



SIERRA LEONE: STEPS FORWARD AND HUMAN RIGHTS CHALLENGES

AMNESTY INTERNATIONAL SUBMISSION FOR THE UN UNIVERSAL PERIODIC
REVIEW, 38TH SESSION OF THE UPR WORKING GROUP, 3-18 MAY 2021

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INTRODUCTION

This submission was prepared for the Universal Periodic Review (UPR) of Sierra Leone in May 2021. In it, Amnesty International evaluates the implementation of recommendations made to Sierra Leone in its previous UPR, including in relation to death penalty, violence perpetrated by law enforcement officials, women and girls' rights.

It also assesses the national human rights framework with regard to women's rights, especially girls' right to education and sexual violence, right to peaceful protests, pre-trial detention length and economic, social and cultural rights.

With regard to the human rights situation on the ground, Amnesty International raises concern about freedom of expression and right to liberty, freedom of peaceful assembly, death penalty and detention conditions, the excessive use of force by the police, women and girls' rights and the right to health and working conditions for health workers.

FOLLOW UP TO THE PREVIOUS REVIEW

During Sierra Leone's second UPR in 2016, Member States made 208 recommendations, 177 of which Sierra Leone accepted, including recommendations on the abolition of the death penalty.¹ Of the 31 recommendations the government rejected, 25 were aimed at ensuring gender equality including enacting legislation to prohibit female genital mutilation, prohibiting early and forced marriages and implementing laws on domestic and sexual violence. The other six recommendations Sierra Leone rejected were to end discrimination against the LGBTI community including the decriminalization of same-sex conduct between consensual adults.²

Amnesty International welcomes steps taken by the government to implement some of the UPR recommendations but highlights areas in which laws and practices continue to violate human rights.

Despite accepting recommendations in the previous review to ratify a number of international human rights treaties, including the Second Optional Protocol on the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty³, Sierra Leone has not yet done so.⁴

¹ Human Rights Council, Report of the Working Group on the Universal Periodic Review - Sierra Leone, Addendum, A/HRC/32/16/Add.1, 22 June 2016.

² Human Rights Council, Report of the Working Group on the Universal Periodic Review - Sierra Leone, A/HRC/32/16, 14 April 2016 and A/HRC/32/16/Add.1, 22 June 2016, recommendations 111.48 (Poland), 111.64 (Oman), 111.73-76 (Belgium, Ireland, Canada, Jamaica), 111.80-85 (Canada, Netherlands, France, Argentina, Colombia, Chile), 111.106-109 (Lebanon, Maldives, Zambia, Slovenia), 111.111-113 (Spain, Australia, Congo), 111.115-121 (Cabo Verde, Botswana, Switzerland, Czech Republic, Uganda, Angola, Algeria), 111.123-126 (Croatia, Czech Republic, Japan, Namibia), 111.168 (Costa Rica)

³ Human Rights Council, Report of the Working Group on the Universal Periodic Review - Sierra Leone, A/HRC/32/16, 14 April 2016 and A/HRC/32/16/Add.1, 22 June 2016, recommendations 111.1 (Spain), 111.2 (Switzerland, Belgium, Montenegro, France), 111.3 (Benin), 111.13 (Portugal), 111.16 (Djibouti); Sierra Leone also did not ratify the following treaties, despite accepting recommendations to do so. The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (recommendations 111.15 (Djibouti), 111.18 (Burkina Faso), 111.19 (Slovakia), 111.20 (Belgium, Ghana), 111.21 (Chile), 111.22 (Burundi), 111.23 (Madagascar)); the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (recommendations 111.4 (Honduras), 111.5 (Poland), 111.6 (Denmark), 111.7 (Croatia), 111.8 (Czech Republic), 111.9 (Chile), 111.10 (Morocco), 111.11 (Tunisia), 111.12 (France), 111.13 (Portugal), 111.14 (Lebanon), 111.15 (Djibouti)); the Optional Protocol on the International Covenant on Economic, Social and Cultural Rights (recommendations 111.16 (Djibouti), 111.27 (Philippines), 111.31 (Ghana))

⁴ Ratification status for Sierra Leone, https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=156&Lang=EN

Sierra Leone accepted recommendations to sanction acts of violence perpetrated by law enforcement officials⁵, but on various occasions police officers suspected of excessive use of force during peaceful protests were not held to account.⁶

Following an important advocacy effort by local NGOs, Sierra Leone has implemented a recommendation⁷ to repeal or revise the Public Order Act and Criminal and Seditious Libel laws by repealing part V of the Seditious Libel provision of the Public Order Act 1965 which was used by the authorities to criminalize the right to freedom of expression. The parliament replaced it with the Independent Media Commission (IMS) Act of 2020. On 28 October, President Julius Maada Bio publicly signed the amended law, effectively repealing the seditious libel section of the Public Order Act 1965.

