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## **Compilation on Sierra Leone**

### **Report of the Office of the United Nations High Commissioner for Human Rights**

#### **I. Background**

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

#### **II. Scope of international obligations and cooperation with international human rights mechanisms and bodies<sup>1, 2</sup>**

2. The Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes noted that during its second universal periodic review, Sierra Leone had agreed to accede to or ratify various international instruments. However, the ratification had not been concluded.<sup>3</sup>

3. In 2018 and 2019, financial support and technical assistance was provided to Sierra Leone by the Office of the United Nations High Commissioner for Human Rights (OHCHR), for efforts to institutionalize a national mechanism for reporting and follow-up and to establish a national recommendations tracking database.<sup>4</sup>

4. The Peacebuilding Support Office of the Department of Political and Peacebuilding Affairs stated that the Peacebuilding Fund had been active in Sierra Leone since 2007, with \$62 million allocated to date towards initiatives in support of transitional justice and reconciliation, security sector reform, young people and women's participation and empowerment, political dialogue and peace advocacy, among other areas.<sup>5</sup> From 2014 to 2017, the Peacebuilding Fund had supported the implementation of a project by OHCHR to strengthen the capacity of the Human Rights Commission of Sierra Leone. The project had also supported agreement on a memorandum of understanding with the National Commission for Persons with Disability, the development of a manual on the handling of complaints and access to justice for persons with disabilities, and efforts to raise awareness about the inclusion and participation of persons with disabilities in the 2018 electoral process.<sup>6</sup>



### III. National human rights framework<sup>7</sup>

5. The United Nations country team noted that, despite funding challenges and institutional capacity gaps, the Human Rights Commission of Sierra Leone had earned A status from the Global Alliance of National Human Rights Institutions in 2016. In 2018, the Government had restructured the board of the Commission, which had caused concern, as the measure was not in accordance with the Commission's constitutive act of 2004, but the Commission was reconstituted. The United Nations country team recommended that the Government ensure allocation of adequate resources in order to enable the Commission to discharge its mandate effectively and independently, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). It also recommended that the Government ensure that the budgetary allocation was in accordance with the Commission's workplan.<sup>8</sup> The Special Rapporteur on hazardous substances and wastes made similar recommendations.<sup>9</sup>

6. The United Nations country team stated that Sierra Leone had launched a constitutional review process in 2013. After having been extended on several occasions, the process had ended in 2017 with the submission of the final report to the President. In the White Paper on the report, the Government had rejected 102 of the 134 recommendations. The White Paper had been published in 2017, leaving little time for Parliament to debate it and promote a referendum prior to the national elections of 2018. Recalling that the review of the 1991 Constitution was a recommendation of the Truth and Reconciliation Commission, the United Nations country team called upon the Government to resume the constitutional review process and ensure that the White Paper was aligned with international and regional human rights obligations.<sup>10</sup> The Committee on the Rights of the Child recommended that Sierra Leone finalize the review of the Constitution and ensure that its provisions on non-discrimination were in full compliance with the Convention on the Rights of the Child.<sup>11</sup> The Special Rapporteur on hazardous substances and wastes recommended that Sierra Leone reconsider a meaningful constitutional review with a participatory process in conformity with international human rights obligations.<sup>12</sup>

### IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

#### A. Cross-cutting issues

##### 1. Equality and non-discrimination<sup>13</sup>

7. The Office of the United Nations High Commissioner for Refugees (UNHCR) and the United Nations country team welcomed the Citizenship (Amendment) Act, 2017, which provided transmission of citizenship also by mothers.<sup>14</sup> The United Nations country team also noted that the claim to be of "negro African descent" in order to receive citizenship could now be made through the mother or the father. However, pursuant to the Constitution, persons who were not of "negro African descent" were denied citizenship by birth, but could apply for naturalization. The United Nations country team recommended that Sierra Leone eliminate any form of discrimination in the law.<sup>15</sup>

8. The Committee on the Rights of the Child recommended that Sierra Leone intensify its efforts to eliminate discrimination against children in the most vulnerable situations, such as girls, children with disabilities, children living with HIV/AIDS, children orphaned as a result of Ebola and children in rural areas.<sup>16</sup>

9. The United Nations country team welcomed progress made in the implementation of the civil registration and vital statistics system, and the fact that a mobile application for registering births and deaths was being developed to enhance the civil registration system across the country.<sup>17</sup> UNHCR recommended that Sierra Leone strengthen the civil registration mechanisms to ensure that every child was registered immediately after birth and that late birth registration procedures were accessible to all unregistered individuals born in

the territory.<sup>18</sup> The United Nations country team recommended that the Government allocate the necessary resources to the National Civil Registration Authority to ensure the effective operationalization of the civil registration and vital statistics system in all areas of the country.<sup>19</sup>

