work.

3.2.3 The Sierra Leone Prisons

The general conditions of prisons in the country are yet to meet the provisions of the UN Standard Minimum Rules for the Treatment of Prisoners.

In the Northern Region, most Prisons lack electricity supply, vehicles to convey inmates to attend court sittings, essential drug supplies, adequate number of personnel and proper beddings.

In the Southern Region, female prisoners complained that they had not been supplied with toiletries for over several months. This contravenes a principle of the UN Standard Minimum Rules for the Treatment of Prisoners which states that “prisoners shall be required to keep their persons clean, and to this end they shall be provided with water and with such toilet articles as are necessary for health and cleanliness”.

In the Eastern Region, the Kenema Main Prison continues to be under threat of escape by prisoners due to the lack of a Perimeter Fence and in Kailahun, the lack of mobility to convey prisoners to court was noted to be a major challenge..

In November, the Commission visited the Freetown Central Prisons at Pademba Road. It was observed that the facility was overcrowded. There were 1,702 inmates in custody, which exceed the actual holding capacity of 324. Of this number, 636 were convicted prisoners, 354 on remand, 644 on trial, 67 foreign nationals and one on life imprisonment. 18 military officers were also found in custody without trial since August.

HRCSL is concerned that 14 inmates died during the course of the year while in detention. HRCSL commends GoSL for increasing its allocation to the Sierra Leone Prisons in its supplementary budget to enhance its operations. In addition, the Commission commends the Sierra Leone Prisons for establishing a library and website at the Freetown Central Prison. This is in line with Principle 40 of the Standard Minimum Rule for the Treatment of Prisoners which states that “*Every institution shall have a library for the use of all categories of prisoners, adequately stocked with both recreational and institutional books, and prisoners shall be encouraged to make full use of it*”.

Recommendations

1. GoSL should continue to improve on its effort to fully capacitate the Prisons Department in line with international best practice.



The lack of court interpreters in Magistrate and High Courts was a fundamental problem encountered by the general public seeking redress or in conflict with the law. Many accused persons and even complainants sometime do not understand the legal language used in the courts.

Stringent bail conditions continued to pose a major challenge. Denial of bail applications by presiding magistrates particularly for minor cases was observed. This has led to overcrowding of prison facilities and violates the right of citizens to fair trial. In November, the Commission found 618 detainees on remand at the Freetown Central Prison awaiting trial; some of whom had already spent four or more years.

Recommendations

1. The Judiciary should improve on its court sitting and reasonable bail conditions should be prescribed to reduce overcrowding in detention facilities.
2. The Judiciary should train court interpreters to facilitate communication in court to enhance understanding of legal proceedings of cases by both complainants and accused persons.
3. The Judiciary and the General Legal Council should take appropriate measures against lawyers who persistently fail to represent their clients in court.

The Local Court

HRCSL welcomes the commencement of the implementation of the Local Court Act, 2011, in which the local courts are now fully controlled and supervised by the judiciary.

However, the Commission is concerned that local court chairmen and Native Administration Police complained about the non-payment of salaries. In Pujehun and Bonthe Districts Local Court Chairmen complained that they had not received salary for six months. The imposition of heavy and disproportionate fines by Court Chairmen, lack of understanding to interpret provisions in the various Acts such as the Devolution of Estate, Customary Marriage and the Local Courts Acts are still major challenges within the Local Court system.

The Commission commends organizations such as Timap for Justice and Advocaid for providing victim support and *pro-bono* services to vulnerable people particularly women and children in accessing justice and for training paralegals in various communities.

Recommendations

1. Judiciary to fully implement provisions in the Local Court Act to avoid interference by the local chiefs into the work of the local court.
2. GoSL should improve on the conditions of service for the local court officials particularly regular payment of salaries.



- Procurement of equipment for regional offices.

The Commission also received financial support from UNDP for the implementation of the Access to Justice Project in the sum of Le. 424,024,036. The project aims to strengthen staff capacity for effective and equitable justice service delivery. This project is on-going.

Key activities include:

- Investigation of complaints.
- Production and dissemination of SOHR 2012 Report in July-October. National Midterm Review Conference on the Status of Implementation of the Universal
- Periodic Review Recommendations in September.
- Financial support to National Commission for Persons with Disability (NCPD) for the celebration of International Day of Persons with Disability (IDD) in November;
- Celebration of International Human Rights Day in December;
- Financial support to CSO UPR Monitoring Group Sierra Leone- (CUMG-SL) for monitoring the implementation of the UPR Recommendations in January, 2014.

The Irish Aid Project provided Le. 308,982,177 and technical support for the following;

- Leadership, Corporate Governance, and Management training for Commissioners and Staff in April;
- Workshop on Business and Human Rights in May.
- Study visit by the Director of Complaints, Investigation, and Legal Services to the Irish Human Rights Commission , on Case Management System in July.
- Six months salary support to the Director of Complaints, Investigation, and Legal Services.
- Launching of the HRCSL Monitoring Guidelines on Business and Human Rights in Sierra Leone in December.

The Commonwealth Forum of National Human Rights Institutions (CFNHRI) in collaboration with the Australian Human Rights Commission organized a two day training on Conducting Effective National Inquiries, for Commissioners and staff in March. The workshop was funded by the Australian Agency for International Development (AusAID).

2.3 Staff Matters

The HRCSL- Staff Welfare Association (HRCSL-SWA) was formed in February and seeks to promote the welfare of members, foster solidarity and good relationship among staff geared towards the attainment of the overall goal of the Commission. A nine man executive was elected to manage the affairs of the association for a two year period.



First set of executive members of HRCSL's Staff Welfare Association

2.4 Recruitment and Separation

Three Directors, one Human Resource Officer and one Human Rights Officer were recruited to improve the Commission's capacity to deliver on its mandate. Two staff members were relieved of their duties. The contract of the Director of Finance and Administration ended in December.