The government has taken steps to ensure the effective implementation of the Sexual Offence Act as recommended.⁸ It reviewed and strengthened the Act by increasing the sentencing provisions⁹.

Sierra Leone started implementing the recommendations on strengthening key human rights institutions with a focus on the protection of women and children,¹⁰ ensuring the prosecution of all perpetrators of violence against women¹¹ and the rehabilitation and support of victims of violence,¹² and ensuring effective access to justice for women (see below).¹³ Sierra Leone overturned its decision to prevent pregnant girls from attending school and sitting for exams, despite having rejected some recommendations to do so.¹⁴

THE NATIONAL HUMAN RIGHTS FRAMEWORK

Sierra Leone has taken steps to improve its national human rights framework, but more efforts are needed in that regard.

NEW INSTITUTIONS

The government established the Ministry of Gender and Children's Affairs and a sexual offences court, as well as One Stop Centres for sexual violence survivors. The Ministry of Gender and Children's Affairs launched six pilot one-stop centres in July 2020 to provide multidisciplinary services to survivors of sexual and gender-based violence (SGBV), including psychosocial counselling, free medical services and legal assistance. The main goal of the centres is to ensure

⁵ Human Rights Council, Report of the Working Group on the Universal Periodic Review - Sierra Leone, A/HRC/32/16, 14 April 2016 and A/HRC/32/16/Add.1, 22 June 2016, recommendations 111.140 (France), 111.191 (Costa Rica).

⁶ Amnesty International, *Sierra Leone: Families of Police Killing Victims Renew Calls for Justice*, 16 August 2018, <https://www.amnesty.org/en/latest/campaigns/2018/08/sierraleone-families-police-killing-victims-renew-calls-justice/>

⁷ Human Rights Council, Report of the Working Group on the Universal Periodic Review - Sierra Leone, A/HRC/32/16, 14 April 2016, recommendation 111.163 (Ireland)

⁸ Human Rights Council, Report of the Working Group on the Universal Periodic Review - Sierra Leone, A/HRC/32/16, 14 April 2016, recommendation 111.45 (Brazil)

⁹ Reuters, *Sierra Leone toughens penalties for sexual violence*, 9 December 2019, <https://fr.reuters.com/article/idUSKBN1W42TV>

¹⁰ Human Rights Council, Report of the Working Group on the Universal Periodic Review - Sierra Leone, A/HRC/32/16, 14 April 2016, recommendation 111.51 (Lesotho)

¹¹ Human Rights Council, Report of the Working Group on the Universal Periodic Review - Sierra Leone, A/HRC/32/16, 14 April 2016, recommendation 111.127 (Israel)

¹² Human Rights Council, Report of the Working Group on the Universal Periodic Review - Sierra Leone, A/HRC/32/16, 14 April 2016, recommendation 111.104 (Slovakia), 111.105 (Albania)

¹³ Human Rights Council, Report of the Working Group on the Universal Periodic Review - Sierra Leone, A/HRC/32/16, 14 April 2016, recommendations 111.41 (Malaysia), 111.142 (Mexico)

¹⁴ Human Rights Council, Report of the Working Group on the Universal Periodic Review - Sierra Leone, A/HRC/32/16, 14 April 2016, recommendations 111.73 (Belgium), 111.74 (Ireland), 111.75 (Canada), 111.76 (Jamaica); Amnesty International, *Sierra Leone: discriminatory ban on pregnant girls attending schools is lifted*, 30 March 2020, <https://www.amnesty.org/en/latest/news/2020/03/sierra-leone-discriminatory-ban-on-pregnant-girls/>

survivors would not have to go to the police to report cases of SGBV.¹⁵ In July 2020, the government set up a sexual offences court, a special court to expedite the trials of sexual-related offences and reduce the backlog of cases.¹⁶