10. The United Nations country team commended Sierra Leone for its prompt response to the coronavirus disease (COVID-19) emergency, particularly for the approach adopted, in which it had tried to balance the protection of lives with the need to sustain people's livelihoods. However, the COVID-19 emergency regulations had placed restrictions on inter-district movement, which, combined with the closure of businesses and markets, had negatively affected people's livelihoods and food security, particularly among the most vulnerable groups.<sup>20</sup> The United Nations country team recommended that key human rights principles of inclusion, participation, equality, non-discrimination and accountability guide the socioeconomic recovery process related to the COVID-19 crisis, in order to leave no one behind.<sup>21</sup>

## **2. Development, the environment, and business and human rights**

11. The Special Rapporteur on hazardous substances and wastes expressed concerns about the increasing exposure to toxic substances through contaminated water and food, as well as air pollution, in Sierra Leone. He recommended that Sierra Leone mobilize financial and technical resources to minimize exposure to hazardous substances through the adoption of cost-recovery systems, and strengthen anti-corruption efforts in the entire governance structure for hazardous substances and wastes. He also recommended that Sierra Leone finalize and adopt draft legislation currently pending in order to put into effect at the national level the international protections of human rights in the context of exposure to hazardous substances and wastes, and ensure the timely implementation of related laws and policies already in place.<sup>22</sup>

12. The same Special Rapporteur noted serious challenges regarding waste management in Freetown, in connection with rapid urbanization. He made several recommendations, noting the importance of addressing the disproportionate impact of mining, agriculture and improper waste management on already marginalized groups, such as women and children.<sup>23</sup>

13. The United Nations country team noted that there had been several instances of violent protests involving local young people, landowners and farmers against large-scale agricultural investment companies and mining companies over the use and ownership of land and/or compensation rights.<sup>24</sup> It recommended that the Government ensure that informed consent was given by the communities concerned prior to any investment in their land.<sup>25</sup>

## **B. Civil and political rights**

### **1. Right to life, liberty and security of person<sup>26</sup>**

14. The United Nations country team noted that, according to statistics from Prison Watch Sierra Leone, there had been an increase in the number of prisoners on death row. It called on the Government to accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and undertake all necessary actions to abolish capital punishment.<sup>27</sup>

15. The United Nations country team noted that the security sector and local security mechanisms, many involving the participation of civil society, had been improved in terms of structure and coordination. During the 2018 elections, the security forces had acted in a professional manner.<sup>28</sup> However, the United Nations country team noted the excessive use of force displayed through the implementation of the policy on military aid to civil authorities, including crowd control techniques used by the police with the support of the military. Killings had been recorded during clashes between young people and security personnel.<sup>29</sup> The Complaints, Discipline and Internal Investigations Department of the police and the Independent Police Complaints Board faced a lack of funding and high staff turnover, affecting their capacity to investigate public complaints of police misconduct.<sup>30</sup>

16. The United Nations country team recommended providing regular training to the police and other security forces on the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. It also recommended introducing specific legislation to enhance police accountability, strengthening monitoring mechanisms to enable them to adequately conduct their tasks, investigating any case of excessive use of force, and bringing perpetrators to justice.<sup>31</sup>

17. The United Nations country team commended Sierra Leone for its reforms to the justice sector. Nevertheless, due to prolonged pretrial detention and inconsistent application of the Bail Regulations, 2018, correctional centres continued to be overcrowded. The country's correctional centres were designed to hold a total of 1,935 inmates. However, figures from the Sierra Leone Correctional Service indicated that the population in detention in 2019 was about 4,732 inmates. Detention conditions were not in line with the minimum international standards, due to poor hygienic conditions and inadequate medical attention and food.<sup>32</sup>

18. The United Nations country team stressed the importance of passing the criminal procedure bill into law in order to reduce crowding in correctional centres and accelerate trials, and recommended that the Justice Sector Coordination Office take the lead on that issue.<sup>33</sup> It also recommended increasing efforts to ensure that prison conditions were aligned with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules); providing adequate resources for the implementation of the Correctional Service Act, the operation of Prison Courts and the implementation of the Bail Regulations and bail guidelines; and monitoring the Bail and Sentencing Committee.<sup>34</sup>

19. The United Nations country team noted an increase in the number of children in conflict with the law who were in detention in deplorable conditions, which included poor bedding, inadequate food and a lack of water supply. Some of those children had been detained for several years without charge. The United Nations country team urged the judiciary to fast track cases, release children in detention to their families or ensure alternative placement, and adopt child-friendly approaches, such as alternatives to detention.<sup>35</sup>

20. The United Nations country team noted that traditional harmful practices, such as female genital mutilation, remained prevalent in Sierra Leone.<sup>36</sup> While noting successful efforts to include practitioners of female genital mutilation in the fight against such mutilation, the Committee on the Rights of the Child was seriously concerned that female genital mutilation was still not prohibited in law for children.<sup>37</sup>