2.5 Dissemination of 2012 SOHR

The 'State of Human Rights in Sierra Leone 2012 Report' was produced by HRCSL in line with Section 24(1) of its Act. The report was presented to H.E. the President and the Deputy Speaker of Parliament on the 10th August 2013.



Group photo after presentation of SOHR Report 2012 to His Excellency the President Dr. Ernest Bai Koroma

wounds and a pupil of the Ansarul Secondary School was also shot and killed.

HRCSL noted that the SLP continues to face logistical problems that affect its operations nationwide. For instance, the lack of vehicles for officers in the investigation department and the absence of ballistic experts in the Northern Region, pose constraints in the effective work of the police.

In Gbangbatoke, Mattru Jong and Yagoi Police Posts in the Bonthe district, HRCSL observed that they were in deplorable condition with leaking roofs. There were no cells to detain suspects at the police posts hence suspects were referred to the Moriba Town Police station. Similar constraints were identified at the Police station in Moyamba, which also lacked electricity. There were inadequate personnel to man the 12 Chiefdoms in the District. This contributed to the escape of an accused person on remand in Moyamba. HRCSL was also concerned about the health and welfare of personnel in these Districts. In Gbangbatoke, HRCSL encountered a police personnel with swollen legs and others complained that they were not given remote allowances, or supplied with uniforms and raincoats.

Recommendations

1. The SLP should implement HRCSL recommendations made in previous years on rights -based approach to policing.
2. The Ministry of Internal Affairs should upgrade sanitary and hygiene conditions in the cells and improve on the working conditions of SLP.
3. GoSL should provide the necessary personnel and logistics for the SLP to enable them execute their work effectively particularly in the regions.
4. GoSL should invest in specialized training for the SLP

3.2.2 The Court System

The Formal Court

HRCSL commends the judiciary for recruiting new magistrates and for extending circuit courts Kamakwei, Mile 91, Lungi, Masiaka and Lunsar. However, many people in rural areas still cannot access the formal justice system.

HRCSL noted a steady increase in the number of remand and trial detainees nationwide due to prolonged delays in trials caused by frequent adjournments of cases, and delays in preparing indictments for High Court trials among others.

In Bo, the Provincial Security Committee (PROSEC) set up a Task Force that met with the Judiciary on 14th May. The objective of the meeting was to discuss the reasons for the persistent adjournment of cases and how the problem could be resolved. The Committee was informed that frequent adjournments were due to the regular absence of lawyers and complainants for adjudication of the cases.

Recommendations

1. HRCSL urges Government to repeal the Seditious Libel provisions in the 1965 Public Order Act.
2. Government should set up all necessary structures to ensure the effective implementation of the Right to Access Information Act.

3.1.4 Freedom of Assembly, Association and Movement

Freedom of Assembly/Association is provided for in Article 22 of the ICCPR, Article 20 of the UDHR, Article 11 of the ACHPR, and Section 26(1) of the 1991 constitution of Sierra Leone.

HRCSL observed that the right to freedom of assembly and association was generally enjoyed in the country. The Women in the Media (WIMSAL) demonstrated against the increase incidents of rape on women and girls. In July, some youths supporting the former Leone Stars captain, Mohamed Kallon and Rodney Michael, demonstrated against FIFA's Normalization Committee for banning them from contesting the Presidential election of the Sierra Leone Football Association. However, in December, the SLP used live bullets to control a peaceful protest by aggrieved land owners against the SOCFIN Agricultural Company's expansion of palm oil plantations in the Malen Chiefdom, Pujehun District.

Recommendations

1. SLP should maintain a high level of professionalism in crowd control and ensure that proportionate, legal, appropriate and necessary force is used in their operations
2. SLP should refrain from the use of live bullets in maintaining public order and use stun guns when and where necessary.

3.2 Human Rights in the Administration of Justice

3.2.1 The Sierra Leone Police

The Complaints Discipline and Internal Investigations Department (CDIID) of the Sierra Leone Police instituted disciplinary measures against police personnel who defaulted in the exercise of their duties. According to CDIID report, 329 cases were investigated against the police ranging from assault, unlawful detention, and other related violations. Personnel found wanting were dismissed from the SLP, some were given warning letters, and a good number sent for corrective training at the Police and OSD training schools.

As mentioned under the right to life, three lives were lost as a result of police shooting during the course of the year. The SLP used fire arms to disperse unarmed pupils of the Ansarul Secondary School in Freetown who were protesting against market women alleged to have unlawfully encroached on their school land. In the process, it was reported that a young girl sustained gunshot



Deputy Speaker of Parliament, Hon. Chernor Bah received the 2012 State of Human Rights Report from Commissioner Rev. Moses Khanu

A dissemination of the report was undertaken in five different locations around the country: Lunsar in the North, Segbwema in the East, Mattru Jong and Pujehun in the South and Lakka in the Western Rural District. The objectives of the dissemination were to engage representatives from MDAs, CSOs and Communities on the contents of the report and its recommendations, to increase the Commission's visibility in hard to reach communities and inform them about the Commission's work and its achievement in the promotion and protection of human rights.

The exercise also provided an opportunity to inform stakeholders on the status of implementation of the UPR Recommendations and to obtain ideas on how GoSL can fast track the implementation of the outstanding recommendations.

Group work sessions were also organized during which several issues relating to child labour, sand mining, rape, and high rates of teenage pregnancy were identified at Lakka, Mattru and Pujehun as issues requiring more intervention by the Commission. Opportunity was also given to participants to highlight human rights issues that occurred in their various communities for inclusion into the 2013 SOHR report.



Group Discussion on Emerging Human Rights Issues in Pujehun during the dissemination of the 2012 SOHR Report

Public lectures at selected tertiary institutions and radio discussion programmes were also key activities undertaken during the dissemination exercise.