NEW LEGISLATION

In December 2019, the Community Court of Justice of the Economic Community of West African States (ECOWAS) ruled against the ban on pregnant girls attending school and ordered Sierra Leone to revoke its policy. This ban deprived thousands of girls from their right to get an education and further stigmatized them.¹⁷ In March 2020, the government overturned a 2010 decision to prevent pregnant girls from attending schools and taking exams and is planning on replacing it with two new policies focused on the 'Radical Inclusion' and 'Comprehensive Safety' of all children in the education system.¹⁸ In May 2020, the Ministry of Basic and Senior Secondary Education issued a national policy for the radical inclusion of all vulnerable children in formal education and integrated the policy in the new curriculum.¹⁹

While Amnesty International appreciates the government's effort in expunging Part V of the Public Order Act which related to seditious and criminal libel provisions, problematic provisions remain, such as Part III of the Public Order Act 1965 which deals with Processions. These provisions gag people's right to freedom to peaceful protest as the police do not generally give permission especially for protests that are critical of the government. Journalists are concerned that the Independent Media Commission (IMS) Act 2020, which replaced the repealed part V of the Seditious Libel provision of the Public Order Act, will not allow media pluralism and fair competition.²⁰

DRAFT LEGISLATION

The Criminal Procedure Bill aimed at updating the 1965 law is still pending. The bill includes important provisions to address excessive pre-trial detention, delays in court hearings and lack of alternatives to detention.

The Gender Equality Bill, which provides for a minimum 30% representation of women in parliament, local councils and ministries, departments and agencies, has also yet to be enacted.

¹⁵ State House Media and Communications Unit, *Sierra Leone's President Julius Maada Bio unveils One-Stop Centres, says among Early Adopters of the Concept in Africa*, 9 July 2020, <https://statehouse.gov.sl/sierra-leones-president-julius-maada-bio-unveils-one-stop-centres-says-among-early-adopters-of-the-concept-in-africa/>; Idrissa Conteh, AYV News, *Gender Ministry Launches SGBV One Stop Centres*, 10 July 2020, <http://www.ayvnewspaper.com/index.php/2020/07/10/gender-ministry-launches-sgbv-one-stop-centres/>

¹⁶ Francis H. Murray, Politico SL, *Sierra Leone to open a Special Court for sexual offences*, 25 July 2020, <https://politicosl.com/articles/sierra-leone-open-special-court-sexual-offences>; George Sesay, Office of the First Lady, *The official launching of the first sexual offences model court for rape proceedings in Sierra Leone*, 25 July 2020, <https://firstlady.gov.sl/the-official-launching-of-the-first-sexual-offences-model-court-for-rape-proceedings-in-sierra-leone/>

¹⁷ Amnesty International, *Shamed and Blamed: Pregnant Girls' Rights At Risk in Sierra Leone*, 6 November 2015, <https://www.amnesty.org/download/Documents/AFR5126952015ENGLISH.PDF>

¹⁸ Amnesty International, *Sierra Leone: discriminatory ban on pregnant girls attending schools is lifted*, 30 March 2020, <https://www.amnesty.org/en/latest/news/2020/03/sierra-leone-discriminatory-ban-on-pregnant-girls/>; Ministry of Basic and Senior Secondary Education press release, 30 March 2020, <https://mbsse.gov.sl/wp-content/uploads/2020/03/PREGNANT-GIRLS-BAN-REVERSAL-RELEASE.pdf>

¹⁹ *National curriculum framework & guidelines for basic education*, 7 July 2020, Ministry of Basic and Senior Secondary Education, <https://mbsse.pubpub.org/pub/curriculum-framework/release/1>; AYV newspaper, *Back to School: September 15, October 5*, 24 August 2020, <http://www.ayvnewspaper.com/index.php/2020/08/24/back-to-school-september-15-october-5/>

²⁰ See for example Sierra Leone Telegraph, *New Independent Media Commission Laws Undermine Media Pluralism and Competition*, 21 June 2020, <https://www.thesierraleonetelegraph.com/new-independent-media-commission-laws-undermine-media-pluralism-and-fair-competition/>.

CONSTITUTIONAL REVIEW

In 2013, a constitutional review was launched, and a final report was presented in January 2017. The former government rejected over 100 of the 134 recommendations of the Constitutional Review Committee including abolition of the death penalty, and enshrining provisions on equality for women and economic, social and cultural rights.²¹ The current government is reviewing the recommendations.

INTERNATIONAL AND REGIONAL HUMAN RIGHTS TREATIES

Sierra Leone did not ratify several international human rights treaties including the Second Optional Protocol on the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty. Despite the Minister of Justice's promise to abolish the death penalty through a revision of the Criminal Procedure Act²², Sierra Leone retains the death penalty for treason, aggravated robbery and murder.