21. The United Nations country team regretted that, despite measures taken, secret societies continued to practise female genital mutilation, including on underage girls. It noted that in 2019, following reports of misuse of secret societies, the Minister of Local Government and Rural Development had banned the activities of secret societies.<sup>38</sup>

22. The United Nations country team recommended increasing efforts to fully eliminate female genital mutilation by enacting and enforcing legislation that prohibited that practice in all its forms, and carrying out awareness-raising campaigns and a national debate on the harmful effects of the practice on girls, women and wider society.<sup>39</sup> The Committee on the Rights of the Child urged Sierra Leone to continue to fight, with the assistance of former female practitioners of female genital mutilation, to eradicate the practice of female genital mutilation, and accelerate efforts and programmes to sensitize and assist practitioners of female genital mutilation to find alternative sources of income and encourage them to abandon the practice.<sup>40</sup>

23. The United Nations country team called on the Government to strengthen oversight of the activities of secret societies in the country, prevent any form of forceful initiation, ensure protection of victims; review the powers of Paramount Chiefs with respect to the activities of secret societies, and ensure the investigation and prosecution of any practice of ritual killings.<sup>41</sup>

## **2. Administration of justice, including impunity, and the rule of law<sup>42</sup>**

24. The United Nations country team noted that the regulatory framework for the 12-month state of emergency declared by the President as a measure to prevent the transmission

of COVID-19 had not been presented to the Parliament within the agreed time frame. It recommended that proclamations of state of emergency be accompanied by clear regulations, adequately tabled in Parliament, gazetted and publicized.<sup>43</sup> It urged the Government to ensure that any limitation or suspension of rights, including the prolonged state of emergency and night curfew, were limited to the extent strictly required by the exigencies of the COVID-19 emergency situation.<sup>44</sup>

25. The United Nations country team noted improvements in the judicial system since 2018, following the adoption of the Justice Sector Reform Strategy and Investment Plan, including increases in the number of appointments of judges and magistrates to address the acute shortage of judicial personnel, improvements in the functioning of specialized courts, and extended coverage of the Legal Aid Board, through which paralegals provided legal advice, mediation and representation for vulnerable people in rural communities, including those in pretrial detention and prisons.<sup>45</sup> However, challenges to the justice system persisted, evidenced in low public confidence and lengthy trial proceedings, due to indefinite adjournments and limited access to justice in marginalized communities and for the most vulnerable populations. The outbreak of COVID-19 had added another burden to the structural challenges faced by the justice sector and the correctional centres.<sup>46</sup>

26. The United Nations country team stated that the Local Courts Act, 2011, which brought traditional justice mechanisms under the remit of the judiciary, was a positive move towards increasing access to justice even in the most remote areas. However, the lack of resources to fully implement the Act prevented the adequate functioning of local courts. Concerns had been raised about the qualifications of some local court Chairs to administer justice. The United Nations country team recommended that updated human rights training be provided to the local court Chairs, including on human rights in the administration of justice and on the rights of women and children. It also recommended enhancing oversight of the operations of the local courts.<sup>47</sup>

27. The United Nations country team noted that, pursuant to the sentencing guidelines of the Sexual Offences (Amendment) Act, 2019, child sexual offenders between 12 and 17 years old could be sentenced to a jail term of between 5 and 15 years if found guilty, which meant that children under 14 – the age of criminal responsibility – could be investigated and prosecuted. The provision breached the principles of juvenile justice, which was focused on the rehabilitation of child offenders. The United Nations country team, therefore, recommended that Sierra Leone withdraw the provision from the sentencing guidelines.<sup>48</sup>

28. The United Nations country team recalled that residual tasks of the Special Court for Sierra Leone, closed in 2013, had been transferred to the Residual Special Court for Sierra Leone, including witness protection, supervision of prison sentences and management of the archives of the Special Court. The United Nations country team recommended allocating the required resources for the digitization of all archived documents and artefacts.<sup>49</sup>

29. The United Nations country team commended the efforts of Sierra Leone in fighting corruption, including through the amendment in 2019 of the Anti-Corruption Act. It urged the Government to continue efforts to implement the recommendations of the Implementation Review Mechanism of the United Nations Convention against Corruption, and ensure that the Anti-Corruption Commission was granted the same level of constitutional guarantees and financial, institutional and operational independence as, for example, the office of the Auditor-General. It further recommended that the Government consider codifying and establishing a formal whistle-blower protection system to encourage public officials to report acts of corruption.<sup>50</sup> The Special Rapporteur on hazardous substances and wastes urged the Government to step up anti-corruption efforts in not only the mining sector but all areas of the private sector, especially those involving public and private entities.<sup>51</sup>