2.6 Strategic Interactions with Partners

Engagement with the Office of the Ombudsman

On 26th July, representatives of HRCSL held a meeting with the Office of the Ombudsman. The purpose of the meeting was to explore possibility of establishing a synergy between the two commissions in the areas of complaints referrals and handling. A committee was set up with two representatives from each Commission to advance the process.

Collaboration with the Network Movement for Justice and Development (NMJD)

HRCSL provided support to NMJD to organize a one day multi-stakeholder workshop on UN Guiding Principles on Business and Human Rights for Mining Companies and CSOs at the Santanno House, Freetown on 28th May. The key objective was to increase awareness on the contents and applications of the UN Guiding Principles on Business and Human Rights. Similar engagements were conducted in Lunsar and Bumbuna from the 25th-28th October.

In May the Office of National Security (ONS) launched a National Disaster Response Trust Fund with the aim of promoting human security and poverty reduction at national and local levels.

The massive deforestation across the country also poses threats to life and property. Heavy winds in the month of October resulted in the destruction of houses along the Western Area Peninsular. At Susan's Bay, strong winds which raised the water level destroyed the jetty at Government Wharf and the ensuing flood led to the death by drowning, of one person.

Recommendations

1. GoSL should review the status of all bridges around the country and take steps to complete those under construction and mobilize resources for the reconstruction of Rogbere and Aberdeen Bridges.
2. GoSL should take measures to prevent squatters from occupying disaster prone areas and ensure that current inhabitants are relocated where necessary.
3. ONS should develop a strategy to mobilize resources to sustain the National Disaster Response Trust Fund and fully implement the policy.
4. ONS, EPA, the Ministry of Agriculture, Forestry and Food Security, and the Ministry of Lands, Country Planning and Environment should intensify their efforts to address the rampant deforestation and its attendant consequences.

3.1.3 Freedom of Expression and the Press

Freedom of expression and the press is guaranteed by Article 19 of the ICCPR and UDHR, Article 9 of the ACHPR, and section 25 of the 1991 Constitution of Sierra Leone. After several years of advocacy work by HRCSL and other human rights activists, the Right to Access Information Act was finally passed in Parliament on 29th October making Sierra Leone the 96th country with a freedom of information law. This is a significant step in fulfilling government's obligations under the ICCPR and African Charter on Democracy, Elections and Good Governance.

The Independent Media Commission granted new licenses to twenty two (22) Newspapers and Magazines, and a relay station to Radio Democracy to extend their coverage in the regions. HRCSL is concerned that despite several recommendations for a repeal of the seditious libel provisions in the 1965 Public Order Act, this provision was used against Journalists towards the end of the year. In October, the Editors of the Independent Observer Newspaper were detained for 17 days and later charged to court. The media houses of Premier News, Global Times and Concord Times were searched and their editors invited for questioning at the Criminal Investigations Department (CID).

Recommendations

1. The Commission urges the GoSL to sign the Second Optional Protocol to the International Covenant on Civil and Political Rights, on the abolition of the death penalty.
2. The Commission calls on government and the Constitutional Review Committee to implement the TRC and UPR recommendations to abolish the death penalty.

3.1.2 Security of the Person

On the 8th August, the collapse of the Peters Brook Market Bridge (commonly called King Jimmy Bridge) resulted to unknown number of deaths. Eight bodies were recovered by a rescue mission comprising of RSLAF and SLP personnel.



Rescue team searching for victims buried below rubble at King Jimmy Bridge

The Mabang Bridge in the Moyamba District also collapsed thereby creating difficulty in accessing towns and villages via that route. In response to these disasters GoSL has awarded contracts for the reconstruction of these bridges.

Several concerns have been raised by residents, civil society organizations and other state institutions about the state of some bridges across the country. Rogbere Bridge in the north and the Aberdeen Bridge in the Western Area are in urgent need of reconstruction to avoid potential disasters. The Commission observes with concern that many people are not only squatting under these bridges but also undertaking activities such as salt and sand mining and use of explosive for fishing, which are undermining the foundation of these bridges.

The development of slums and the habitation of riverine and hillside areas by squatters remain a matter of concern to the Commission particularly in the rainy season when heavy torrential rainfall results in flooding and deaths.

Training for Law Enforcement Officers

HRCSL held a two day workshop for Law Enforcement Officers, at the District Youth Centre in Kenema on 10th & 11th July. A total of 15 participants (12 from the Sierra Leone Police and 3 from the Sierra Leone Prisons Service) were trained on the United Nations Code of Conduct for Law Enforcement Officers and some national laws. The overall objective was to develop a common strategy that will engender a uniform approach to upholding Human Rights values in the execution of their duties. The workshop was facilitated by Commissioners and Staff of HRCSL and personnel of SLP.



Local Unit Commander Sahid Koroma of Eastern Region facilitating a session during HRCSL's Training for Law Enforcement Officers

Consultative Meeting with Key Stakeholders on HRCSL's Draft Monitoring Guidelines on Business and Human Rights 22nd - 24th July

As part of the next steps to enriching the draft monitoring guidelines for the extractive sector in Sierra Leone, HRCSL engaged representatives of key stakeholder groups such as Civil Society, Ministries Departments and Agencies, and Multinational Businesses in consultative forums to have their inputs in the process. Contributions from participants were included in the final draft of HRCSL's Monitoring Tool for Business and Human Rights.

On the 16th December, HRCSL in collaboration with the Food and Agriculture Organization- Sierra Leone (FAO-SL) formally launched HRCSL's "Human Rights Commission of Sierra Leone Guidelines for Monitoring Business and Human Rights in Sierra Leone" and FAO's "Voluntary Guidelines on the Responsible Governance of Land Tenure, Fisheries and Forests in the Context of National Food Security" at the Bintumani Conference Hall.