Sierra Leone has yet to ratify the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights and make a declaration that would allow direct access of individuals and NGOs to the court.

THE HUMAN RIGHTS SITUATION ON THE GROUND

FREEDOM OF EXPRESSION AND RIGHT TO LIBERTY

The constitution (Chapter III, Article 17) and Section 80 of the Criminal Procedure act of 1965 prohibit arbitrary arrest and detention, but there have been some instances of this practice since the last review. For example, in 2019, some opposition members including Karamoh Kabba and others were arrested, detained and released when Amnesty international raised the issue. Kabba was arrested when he went to the Adonkia Police Station to report violence against members of his party after a clash between supporters of his party APC and supporters of the ruling party.²³

Journalist Dr Sylvia Blyden and Isata Saccoh, wife of the detained Sierra Leone's former Defence Minister, Paolo Conteh, were detained in May 2020.²⁴ Isata Saccoh was accused of unlawful possession of arms and ammunition and conspiring to facilitate the escape of her husband out of jail.²⁵ She was released on bail while the case is still ongoing at the time of the writing of this submission.²⁶ Sylvia Blyden, publisher of the Awareness Times newspaper and a leading APC

²¹Amnesty International, *Sierra Leone: government rejection of important constitutional review recommendations a missed opportunity to strengthen human rights protection*, 6 December 2017, <https://www.amnesty.org/en/press-releases/2017/12/sierra-leone-government-rejection-missed-opportunity-to-strengthen-human-rights-protection/>

²² Amnesty International, *Sierra Leone to speed up death penalty abolition*, 6 May 2014, <https://www.amnesty.org/en/documents/AFR51/001/2014/en/>

²³ Amnesty International Sierra Leone press release, August 2019; Hasbin Shaw, Premier Media, *Sierra Leone News: APC Urges Police to Release Karamoh Kabba & Pursue Perpetrators*, 31 July 2019, <https://medium.com/@premiernews140/sierra-leone-news-apc-urges-police-to-release-karamoh-kabba-pursue-perpetrators-34661e89f48a>

²⁴ Gleaner, *Arbitrarily Detained: Amnesty International Calls for Dr. Sylvia Blyden Immediate Release*, 8 May 2020, <http://gleanersl.com/arbitrarily-detained-amnesty-international-calls-for-dr-sylvia-blyden-immediate-release/>

²⁵ Janet A Sesay, Night Watch SL, *Former Defence Minister's Wife Indicted*, 22 May 2020, <http://www.nightwatchsl.com/former-defence-ministers-wife-indicted/>

²⁶ Francis H. Murray, Politico SL, *Paolo Conteh's spouse granted bail*, 26 May 2020, <https://politicosl.com/articles/paolo-conteh%E2%80%99s-spouse-granted-bail>; Francis H. Murray, Politico SL, *Defence to make "no case submission" in Palo's spouse's*

member, was arrested and charged with seditious libel, cyber-crime and contempt of the court for alleging, on social media, that former Defence Minister Alfred Paolo Conteh had been ill-treated in detention. She remained in pre-trial detention for more than a month. She was granted bail on 28 May 2020, released on 29 May and rearrested on 3 June 2020 for violating bail conditions that prohibited her from speaking publicly about the case.²⁷ Her case was brought on the same charges before the Magistrate's Court at and the High Court. In July 2020, the High Court dismissed the charges against Sylvia Blyden on the basis of insufficient evidence, but the case remained before the Magistrate's Court at the time of the writing of this submission.²⁸

FREEDOM OF PEACEFUL ASSEMBLY

Peaceful anti-government protests have repeatedly been denied permission or forcibly dispersed. In July 2018, human rights defender Edmond Abu staged a peaceful protest against government increase of fuel prices. He was arrested, detained and later released.²⁹ In March 2020, Thomas Moore Conteh, another human rights defender, was arrested when leading a group of students of the Freetown Limkokwing university during a peaceful protest after the government failed to pay their fees on government grants as promised.³⁰ He was detained, and taken to court but was later released on bail.³¹

POLICE USE OF EXCESSIVE FORCE

The government has not done enough to investigate and hold accountable police officers accused of using excessive force. There are several incidences of police brutality resulting in loss of lives. Amnesty International published a report in 2018 detailing numerous examples of excessive use of force by Sierra Leone police during peaceful protests and the lack of police accountability.³² In August 2016, young people from Kabala held a peaceful protest over government plans to move the construction of a "youth village" from their district to another district. The police used live ammunition to disperse the crowd, killing two secondary school students.³³ In March 2017, security forces opened fire on students protesting lecturers' strike in the city of Bo, killing one and injuring at least two others.³⁴