30. The Committee on the Rights of the Child recommended that, in line with target 16.5 of the Sustainable Development Goals, Sierra Leone take measures to combat corruption and strengthen institutional capacities to effectively detect and investigate cases of corruption and prosecute the perpetrators, including by putting in place the Public Expenditure Tracking Survey system.<sup>52</sup>

### 3. Fundamental freedoms and the right to participate in public and political life<sup>53</sup>

31. The United Nations country team noted that the enjoyment of freedom of expression had been a challenge for journalists, opponents and activists, owing to the application of sections 26 and 27 in part V of the Public Order Act, 1965, which criminalized libel. It welcomed the fact that in 2020, Parliament had unanimously approved the repeal of Part V of the Act, and recommended that the repeal be fully applied to all outstanding cases. It also welcomed the approval of the Independent Media Commission Act, 2020.<sup>54</sup>

32. The United Nations country team urged the Government to ensure that citizens, including those who held opposing views to government actions, were allowed to exercise the right to freedom of expression and peaceful assembly, openly and without fear of reprisal. It also urged the Government to take the steps necessary to enact legislation for the protection of human rights defenders in order for them to carry out their activities safely and free of reprisals.<sup>55</sup>

33. The United Nations country team reported that concern had been expressed that some requirements of the Independent Media Commission Act, 2020 for the registration of newspapers could undermine media pluralism, which the Commission was expected to promote. It recommended that freedom of expression be guaranteed without distinction and that necessary action be taken to remove any legal provision that could inhibit the enjoyment of freedom of expression.<sup>56</sup>

34. UNESCO recommended that Sierra Leone further introduce and strengthen self-regulatory mechanisms for the media, and consider introducing stronger provisions in its legal framework to guarantee freedom of expression online, in alignment with international standards.<sup>57</sup>

### 4. Prohibition of all forms of slavery<sup>58</sup>

35. The United Nations country team noted that Sierra Leone was a source, transit and destination country for children and women. Trafficking within the country was more prevalent than transnational trafficking, and the majority of victims were children.<sup>59</sup> In February 2020, the High Court, for the first time since 2005, had sentenced two persons guilty of human trafficking to lengthy jail terms.<sup>60</sup>

36. In 2019, the Committee of Experts on the Application of Conventions and Recommendations of the International Labour Organization (ILO) requested Sierra Leone to strengthen its efforts to combat trafficking in children, and to ensure that thorough investigations and robust prosecutions of offenders were carried out and sufficiently effective and dissuasive penalties were applied in practice.<sup>61</sup> The United Nations country team recommended amending the 2005 anti-trafficking law to ensure that it reflected international standards and human rights principles, and ensuring the protection of victims of human trafficking.<sup>62</sup>

## C. Economic, social and cultural rights

### 1. Right to work and to just and favourable conditions of work<sup>63</sup>

37. The ILO Committee of Experts requested Sierra Leone to take the necessary measures to raise awareness of the principle of equal remuneration for men and women for work of equal value among workers, employers, labour officials and judges, such as disseminating training material and organizing specific training sessions.<sup>64</sup>

38. The same Committee referred to the Chiefdom Councils Act, under which compulsory cultivation could be imposed on “natives”. It noted that chiefs with administrative authority requested forced or communal labour from their communities. The Committee urged Sierra Leone to repeal section 8 (h) of the Chiefdom Councils Act, to bring it into conformity with international law.<sup>65</sup>

39. The same Committee expressed the hope that Sierra Leone would be in a position to implement a training programme for labour inspectors, and requested the Government to take the necessary measures to ensure that labour inspectors were empowered, in law and practice,

to enter freely and without previous notice any workplace liable to inspection, and ensure the establishment of adequate penalties for the legal provisions enforceable by labour inspectors.<sup>66</sup>

40. The International Organization for Migration (IOM) noted that COVID-19 continued to affect the socioeconomic climate in the country, and that the rate of youth unemployment was expected to increase.<sup>67</sup>

## **2. Right to an adequate standard of living<sup>68</sup>**

41. The Special Rapporteur on hazardous substances and wastes indicated that poverty remained a central concern; it was estimated that nearly half of the population was food insecure. Undernutrition was prevalent among children and pregnant women, and the availability of safe water and sanitation remained an area of concern.<sup>69</sup>

42. The United Nations country team noted the assessment made by the Emergency Food Security Monitoring System showing a deterioration in food security since the onset of the COVID-19 outbreak. The proportion of households categorized as food insecure had increased from 47 per cent in January 2020 to 63 per cent in June 2020. Nutrition data from the Ministry of Health and Sanitation information system indicated a declining nutritional status among women and children since the beginning of the COVID-19 pandemic, reflecting the impact of traditional and customary norms that exacerbated the effects of the crisis. Women and members of other vulnerable groups, such as elderly persons and persons with disabilities, faced challenges in accessing financial, technology and market services.<sup>70</sup>