The ceremony was organized in order to:

- Formally present both guidelines to Key Stakeholders and the general public.
- Increase public knowledge about the existence of both guidelines.
- Educate participants and the general public on the contents of the documents and to have their maximum cooperation in the implementation process.

The launch took the form of a stakeholder's engagement in which statements and presentations were made after which participants had the opportunity to ask questions or comment on the presentations. Present at the ceremony were key state actors such as representatives from MDA's and other stakeholders in the Business and Agricultural sectors. The Keynote address and formal Launching was done by Dr. Joseph Sam Sesay, Minister of Agriculture, Forestry and Food Security. The programme was organized with funding from UNDP/ Irish Aid and FAO-SL.



Dr. Joseph Sam Sesay, Minister of Agriculture, Forestry and Food Security formally launching the documents

Part 3: The State of Human Rights in Sierra Leone

3.0 Protection and Promotion of Human Rights

3.1 Civil and Political Rights

3.1.1 Right to life

The Right to Life is set out in Article 6 of the International Covenant on Civil and Political Rights (ICCPR), Article 3 of the Universal Declaration of Human Rights (UDHR), Article 4 of the African Charter on Human and People's Rights (ACHPR), and reiterated in Sections 15 and 16 of the 1991 Constitution of Sierra Leone. These documents guarantee individual entitlements to life, liberty, security of persons and protection of law.

In compliance with United Nations Decade of Road Safety and in order to reduce the number of road accidents and loss of lives, the Sierra Leone Road Transport Authority developed a National Road Safety Strategy which was launched on 23rd November.

HRCSL noted that during the year three people lost their lives while police personnel were executing their duties.

- OSD personnel of the SLP shot and killed Alie Fayandie Koroma, who was also an OSD along the Casino at Aberdeen on 9th June.
- Abdul Karim Kamara, an ex-U.S Marine was killed along Lumley Beach on 15th May,
- Alhaji Rado, an SS1 student of the Ansarul Secondary School was killed at Guard Street, on 11th November.

It should be noted that HRCSL issued two statements calling on the Police to investigate the killings and reiterated some of its recommendations to the Police during its public inquiry in Bumbuna on 16th -18th April 2012. The SLP and the Ministry of Justice are carrying out investigations into the killings.

Recommendations

1. HRCSL calls on the Police to implement its recommendations in its previous reports, to ensure that lives and property are protected in the discharge of their duties.
2. The Attorney General and Minister of Justice should ensure that investigations into the killings are speedily concluded and appropriate actions taken.

Death Penalty

The Commission observed that the government of Sierra Leone continues to uphold the moratorium on the death penalty. As a demonstration of its commitment, the government hosted an International Conference on "The Moratorium and abolition of the death penalty" in December at the Miatta Conference Centre in Freetown.



Office of the Attorney General and Minister of Justice:

The representative of the Office of the Attorney General and Minister of Justice informed the meeting that the review of labour laws particularly the Regulation of Wages and Industrial Relations Act, 1971 was the responsibility of the Ministry of Labour and Social Security.



Engagement with the Tertiary Education Commission (TEC)

HRCSL had an engagement with the TEC to discuss its recommendations relating to the operations of tertiary education institutions in the country. The Human Rights concerns with regard to tertiary education in Sierra Leone were raised and discussed as follows:

- The frequent strikes in tertiary education institutions over their conditions of service
- The need for the provision of teaching and learning materials that will meet the needs of Persons With Disability in tertiary institutions.
- The need to fast track the functioning of the board for special needs education.
- The slow implementation of the recommendations of the Gbamanja Commission of Inquiry

TEC reported that it had held consultations with various tertiary educational institutions in order to address the above concerns. It also monitors the operations of these institutions and provides standards for their establishment.

Meeting with Parliamentary Committee on Human Rights

On the invitation of the Commission, a cross section of members of the Parliamentary Committee on Human Rights led by its Chairman Hon. Segepoh Solomon Thomas met with the Commission on 15th March. This meeting was to acquaint them on the work of the Commission and identify areas for collaboration and support.

National Mid-Term Review Conference on the Universal Periodic Review (UPR)

The 2011 National Consultative Conference on the UPR which was organized on the theme Developing a Roadmap and Strategies for the implementation of the UPR Recommendations, called on HRCSL to convene a mid-term review conference to assess the status of implementation of the UPR recommendations.

With financial support from the OHCHR and UNDP, a National Midterm Review Conference was organized by HRCSL in collaboration with the Office of the Attorney General and Minister of Justice, the Ministry of Foreign Affairs and International Cooperation and the Civil Society UPR Monitoring Group on 5th and 6th September 2013, at the Bank Complex, Kingtom in Freetown.



Delegates at the National UPR Mid Term Review Conference

The Mid-Term Review Conference brought together key stakeholders representing government, civil society and international partners. This Conference not only assessed the status of implementation of the recommendations since 2011 but also built consensus on the way forward for the next two years by the adoption of a “Conference Resolution and Action Plan. The resolution took into cognizance the status of implementation of the UPR recommendations and devised concrete strategies to move the implementation process forward before the second UPR cycle for Sierra Leone, scheduled for January/February 2016. In particular, the resolution reaffirms the State's responsibility in implementing the recommendations and urges the Government to establish a National UPR Coordination Working Group (NUCWG) to coordinate the implementation process. The resolution also adopted the matrix as both a monitoring tool to assess progress and an action plan for implementation in the period 2013-2015.

The conference also provided stakeholders an opportunity to link the UPR recommendations with other government processes in the country such as them implementation of the TRC recommendations, the PRSP III “Agenda for Prosperity”, and the Constitutional Review Process.

following up on the round table discussion, HRCSL on 2nd October, met with the Inspector- General of Police and Senior Police Officers, representatives of the Office of the Attorney General and Minister of Justice, the Independent Media Commission and Sierra Leone Association of Journalists (SLAJ).