On 29 April 2020, a riot broke out in the Pademba Road Prison in Freetown as prisoners were protesting against overcrowding and COVID-19 restrictions.³⁵ According to the Freetown

matter, 20 October 2020, <https://politicosl.com/articles/defence-make-%E2%80%98no-case-submission%E2%80%99-palo%E2%80%99s-spouses-matter>

²⁷ Committee to Protect Journalists, *Sierra Leone journalist Sylvia Olayinka Blyden detained, charged over social media posts*, 18 June 2020, <https://cpi.org/2020/06/sierra-leone-journalist-sylvia-olayinka-blyden-detained-charged-over-social-media-posts/>

²⁸ Abdul Rashid Thomas, *Sierra Leone Telegraph, Dr Sylvia Blyden's contempt of court hearing quashed*, 24 July 2020, <https://www.thesierraleonetelegraph.com/dr-sylvia-blydens-contempt-of-court-hearing-quashed/>

²⁹ Amnesty International, *Sierra Leone: arrest of activist during peaceful protest demonstrates the urgency to reform restrictive laws*, 17 July 2018, <https://www.amnesty.org/en/press-releases/2018/07/sierra-leone-arrest-of-activist-during-peaceful-protest/>

³⁰ Abdul Rashid Thomas, *Sierra Leone Telegraph, Sierra Leone police arrests civil rights activist and 40 students*, 5 March 2020, <https://www.thesierraleonetelegraph.com/sierra-leone-police-arrests-civil-rights-activist-and-40-students/>

³¹ Abdul Rashid Thomas, *Sierra Leone Telegraph, Sierra Leone civil society activist Thomas Moore Conteh released on bail*, 10 March 2020, <https://www.thesierraleonetelegraph.com/sierra-leone-civil-society-activist-thomas-moore-conteh-released-on-bail/>

³² Amnesty International, *Sierra Leone: A force for good? Restrictions on peaceful assembly and impunity for excessive use of force by the Sierra Leone police*, 3 July 2018, <https://www.amnesty.org/en/documents/afr51/8590/2018/en/>

³³ Amnesty International, *Sierra Leone: A force for good? Restrictions on peaceful assembly and impunity for excessive use of force by the Sierra Leone police*, 3 July 2018, <https://www.amnesty.org/en/documents/afr51/8590/2018/en/>; Amnesty International, *Sierra Leone: Families of Police Killing Victims Renew Calls for Justice*, 16 August 2018, <https://www.amnesty.org/en/latest/campaigns/2018/08/sierraleone-families-police-killing-victims-renew-calls-justice/>

³⁴ Amnesty International, *Sierra Leone: One dead, two seriously injured as security forces open fire on protesting students*, 23 March 2017, <https://www.amnesty.org/en/latest/news/2017/03/sierra-leone-one-dead-two-seriously-injured-as-security-forces-open-fire-on-protesting-students/>

³⁵ , Abdul Rashid Thomas, *The Sierra Leone Telegraph, Amnesty International condemns killing of prisoners in Sierra Leone*, 1 May 2020, <https://www.thesierraleonetelegraph.com/amnesty-international-condemns-killing-of-prisoners-in-sierra-leone/>

Correctional Centre's July report, the military used necessary force, but the high number of fatalities suggest otherwise. Thirty-one prisoners and one correction officer were killed, while dozens of people were injured. Twelve prisoners died from gunshot wounds.³⁶ Between 17 and 18 July 2020, defence and security forces used excessive force against protesters at a demonstration, which turned violent in Makeni, a city in the Northern Province. At least five protesters were shot during demonstration against the government's decision to relocate an electricity power generator to another town.³⁷ At the time of writing of this submission, no investigations into the killings had been carried out.