43. The United Nations country team noted that, constrained by lower incomes, households had increasingly resorted to negative consumption-based coping strategies in order to survive. About 70 per cent of households thus had food consumption levels far below what was considered acceptable.<sup>71</sup> Violent incidents had taken place between local communities, young people and security forces, related to the implementation of COVID-19 restrictive measures that were affecting people's livelihoods. The United Nations country team recommended that improving the food security situation of the population and increasing the production capacity of the country continue to be prioritized, particularly through the implementation of productive safety net interventions that provided livelihood opportunities for young people and women and boosted the production of nutritious foodstuffs.<sup>72</sup>

## **3. Right to health<sup>73</sup>**

44. The United Nations country team stated that, building on the lessons learned during the response to the Ebola virus disease crisis, Sierra Leone had adopted a number of preventive measures that had proved to be effective in mitigating the spread of COVID-19, while building up the capacity of response of the health system with the support of international partners.<sup>74</sup> IOM noted, however, that hard-to-reach border communities and coastal areas were particularly vulnerable to COVID-19 because of limited access to information and lack of proper health-care infrastructure and personnel to adequately screen and quarantine suspected cases.<sup>75</sup>

45. The United Nations country team noted that access to quality health care remained a concern, particularly for women and adolescent girls. The high maternal mortality ratio and neonatal mortality ratio were further worsened by other long-term health complications, such as obstetric fistula, uterine prolapse and infertility. According to the Demographic and Health Survey 2013, about 28 per cent of adolescent girls aged 15 to 19 were pregnant or had given birth. The impact of COVID-19 on maternal health and family planning services, including prenatal and postnatal care, might lead to an increase in unplanned pregnancies and maternal mortality.<sup>76</sup>

46. The United Nations country team called on the Government to allocate sufficient resources to the health sector for upgrading and equipping health-care facilities in order to provide quality basic and comprehensive emergency obstetric care and newborn services. It further recommended increasing the provision of contraceptives to prevent teenage pregnancy and school dropout, and developing and implementing short- and long-term strategies to improve access to qualified, skilled and well-distributed care providers in the

area of reproductive, maternal, newborn, child and adolescent health. It further recommended strengthening the coverage of adolescent-friendly health services, with an emphasis on programmes focused on teenage pregnancy, strengthening the community-based primary health-care system, in order to improve family practices, and enhancing social accountability for quality service provision.<sup>77</sup>

47. The Special Rapporteur on hazardous substances and wastes encouraged Sierra Leone to fulfil its obligations to protect health, safety and life by establishing and implementing an appropriate regulatory regime for pesticides, as well as adequate compliance and enforcement systems.<sup>78</sup>

#### **4. Right to education<sup>79</sup>**

48. UNESCO stated that, while key strategic outcomes had been incorporated into the education sector plan, in 2018 only 16 per cent of children between 7 and 14 years old in Sierra Leone had foundational reading skills; 12 per cent had foundational numeracy skills.<sup>80</sup>

49. UNESCO stated that the Education Act, 2004 did not enshrine the right to education comprehensively, noting that the Act stated that basic education was compulsory and free but that pre-primary education was optional and outside the formal system.<sup>81</sup>

50. The Committee on the Rights of the Child recommended that Sierra Leone ensure that primary school was genuinely free and remove all other additional costs that were barriers to access in order to ensure the participation of all children.<sup>82</sup>

51. UNESCO recommended that Sierra Leone be encouraged to enshrine the right to education in its legislation in a comprehensive way; implement fully the provisions of the Convention against Discrimination in Education; and guarantee at least 12 years of free education and 1 year of free and compulsory pre-primary education for all. It also recommended that Sierra Leone be encouraged to continue efforts to improve access to quality education, especially by ensuring the implementation of the education sector plan, and pursue efforts towards gender equality in education, especially by ensuring that pregnant girls and young women went back to school following the overturn of the ban.<sup>83</sup>

### **D. Rights of specific persons or groups**

#### **1. Women<sup>84</sup>**

52. The United Nations country team noted that Sierra Leone had ratified major international and regional treaties and conventions that upheld equality and prohibited discrimination based on gender. However, Sierra Leone was ranked 153rd out of 162 countries in the 2018 gender inequality index. Gender inequalities were exacerbated by discriminatory cultural norms that impinged on women's access to power, resources and privileges. The prohibition of discrimination based on gender in the areas of marriage, divorce, adoption and devolution of property on death was established in the Constitution.<sup>85</sup>

53. The United Nations country team commended Sierra Leone for the steps taken to address the increasing rate of reported cases of sexual and gender-based violence, including the launch of the "Hands off our girls" campaign in 2018, the development of a national strategy for the involvement of males in the prevention of and response to sexual and gender-based violence, and the establishment of a toll-free hotline to report cases of such violence. It also noted the assistance provided to victims.<sup>86</sup>