The purpose of the engagement was to assess the status of implementation of the Bumbuna Public Inquiry recommendations by each institution, in respect of specific recommendation made in the report.

During the discussion the SLP updated the Commission that in addition to the public apology to the women of Bumbuna other actions taken included:

- Redeployment of senior personnel that were involved in the incident.
- Conclusion of investigation into the matter of the OSD personnel who fired live ammunition during the riot and the files referred to the Office of the Attorney General and Minister of Justice for necessary action.
- The incorporation of human rights education into all aspects of their training and ensuring that their officers observe the UN Policing Guidelines to meet international best practice.
- Recruitment of three Persons with Disability into the police.

In spite of the constraints of the SLP in terms of logistics, the IG assured the Commission that the SLP will maintain professionalism in their operations and follow the rules of engagement on the use of force in accordance with international best practice. He further stated that they will provide more training for their personnel and make more use of nonlethal weapons in their operations.

The IMC reported that it had:

- Appointed twenty five monitors to monitor media contents nationwide.
- Conducted workshops and sensitization programmes for media houses throughout the country.
- Secured satellite recorders to record radio broadcast of some media houses within the Western Area.
- Established a Complaints Department for the public.

SLAJ reported that:

It had revived its Disciplinary Committee and contracted a consultant to train its membership on professional media practice.



Mediation of Complaints

The Commission successfully mediated a matter between two families (**I.K** and family and **M.K** and family) with opposing political views resident in the same house in the Dove Cot Community in the Eastern Part of Freetown. Following the 2012 elections, they were involved in election related violence which threatened the peace and security of the neighbourhood. The inordinate delay in handling the matter by the SLP and Law Officers' Department and the rising tension prompted the complainants to report the matter to HRCSL. The issue was mediated by the Commission and the respondent **M. K** paid compensation to the complainants and they now live amicably.

On 17th September, **A. M** reported her husband's failure to provide maintenance and support for their children. Respondent **B. A** was contacted on the request of the complainant for a peaceful settlement. HRCSL mediated and after two months of engagement, on 9th December the matter was successfully resolved and **B. A** agreed to fulfill his obligations. HRCSL is mediating a complaint reported by Malen Affected Land Owners Association (MALOA) of the Malen Chiefdom, Pujehun District against GoSL, the Paramount Chief of Malen Chiefdom, SOCFIN Agricultural Company and the SLP. The complaint relates to allegations of unfair and unlawful land agreements and persistent harassment by the authorities. This complaint was made at the Southern Regional office in 2012.

The Commission undertook three fact finding visits to Malen Chiefdom between January and May, and statements were obtained from residents and other interested parties, to ascertain and assess the merit of the complaint. Following consent to mediation by the parties, a two day mediation meeting was organized in Malen Chiefdom by HRCSL on 10th & 11th June. Representatives from MALOA, SOCFIN Agricultural Company, the Paramount Chief and his Chiefdom Council, the Police, CSOs and other stakeholders attended the meeting at the Malen Chiefdom Court Barry.

The outcome of the meeting was a draft mediation agreement to address the complaint. A follow up meeting was held in November for the finalization and signing of the mediation agreement. The meeting was attended by the Minister of Lands, Country Planning and the Environment, the Malen Chiefdom Council, SOCFIN Agricultural Company, Green Scenery and other relevant stakeholders. However, the mediation could not be concluded as a result of the absence of the Paramount Chief, the Minister of Agriculture, Forestry and Food Security and the Minister of Justice.

Follow-up Engagements on the Implementation of HRCSL's Recommendations on the Bumbuna Public Inquiry 2012

In continuation of its engagement on the recommendations of Bumbuna Public Inquiry and



2.7 Monitoring Activities

Monitoring of prisons, police cells, and remand homes were carried out throughout the year.

The objectives of the monitoring visits were:

- To assess the level of compliance with national and international standards for places of detention.
- To determine whether issues of human rights such as torture, ill-treatment, and other degrading and inhuman treatments occurred.
- To build relationship with authorities in various places of detention.

To improve on its monitoring, the Commission reviewed its monitoring tools for prisons, police cells and remand homes, to put them in line with international best practices. The monitoring tool for Business and Human Rights was finalized and launched in December.

Similarly, monitoring of health care facilities was also undertaken at Connaught and the Kissy Psychiatric Hospitals in Freetown. Some private hospitals that complement Government's health care delivery system in the regions were also monitored.

The objectives of the monitoring were to:

- Assess the quality of service delivery to patients
- Determine the level of accessibility especially for PWDs and the elderly



HRCSL staff observes the administering of treatment during a monitoring visit



HRCSL staff monitoring the supply of Free Health Care drugs to the Matru Government Hospital



2.8 Support to the Implementation of the TRC Recommendations

2.8.1 The Reparations Programme

The Commission monitored payments of grants to amputees and severely war wounded victims in the Western Urban Area and Regional Headquarters. Each beneficiary received Six Million and Thirty Seven Thousand and Five Hundred Leones (Le. 6,037,500.000).

2.8.2 Technical Processing of TRC Archives

The records in the TRC Archives were transferred to the Special Court in 2011. Technical processing commenced in 2011 and was completed in 2012. All materials in the archives have been transferred to the National Peace Museum.

A draft Access Policy has been developed and would be finalized in 2014 after which the Archives would be opened to the public.

2.8.3 Representation at the Constitutional Review Committee

The TRC recommended in its report that Government should consider reviewing the 1991 Constitution of Sierra Leone. This review process commenced in July by the setting up of the Constitutional Review Committee (CRC). HRCSL is represented at this committee by its Commissioner Jamesina King.