DEATH PENALTY AND DETENTION CONDITIONS

Sierra Leone retains the death penalty despite accepting recommendations to abolish the practice. Twenty-one persons were sentenced to death in 2019 for murder and conspiracy to murder, a sharp increase compared to the number of people sentenced to death in 2018 (four people). Although no executions have been carried out since 1998, 63 persons remained on death row in 2019.³⁸

Despite President Julius Maada Bio's promise to release 235 prisoners in April 2020, prisons in Sierra Leone remain overcrowded. The poor conditions in detention are even more concerning in light of the Covid-19 pandemic.³⁹ In April 2020, a riot broke out in Freetown's central prison after the first case of COVID-19 was reported there. The riot highlighted inmates' concerns about the severely crowded conditions and their right to health.⁴⁰

WOMEN AND GIRLS' RIGHTS

In February 2019, the President of Sierra Leone announced a national emergency of rape and sexual violence due to the alarming number of cases, but in June 2019, parliament revoked the measure.⁴¹ Despite the review of the Sexual Offences Act 2019 which increased penalties, the setting up of the Sexual Offences Court and the One Stop Centres for survivors of sexual violence, sexual and gender-based violence is on the increase. The Rainbo Initiative recorded 3,137 cases of gender-based violence in 2018 and 3,897 cases in 2019 with 98% of sexual assault cases in 2019 being against children under 18 years' old.⁴² It has resulted sometimes in the death of victims. In June 2020, a five-year old girl died as a result of complications from injuries she sustained when she was raped.⁴³ Female Genital Mutilation and early and forced marriage continue to plague girls and women. As of 2017, 13% of women between 20

³⁶ Roland J. Morovia, AYW Newspaper, April 21, 2020 Pademba Road Correctional Centre attack report out; 31 Inmates Killed, 53 Injured, 8 July 2020, <http://www.ayvnewspaper.com/index.php/2020/07/08/april-21-2020-pademba-road-correctional-centre-attack-report-out-31-inmates-killed-53-injured/>

³⁷ Article 19, *Sierra Leone: Government must investigate the killing of protestors in Makeni*, 20 July 2020, <https://www.article19.org/resources/killing-of-protestors-in-makeni/>

³⁸ Amnesty International, *Death Sentences and Executions 2019*, 21 April 2020, Amnesty International Global Report p.11; 49, <https://www.amnesty.org/en/documents/act50/1847/2020/en/>

³⁹ Amnesty International, *Sierra Leone: Reasons underlying prison riot amid COVID-19 case must be investigated*, 30 April 2020, <https://www.amnesty.org/en/latest/news/2020/04/sierra-leone-reasons-underlying-prison-riot-amid/>; Amnesty International, *Protect detainees in Sub-Saharan Africa against COVID-19*, 20 April 2020, <https://www.amnesty.org/en/get-involved/take-action/authorities-in-africa-must-protect-detainees-against-covid-19/>

⁴⁰ Abdul Rashid Thomas, *The Sierra Leone Telegraph*, *Amnesty International condemns killing of prisoners in Sierra Leone*, 1 May 2020, <https://www.thesierraleonetelegraph.com/amnesty-international-condemns-killing-of-prisoners-in-sierra-leone/>

⁴¹ State House, *President Julius Maada Bio Declares Rape and Sexual Violence as a National Emergency in Sierra Leone*, 7 February 2019, <https://statehouse.gov.sl/president-julius-maada-bio-declares-rape-and-sexual-violence-as-a-national-emergency-in-sierra-leone/>; Amnesty International, *Sierra Leone: Rape and murder of child must be catalyst for real change*, 23 June 2020, <https://www.amnesty.org/en/latest/news/2020/06/sierra-leone-rape-and-murder-of-child-must-be-catalyst-for-real-change/>

⁴² Rainbo Initiative: *Ending Gender Based Violence in Communities*, <http://rainboinitiative.sl/rainbo-database/>

⁴³ Amnesty International, *Sierra Leone: Rape and murder of child must be catalyst for real change*, 23 June 2020, <https://www.amnesty.org/en/latest/news/2020/06/sierra-leone-rape-and-murder-of-child-must-be-catalyst-for-real-change/>

and 24 years old had been married or in a union before they turned 15, while nearly nine in ten girls and women in Sierra Leone have undergone female genital mutilation.⁴⁴

RIGHT TO HEALTH AND WORKING CONDITIONS FOR HEALTH WORKERS

In April 2020, the government pledged that health workers' wages would reflect the risks to their health posed by COVID-19.⁴⁵ By the end of June, health workers accounted for 10.2% of all COVID-19 cases.⁴⁶ On 2 July, doctors stopped treating patients infected with COVID-19 because they had not received compensation or Personal Protective Equipment. Health workers complained about misuse of funds.⁴⁷ On 28 July, the government announced that health workers would benefit from a health insurance scheme, and that families of health workers who died of COVID-19 would be financially compensated.⁴⁸

RECOMMENDATIONS FOR ACTION BY THE STATE UNDER REVIEW

Amnesty International calls on the government of Sierra Leone to:

FREEDOM OF EXPRESSION AND RIGHT TO LIBERTY

- Uphold the right to freedom of expression, including by ending arbitrary arrests of journalists and human rights defenders.
- Ensure that the implementation of the new media law complies with international human rights standards including the right to freedom of expression.