54. The United Nations country team stated that, as a response to a decision of the Court of Justice of the Economic Community of West African States, in 2019, Sierra Leone had established a sexual and reproductive health task force to advise on issues relating to the inclusion of adolescent girls and other vulnerable groups into the education system and on how to integrate comprehensive sexuality education into the basic education curriculum. In 2020, the ban on visibly pregnant girls attending schools had been lifted, and two policies, on radical inclusion and on comprehensive safety, for all children in the education system, had been developed. The United Nations country team commended Sierra Leone for the steps taken to facilitate the return of pregnant girls to school.<sup>87</sup> UNESCO emphasized the



importance of putting in place measures ensuring that the ban preventing pregnant girls from attending school was no longer applied, and providing education opportunities for girls who had been deprived of education over the past 10 years.<sup>88</sup>

## **2. Children<sup>89</sup>**

55. The Committee on the Rights of the Child welcomed the enactment of the Child Rights Act, 2007, the Registration of Customary Marriage and Divorce Act, 2009 and the Sexual Offences Act, 2012. It recommended that Sierra Leone support the National Commission for Children, and develop strategies to implement child-related policies supported by sufficient resources without relying mainly on donor funding. It also recommended that Sierra Leone allocate adequate budgetary resources for the implementation of children's rights and, in particular, increase the budget allocated to the Ministry of Social Welfare, Gender and Children's Affairs.<sup>90</sup>

56. The United Nations country team remained concerned over the continuous prevalence of rape and other forms of sexual violence, including against children, and about the prolonged investigation and trial of cases reported to the police. It called on the Government to carry out an in-depth analysis of drivers of sexual and gender-based violence and support efforts to raise awareness among the public about the Sexual Offences (Amendment) Act, 2019 to effectively prevent and eradicate sexual and gender-based violence in all its forms. It recommended that the capacity for the prosecution of cases of such violence be increased, including through investment in forensic laboratories and the provision of training to police and magistrates. Furthermore, the United Nations country team recommended increasing investment in medical and psychological health services for victims of sexual and gender-based violence and in the continuous upgrade of the Family Support Units of the police.<sup>91</sup>

57. The Committee on the Rights of the Child was concerned that, although the minimum age for marriage was set at 18 years, the Registration of Customary Marriage and Divorce Act, 2009 allowed for exceptions, and child marriage, especially of girls, remained highly prevalent in Sierra Leone. It recommended that Sierra Leone harmonize laws to prevent and eliminate child marriage and undertake comprehensive awareness-raising campaigns on the negative consequences of child marriage on girls.<sup>92</sup>

58. The United Nations country team welcomed the approval of the National Strategy for the Reduction of Adolescent Pregnancy and Child Marriage (2018–2022) and urged the Government to enforce the Child Rights Act and enact the bill on the prohibition of child marriage.<sup>93</sup>

59. The ILO Committee of Experts urged Sierra Leone to prevent and eliminate child labour within the country and harmonize the Employers and Employed Act with the Child Rights Act, so as to ensure that children working in all branches of economic activity, including family undertakings, also benefited from the protection laid down in the Minimum Age Convention, 1973 (No. 138); and ensure that the list of types of hazardous work prohibited to children under the age of 18 years was adopted in the near future.<sup>94</sup>

60. The same Committee requested Sierra Leone to address the physical and psychological recovery of former child combatants, especially girls, and to monitor the situation of those who were not included in the disarmament, demobilization and reintegration programmes, with a view to providing them with the necessary assistance to fully rehabilitate them and reintegrate them into society.<sup>95</sup>

## **3. Persons with disabilities<sup>96</sup>**

61. The United Nations country team noted positively that special cash transfer provisions had been made for people with disabilities during the lockdown periods related to the COVID-19 pandemic.<sup>97</sup> Although Sierra Leone had made progress in addressing the rights of persons with disabilities, the implementation of the Disability Act, 2011 remained weak. The United Nations country team recommended that Sierra Leone ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities and improve the access of persons with disabilities to education, health care and economic empowerment. In particular, it recommended that the dedicated quota for persons with disabilities in schools be met, that all children be able to access education, that households with children with

disabilities benefit from dedicated social safety net programmes, and that social protections and programmes for persons with disabilities be strengthened. Moreover, it recommended strengthening the registration of persons with disabilities in order to ensure their access to social services.<sup>98</sup>

#### 4. Migrants, refugees, asylum seekers and internally displaced persons<sup>99</sup>

62. The United Nations country team noted that the Government had begun implementing the Labour Migration Policy in order to improve the response to the vulnerability of migrants to trafficking in Sierra Leone and abroad.<sup>100</sup>