2.9 Library and Documentation Centres

The Library and Documentation Centres at the National Headquarters and the regional offices functioned effectively by providing services to Commissioners and staff of the Commission, civil society, students and the general public. These centres play an important role by serving as repositories of knowledge for human rights practitioners.

2.10 Media Outreach

To further enhance human rights knowledge and visibility, several media tools such as radio and television, newspaper publications, newsletter and the Commission's website were utilized to discuss thematic human rights issues. Five press releases and a position statement were published during the year. A press conference was held to launch the Commission's Report on the State of Human Rights in Sierra Leone 2012 on 13th August.

The Social Media has also been a friendly tool for the Commission in promoting human rights. The Commission ensured that its social pages were made more resourceful by upgrading its website and making it more user friendly. The discussion board on its Vice Chair person, facebook page has had



Complaints closed for various reasons:

- Complainants and respondents utilize other options of settling the matter.
- Informal resolution of complaints by family members or friends after the matter had been reported to the Commission.
- The complaints withdrawn because complainants no longer wished to pursue the matter.

Action pending on complaints:

- These are complaints awaiting Commission's decision

Table 1.4 Decision on complaints

No.	Decision on complaints received	ER	NR	SR	WA	Total	%
1.	Admissible	08	12	09	28	57	17.3
2.	Inadmissible	36	10	30	189	265	80.5
3.	Decision Pending	01	01	02	03	07	2.1
	Grand Total	45	23	41	220	329	99.9

Note:

Table 1.4 gives a breakdown of admissibility decisions on complaints received during the period under review. As indicated in the table, most of the complaints brought to the Commission were inadmissible because these complaints fell outside the Commission's mandate. Some of these were referred and some mediated with the consent of both parties.

Table 1.5 Comparative Analysis of Complaints received by Regions from 2007 to 2013

No.	Region	2007	2008	2009	2010	2011	2012	2013	Total	%
1.	Eastern Region	00	04	06	39	74	25	45	193	10.0
2.	Northern Region	00	04	09	22	23	20	23	101	5.2
3.	Southern Region	00	06	63	57	33	53	41	253	13.1
4.	Western Area	40	190	252	374	126	182	220	1384	71.7
	Grand Total	40	204	330	492	256	280	329	1931	100

The table above indicates that few complaints were received and registered in 2007 with a total of 40. The increase in the total number of complaints received since 2007 to 2013 can be attributed to increased public awareness of the Commission's activities in terms of its public education, dissemination of its annual State of Human Rights Report and the successful conclusion of some of its complaints.

Table 1. 3 Summary of outcome of complaints received

No.	Action taken on complaints received	ER	NR	SR	WA	Total	Percentage %
1.	Mediated	06	06	15	04	31	9.4
2.	Mediation on - going	10	02	02	02	16	4.9
3.	Monitored	03	00	02	10	15	4.6
4.	Monitoring on - going	04	00	01	04	09	2.7
5.	Decision	00	00	00	06	06	1.8
6.	Investigation on - going	06	03	01	25	35	10.6
7.	Referred	07	07	14	150	178	54.1
8.	Conciliated	00	00	00	01	01	0.3
9.	Withdrawn	06	02	00	04	12	3.6
10.	Complainants could not be reached for further information	00	00	00	03	03	0.9
11.	Complainant requests for no immediate action	00	00	00	02	02	0.6
12.	Public Inquiry / Hearing	00	00	00	00	00	0.0
13.	Closed	03	03	02	06	14	4.3
14.	Action Pending	00	00	04	03	07	2.1
	TOTAL	45	23	41	220	329	99.9

Note: Complainants could not be reached for further information:

- Complainants could not be contacted either by telephone or after visiting their addresses for clarification on the matter or information pertaining to the respondents.

Complainants requested for no immediate action to be instituted by the Commission:

- Some complainants lodged their complaints but prefer the Commission to put them on hold because they are looking at other options to solve their problems. Should they fail to resolve them, then they could ask for resuscitation of the process.

interesting interactions from the public. The press releases were also circulated via Whatsapp to many contacts both locally and internationally.

2.11 Commemoration of Human Rights Days

Africa Human Rights Day 23rd October

HRCSL commemorated the day by issuing a statement which was read on the Sierra Leone Broadcasting Corporation Television and was repeated in various broadcasting stations. The statement also published in various newspapers urged government to re-affirm its commitment and obligations to the Commission and implement its recommendations made over the years, for improving on the human rights situation in the country.

International Day for Persons with Disability (IDD) - 3rd December

HRCSL joined the National Commission for Persons with Disability (NCPD) and other civil society organizations in celebrating the International Disability Day on the theme “*breaking barriers, opening doors for an inclusive society for all*”.

HRCSL also provided technical and financial support to NCPD to organize a symposium on the 4th December, 2013, at the Atlantic Hall of the National Stadium, Freetown. Presentations were made on the roles of various stakeholders (Government, Civil Society and Human Rights Organizations) in promoting an inclusive society for PWDs.

International Human Rights Day (IHRD)- 10th December

HRCSL joined the rest of the world in celebrating International Human Rights Day with the theme “20 Years Workintion and Programme of Action, and the setting up of the Office of the High Commissioner for Human Rights in g for Your Rights”. The celebration highlighted the anniversary of the Vienna DeclaraGeneva.



Prisons Team posed for photo before commencement of the march



The HRCSL Team and Staff posed for photo

In fulfillment of its international obligation, the Commission in collaboration with its local and international partners celebrated the day by reflecting on its work and adopted a local theme **“Seven Years working for the Realization of Human Rights in Sierra Leone”**.

The objective of the celebration was to highlight successes and challenges of HRCSL in promoting and protecting human rights in Sierra Leone over the past seven years.

The celebration was observed in Freetown, Bo, Kenema and Makeni. A march past and official ceremonies in Freetown and the various districts climaxed the celebrations.