FREEDOM OF PEACEFUL ASSEMBLY

- Fully respect the right to peaceful assembly, including for human rights defender, and repeal or expunge Part III of the Public Order Act 1965 dealing with Processions.

⁴⁴ UNICEF, Female Genital Mutilation Country Profiles (Sierra Leone), May 2020, <https://data.unicef.org/resources/fgm-country-profiles/>

⁴⁵ , Mabinty M. Kamara, Politico SL, *Sierra Leone Clashes with health workers over Covid-19 payments*, 5 June 2020, <https://www.politicosl.com/articles/sierra-leone-government-clashes-health-workers-over-covid-19-payments>

⁴⁶ UNICEF Sierra Leone: *COVID-19 Situation Report – #6*, 15th June - 6th July 2020, <https://reliefweb.int/report/sierra-leone/unicef-sierra-leone-covid-19-situation-report-6-15th-june-6th-july-2020>

⁴⁷ Aljazeera, *Sierra Leone doctors treating COVID-19 patients launch strike*, 3 July 2020, <https://www.aljazeera.com/news/2020/7/3/sierra-leone-doctors-treating-covid-19-patients-launch-strike>

⁴⁸ Mohamed Jaward Nyallay, Politico SL, *Sierra Leone launches insurance for over 11,000 health workers*, 30 July 2020, [https://www.globaltimes-sl.com/pres-bio-launches-insurance-scheme-for-workers/](https://www.politicosl.com/articles/sierra-leone-launches-insurance-over-11000-health-workers#:~:text=The%20Government%20of%20Sierra%20Leone,of%20the%20COVID%2D19%20fight; Amadu Daramy, Global Times, <i>Pres. Bio Launches Insurance Scheme For Workers</i>, 28 July 2020, <a href=)

POLICE USE OF EXCESSIVE FORCE

- Ensure prompt, independent, impartial, transparent and effective investigations into allegations of excessive use of force by law enforcement agents and bring to justice anyone suspected to be responsible for violations in fair trials.
- Amend Section 16(2) of the current Constitution (1991) to ensure that it does not provide for broad and unchecked use of lethal force beyond what is permitted by international human rights law, notably the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.
- Ensure that all police officers are aware of and abide by international human rights standards on police use of force, including the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the UN Code of Conduct for Law Enforcement Officials.

DEATH PENALTY AND CONDITIONS IN DETENTION

- Take steps to abolish the death penalty, and pending this, adopt an official moratorium on the use of the death penalty.
- Enact new prison regulations in line with international human rights standards, such as the UN Standard Minimum Rules for the Treatment of Prisoners and the Standard Minimum Rules for the Treatment of Female Prisoners.
- Encourage the consideration of alternatives to detention, taking into account the UN Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules).
- Expedite the enactment of the Criminal Procedure Bill and ensure its provisions are in line with international standards.
- Take immediate steps to implement the Ouagadougou Declaration and Plan of Action on Accelerating Prisons and Penal Reforms in Africa, in particular the recommendation to decriminalize minor offences such as loitering and failure to pay debts, and to provide alternatives to penal prosecution.
- Take immediate steps to implement the African Commission on Human and Peoples' Rights Guidelines on the Conditions of Arrest, Police Custody and Pre-Trial Detention in Africa.

WOMEN AND GIRLS' HUMAN RIGHTS

- Expedite the enactment of the Gender Equality Bill.
- Guarantee access for victims of sexual violence to post-rape healthcare services in line with international human rights standards, including by removing cost and other barriers to access to emergency contraception, HIV and STI prophylaxis, and safe and legal abortion services.
- Fully implement, including by providing adequate resources, the Amended Sexual Offences Act 2019.

RIGHT TO HEALTH AND WORKING CONDITIONS FOR HEALTH WORKERS

- Uphold the human rights of healthcare workers and service providers, including those involved in the COVID-19 response, by ensuring the provision of adequate personal protection equipment and safe working conditions.
- Work with development partners to rebuild and strengthen healthcare systems and public health information.

NATIONAL HUMAN RIGHTS FRAMEWORK

- Ratify the Optional Protocol to the Convention on the Elimination of All Discrimination against Women and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- Ratify the Optional Protocol on the International Covenant on Economic, Social and Cultural Rights.
- Ratify, without reservations, the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.
- Ratify the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights and make a declaration that would allow direct access of individuals and NGOs to the court.
- Ensure that any new Constitution complies with international human rights treaties to which Sierra Leone is a state party.