63. IOM noted that returning migrants to Sierra Leone had joined the fight against COVID-19.<sup>101</sup>

64. UNHCR indicated that, despite progress made on civil registration, the lack of coverage of birth registration services in Sierra Leone created a particularly high risk of statelessness for specific groups, such as refugees and migrants, internally displaced persons and nomadic and border populations, as well as, in some circumstances, for ethnic minorities and people living in remote areas.<sup>102</sup>

65. UNHCR welcomed the participation of Sierra Leone in the high-level segment on statelessness in 2019 and the concrete pledges made during the annual session of the Executive Committee of the United Nations High Commissioner for Refugees. It recommended that Sierra Leone accelerate efforts to finalize and adopt a national action plan against statelessness, and establish a steering committee responsible for the design and fine-tuning of the national action plan's implementation.<sup>103</sup> UNHCR also recommended that Sierra Leone transpose the rights contained in the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness into the national legal framework, and adopt comprehensive legislation establishing an accessible, fair and efficient statelessness determination procedure in line with the Convention relating to the Status of Stateless Persons.<sup>104</sup>

#### Notes

<sup>1</sup> Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Sierra Leone will be available at [www.ohchr.org/EN/HRBodies/UPR/Pages/SLindex.aspx](http://www.ohchr.org/EN/HRBodies/UPR/Pages/SLindex.aspx).

<sup>2</sup> For relevant recommendations, see A/HRC/32/16, paras. 111.4, 111.8–111.9, 111.14, 111.31–111.33, 111.37–111.38, and 111.206.

<sup>3</sup> A/HRC/39/48/Add.1, para. 10.

<sup>4</sup> OHCHR, *United Nations Human Rights Report 2018*, p. 360; and *United Nations Human Rights Report 2019*, p. 424.

<sup>5</sup> Peacebuilding Support Office submission for the universal periodic review of Sierra Leone, para. 2.

<sup>6</sup> *Ibid.*, para. 4.

<sup>7</sup> For relevant recommendations, see A/HRC/32/16, paras. 111.106, 111.108, 111.112, 111.116, 111.39–111.44, 111.48–111.50, 111.55, 111.62–111.64, 111.80–111.81, 111.83, 111.95–111.96, 111.99–111.100, 111.102–111.103, 111.126, 111.156, 111.161, and 111.190.

<sup>8</sup> United Nations country team submission for the universal periodic review of Sierra Leone, para. 9.

<sup>9</sup> A/HRC/39/48/Add.1, para. 41.

<sup>10</sup> United Nations country team submission, para. 8.

<sup>11</sup> CRC/C/SLE/CO/3-5, para. 13 (a).

<sup>12</sup> A/HRC/39/48/Add.1, para. 82 (c).

<sup>13</sup> For relevant recommendations, see A/HRC/32/16, paras. 111.82–111.86.

<sup>14</sup> UNHCR submission for the universal periodic review of Sierra Leone, p. 2 and United Nations country team submission, para. 40.

<sup>15</sup> United Nations country team submission, para. 40.

<sup>16</sup> CRC/C/SLE/CO/3-5, para. 13 (b).

<sup>17</sup> United Nations country team submission, para. 41.

<sup>18</sup> UNHCR submission, p. 3.

<sup>19</sup> United Nations country team submission, para. 41.

<sup>20</sup> *Ibid.*, para. 4.

<sup>21</sup> *Ibid.*, para. 7.