In Freetown, the celebration commenced with a friendly football match between the Sierra Leone Prisons and a combined team of HRCSL and the Western Area DHRC on 7th December at the National Stadium Practicing Field. The official ceremony was held at the Atlantic Hall, National Stadium on 10th December and was chaired by Mrs. Rosaline McCarthy. She acknowledged the strides made by HRCSL in the promotion and protection of human rights in the country, and called on state actors to implement the recommendations made by HRCSL in its State of Human Rights Reports.



The Public Relations Officer of HRCSL, Mr. Henry Sheku leading a march past during the IHRD celebration

No.	Nature of Complaint	Eastern Region		Northern Region		Southern Region		Western Area		Total Total		Grand	%
		M	F	M	F	M	F	M	F	M	F		
11.	Police related issues	03	03	01	01	05	02	16	13	25	19	44	13.4
12.	Domestic Violence	00	04	00	02	00	00	02	16	02	22	24	7.3
13.	Matrimonial Dispute	02	03	00	00	00	00	02	13	04	16	20	6.1
14.	Labour/Workers' Rights	06	02	02	01	04	01	40	03	52	07	59	17.9
15.	Prison Related	00	00	00	00	00	00	01	00	01	00	01	0.3
16.	Military related issues	00	00	00	00	00	00	01	02	01	02	03	0.9
17.	Right to Health	00	00	00	00	01	00	01	03	02	03	05	1.5
18.	Economic Rights	00	00	00	00	00	00	01	01	01	01	02	0.6
19.	Right to Information	00	00	00	00	00	00	01	00	01	00	01	0.3
20.	Wife Maintenance	00	03	00	00	00	00	00	08	00	11	11	3.3
21.	District/Town/City Council related issues	00	00	00	00	00	00	00	00	00	00	00	0.0
22.	Sexual Assault	00	00	00	00	00	01	01	02	01	03	04	1.2
23.	Right to Privacy	00	00	00	00	00	00	02	00	02	00	02	0.6
24.	Unlawful Detention	00	00	00	00	00	00	01	01	01	01	02	0.6
25.	Prolonged Detention	00	00	00	00	00	00	02	00	02	00	02	0.6
26.	Denial of freedom of movement	00	00	00	00	00	00	01	00	01	00	01	0.3
27.	Arbitrary Arrest	00	00	03	02	00	00	01	01	04	03	07	2.1
28.	Abuse/misuse of office	00	00	00	00	00	00	03	01	03	01	04	1.2
29.	Family Dispute	00	00	00	00	00	00	02	00	01	02	03	0.9
30.	Issues by the Local Court	00	01	01	01	00	01	00	01	01	04	05	1.5
31.	Forceful Initiation into secret society	00	02	00	00	00	00	00	00	00	02	02	0.6
32.	Torture, cruel and degrading treatment	01	00	00	00	00	00	02	01	03	01	04	1.2
33.	Request for assistance (financial, legal etc)	00	00	00	00	00	00	02	01	02	01	03	0.9
34.	Others (NGOs, Requests for assistance, etc.)	01	00	00	00	00	00	01	00	02	00	02	0.6
	TOTAL	17	28	13	10	23	18	118	102	171	158	329	99.7

No.	Different Sectors	Eastern Region	Northern Region	Southern	Western	Total	Percentage
25.	Ministry of Labour	00	00	00	04	04	1.2
26.	National Electoral Commission (NEC)	00	00	01	00	01	0.3
27.	Other Commissions	00	00	00	02	02	0.6
28.	Bank	00	00	00	01	01	0.3
29.	Respondents unknown	00	00	00	03	03	0.9
30.	Those who requested for financial assistance	00	00	00	03	03	0.9
	TOTAL	45	23	41	220	329	99.8

Note: For the period 2013, the major respondents were individuals with a total of 85 respondents followed by the Sierra Leone Police with a total of 38. In addition, the table also indicates a small number of complaints lodged against the Prisons, Religious Institutions, District/ Town/City Councils, other Government Ministries, IMC, NEC and Banks.

Table 1.2 Complaints filed by Sex in 2013

No.	Nature of Complaint	Eastern Region		Northern Region		Southern Region		Western Area		Total		Grand Total	%
		M	F	M	F	M	F	M	F	M	F		
1.	Crime Related issues	01	00	00	00	04	02	12	08	17	10	27	8.2
2.	Personal Liberty	00	00	00	00	00	00	00	00	01	00	01	0.3
3.	Property Related (including land)	01	07	02	02	04	09	08	12	15	30	45	13.7
4.	Judiciary related issues	01	01	00	00	02	01	06	03	09	05	14	4.3
5.	Right to life	00	00	01	00	00	00	03	00	04	00	04	1.2
6.	Right to education	00	00	00	00	00	00	00	00	00	00	00	0.0
7.	Discrimination	01	01	01	01	00	00	02	02	04	04	08	2.4
8.	Children's Rights issues (including neglect and maintenance)	00	01	02	00	01	00	02	06	05	07	12	3.6
9.	Civil and Political Rights	00	00	00	00	02	01	02	01	04	02	06	1.8
10.	Right to Shelter (Landlady /Landlord/Tenant issues)	00	00	00	00	00	00	00	01	00	01	01	0.3

The occasion was attended by the Attorney General and Minister of Justice and representatives of Parliamentary Human Rights Committee, Prisons, MDAs, Irish Embassy, UNIPSIL, Persons With Disability and various Schools The statement of the day was delivered by Mrs. Jamesina King, Vice Chairperson of the Human Rights Commission of Sierra Leone. She noted the significance of the celebration and highlighted the key achievements of the Commission during its seven years of existence.

In recognition of their outstanding role and support to the Commission since its operationalization in 2006, an award was presented to the UNIPSIL Rule of Law Section.