ANNEX

AMNESTY INTERNATIONAL DOCUMENTS FOR FURTHER REFERENCE⁴⁹

Exposed, silenced, attacked: failure to protect health and essential workers during the COVID-19 pandemic, 13 July 2020 (Index: POL 40/2572/2020)

Sierra Leone: Rape and murder of child must be catalyst for real change, 23 June 2020.

Six months of human rights wins worth celebrating, 1 June 2020

Sierra Leone: authorities must immediately disclose whereabouts of detained former minister and two others, 12 May 2020 (Index: AFR 51/2313/2020)

Sierra Leone: Reasons underlying prison riot amid COVID-19 case must be investigated, 30 April 2020.

Sub-Saharan Africa must protect lives by abolishing the death penalty, 21 April 2020.

Protect detainees in Sub-Saharan Africa against COVID-19, 20 April 2020

Sierra Leone: discriminatory ban on pregnant girls attending schools is lifted, 30 March 2020.

International Women's Day: Pregnant school girls in Sierra Leone need the chance to fulfil their dreams, 9 March 2020.

Sierra Leone: Regional court ruling gives hope to thousands of pregnant girls banned from school, 12 December 2019.

Sierra Leone: government reinforces discriminatory policy of excluding pregnant girls from school, jeopardizing right to education of hundreds, 16 October 2019.

Sierra Leone: Amnesty International joins legal challenge against government ban on pregnant girls attending school, 26 June 2019.

Sierra Leone: Amicus curiae brief to the Community Court of Justice of the Economic Community of West African States (ECOWAS), 25 June 2019 (Index: AFR 51/0600/2019).

Sierra Leone: Families of Police Killing Victims Renew Calls for Justice, 16 August 2018.

Sierra Leone: New government must prioritize ending police crackdowns on peaceful protesters, 3 July 2018.

Sierra Leone: a force for good? restrictions on peaceful assembly and impunity for excessive use of force by the Sierra Leone police, 3 July 2018 (Index: AFR 51/8590/2018).

Sierra Leone: is Sierra Leone's police truly a force for Good, 3 July 2018 (Index: AFR 51/8621/2018).

Sierra Leone Avoid use of excessive force in the lead-up to elections and protect civic space, 31 January 2018.

Sierra Leone: Election candidates should make human rights pledge, 13 December 2017.

⁴⁹ All these documents are available on Amnesty International's website: <https://www.amnesty.org/en/countries/africa/sierra-leone/>

Sierra Leone: Civic space manifesto for Sierra Leone, 13 December 2017 (Index: AFR 51/7593/2017).

Sierra Leone: Housing and environmental failures behind shocking scale of mudslide deaths, 17 August 2017.

Sierra Leone: One dead, two seriously injured as security forces open fire on protesting students, 23 March 2017.

Sierra Leone: Continued pregnancy ban in schools and failure to protect rights is threatening teenage girls' futures, 8 November 2016.

Advocacy toolkit on abolition of the death penalty in West Africa, 1 September 2016 (Index: ACT 50/4209/2016).

Sierra Leone: Amnesty International submission to the Committee on the Rights of the Child, 15 August 2016 (Index: AFR 51/4583/2016).

Sierra Leone must protect and promote women and girls' human rights, including to education and physical integrity, 29 June 2016 (Index: AFR 51/4353/2016).

Sierra Leone: Shamed and blamed: pregnant girls in Sierra Leone deserve a better future too, 5 February 2016 (Index: AFR 51/3381/2016).

Sierra Leone: Sign bill allowing safe abortions, 4 February 2016.

Sierra Leone: Open letter from CSOs on the passage of "Safe Abortion Act" bill in Sierra Leone, 4 February 2016 (Index: AFR 51/3391/2016).

Suggested recommendations to States considered in the 24th round of the Universal Periodic Review, 18-29 January 2016, 8 December 2015 (Index: IOR 40/3034/2015).

Amnesty International's assessment of the implementation by states of UPR recommendations accepted in the previous review, 7 December 2015 (Index: IOR 40/3024/2015).

Sierra Leone: Amnesty International submission to the UN universal periodic review, January-February 2016, 20 November 2015 (Index: AFR 51/2905/2015).

Sierra Leone: Pregnant schoolgirls excluded from school and banned from exams, 6 November 2015.

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