Ms. Fernanda Guirrez receiving award on behalf of UNIPSIL during the International Human Rights Day celebration



A.G. Franklyn Bai Kargbo interacting with participants during the International Human Rights Day celebration

The award was received by Ms. Fernanda Guirrez on behalf of UNIPSIL Human Rights and Rule of Law Section. Awards were also presented by Journalists for Human Rights to individual Journalists for reporting on human right issues.

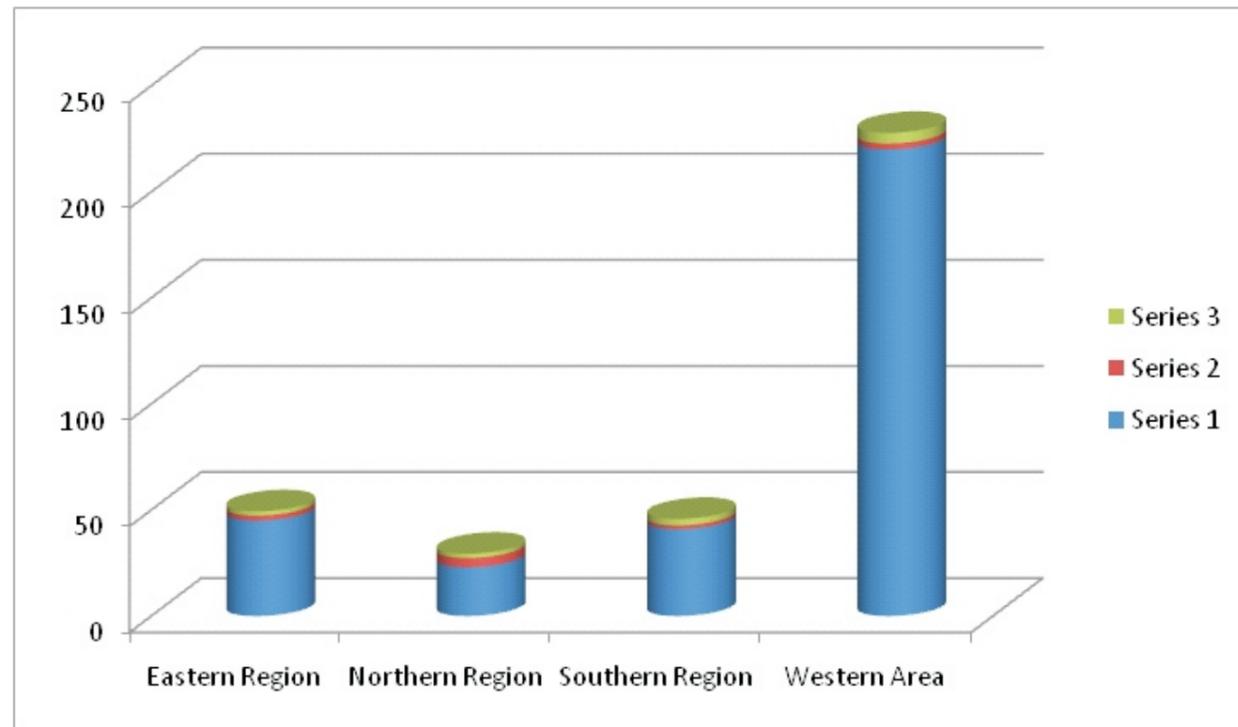
A musical interlude provided by the Walpoleans (One Family People) and Lady FSK climaxed the occasion.

2.12 Complaints Handling and Management

The Commission handled 329 complaints. Out of this number, 59 were recorded as admissible, 263 were inadmissible whilst decisions on 07 complaints were pending. A good number of these complaints were resolved through mediation or referred to appropriate institutions and closely monitored.

Figure 1.1 indicates the proportion of complaints from the various regions. **45** complaints were registered from the Eastern Region (ER), **23** from the Northern Region (NR), **41** from the Southern Region (SR) and **220** from the Western Area (WA)

Figure 1.1 Bar chart illustrating the number of complaints received by regions



KEY

Eastern Region - **45** complaints
 Northern Region - **23** complaints
 Southern Region - **41** complaints
 Western Area - **220** complaints

Table 1.1 The table below shows categorization of major respondents in the number of registered complaints. Major respondents were private individuals, the SLP and Business Houses.

Table showing the categorization of respondents

No.	Different Sectors	Eastern Region	Northern Region	Southern Region	Western Area	Total	Percentage
1.	Individuals	23	06	09	85	123	37.4
2.	Sierra Leone Police	03	04	07	38	52	15.8
3.	Public Servants	01	03	02	09	15	4.6
4.	Other Government Institutions	01	01	01	06	09	2.7
5.	Prisons	00	00	00	01	01	0.3
6.	Private Security Agencies	06	04	00	04	14	4.3
7.	Business, shops and companies	03	00	04	16	23	7.0
8.	Agricultural Companies	00	00	04	00	04	1.2
9.	Military	00	00	00	07	07	2.1
10.	Traditional Leaders	02	02	03	05	12	3.6
11.	Judiciary	01	00	04	13	18	5.5
12.	Religious Institutions	00	00	00	01	01	0.3
13.	Educational Institutions	00	00	00	05	05	1.5
14.	Local Court	01	03	04	03	11	3.3
15.	District/Town Council	00	00	00	01	01	0.3
16.	Secret Societies	01	00	00	00	01	0.3
17.	NGOs	03	00	00	02	05	1.5
18.	Solicitor	00	00	01	00	01	0.3
19.	Other Government Ministries	00	00	01	01	02	0.6
20.	Mining Companies	00	00	00	02	02	0.6
21.	Director of Public Prosecution (DPP)	00	00	00	02	02	0.6
22.	NASSIT	00	00	00	02	02	0.6
23.	MSWGCA	00	00	00	03	03	0.9
24.	Independent Media Commission {IMC}	00	00	00	01	01	0.3