- <sup>22</sup> A/HRC/39/48/Add.1, paras. 79, 82 (a) and (d)–(e).
- <sup>23</sup> Ibid., para. 81.
- <sup>24</sup> United Nations country team submission, para. 39. See also A/HRC/39/48/Add.1, paras. 55–56.
- <sup>25</sup> United Nations country team submission, para. 39.
- <sup>26</sup> For relevant recommendations, see A/HRC/32/16, paras. 111.1–111.3, 111.5–111.7, 111.10–111.13, 111.16–111.18, 111.24–111.26, 111.34, 111.59, 111.91–111.94, 111.97–111.98, 111.101, 111.130–111.131, 111.137, 111.144–111.146, and 111.167.
- <sup>27</sup> United Nations country team submission, para. 37.
- <sup>28</sup> Ibid., para. 30.
- <sup>29</sup> Ibid., para. 31.
- <sup>30</sup> Ibid., para. 32.
- <sup>31</sup> Ibid., para. 33.
- <sup>32</sup> Ibid., paras. 27–28.
- <sup>33</sup> Ibid., para. 24.
- <sup>34</sup> Ibid., para. 28.
- <sup>35</sup> Ibid., para. 29.
- <sup>36</sup> Ibid., para. 16.
- <sup>37</sup> CRC/C/SLE/CO/3-5, para. 22.
- <sup>38</sup> United Nations country team submission, paras. 16 and 18.
- <sup>39</sup> Ibid., para. 17.
- <sup>40</sup> CRC/C/SLE/CO/3-5, para. 23 (a)–(b).
- <sup>41</sup> United Nations country team submission, para. 18.
- <sup>42</sup> For relevant recommendations, see A/HRC/32/16, paras. 111.45, 111.72, 111.136, 111.138–111.143, and 111.147–111.149.
- <sup>43</sup> United Nations country team submission, para. 3.
- <sup>44</sup> Ibid., para. 7.
- <sup>45</sup> Ibid., para. 23.
- <sup>46</sup> Ibid., para. 24.
- <sup>47</sup> Ibid., para. 25.
- <sup>48</sup> Ibid., para. 14.
- <sup>49</sup> Ibid., para. 10.
- <sup>50</sup> Ibid., para. 26.
- <sup>51</sup> A/HRC/39/48/Add.1, para. 20.
- <sup>52</sup> CRC/C/SLE/CO/3-5, para. 8 (c).
- <sup>53</sup> For relevant recommendations, see A/HRC/32/16, paras. 111.168–111.169.
- <sup>54</sup> United Nations country team submission, para. 34.
- <sup>55</sup> Ibid., para. 36.
- <sup>56</sup> Ibid., para. 35.
- <sup>57</sup> UNESCO submission for the universal periodic review of Sierra Leone, paras. 10–11.
- <sup>58</sup> For relevant recommendations, see A/HRC/32/16, paras. 111–131.
- <sup>59</sup> United Nations country team submission, para. 42.
- <sup>60</sup> Ibid., para. 43.
- <sup>61</sup> See [http://ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4020338](http://ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4020338).
- <sup>62</sup> United Nations country team submission, para. 44.
- <sup>63</sup> For relevant recommendations, see A/HRC/32/16, paras. 111.35–111.36.
- <sup>64</sup> See [http://ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3950810](http://ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3950810).
- <sup>65</sup> See [http://ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4020511](http://ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4020511).
- <sup>66</sup> See [http://ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4018982](http://ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4018982).
- <sup>67</sup> See [www.iom.int/news/99-stranded-sierra-leoneans-return-niger](http://www.iom.int/news/99-stranded-sierra-leoneans-return-niger).
- <sup>68</sup> For relevant recommendations, see A/HRC/32/16, paras. 111.170–111.176.
- <sup>69</sup> A/HRC/39/48/Add.1, para. 7.
- <sup>70</sup> United Nations country team submission, para. 5.
- <sup>71</sup> Ibid., para. 5.
- <sup>72</sup> Ibid., para. 6.
- <sup>73</sup> For relevant recommendations, see A/HRC/32/16, paras. 111.177–111.187, and 111.189.
- <sup>74</sup> United Nations country team submission, para. 3. See also [www.iom.int/news/learning-ebola-outbreak-fight-covid-19-iom-sierra-leone](http://www.iom.int/news/learning-ebola-outbreak-fight-covid-19-iom-sierra-leone).
- <sup>75</sup> See [www.iom.int/news/learning-ebola-outbreak-fight-covid-19-iom-sierra-leone](http://www.iom.int/news/learning-ebola-outbreak-fight-covid-19-iom-sierra-leone).
- <sup>76</sup> United Nations country team submission, para. 21.
- <sup>77</sup> Ibid., para. 22.
- <sup>78</sup> A/HRC/39/48/Add.1, para. 26.
- <sup>79</sup> For relevant recommendations, see A/HRC/32/16, paras. 111.69, 111.73–111.74, 111.76, 111.128–111.129, 111.193–111.204, and 111.188.

- <sup>80</sup> UNESCO submission, third page.
- <sup>81</sup> Ibid., para. 2.
- <sup>82</sup> CRC/C/SLE/CO/3-5, para. 35 (a).
- <sup>83</sup> UNESCO submission, para. 9.
- <sup>84</sup> For relevant recommendations, see A/HRC/32/16, paras. 111.15, 111.20–111.23, 111.47, 111.57, 111.64–111.68, 111.70–111.71, 111.78, 111.107, 111.109–111.111, 111.114, 111.117–111.125, 111.127, and 111.155.
- <sup>85</sup> United Nations country team submission, paras. 11–12.
- <sup>86</sup> Ibid., para. 13.
- <sup>87</sup> Ibid., para. 19.
- <sup>88</sup> UNESCO submission, third and fourth pages.
- <sup>89</sup> For relevant recommendations, see A/HRC/32/16, paras. 111.19, 111.46, 111.51, 111.75, 111.77, and 111.134–111.135.
- <sup>90</sup> CRC/C/SLE/CO/3-5, paras. 3, 7 and 8 (a).
- <sup>91</sup> United Nations country team submission, para. 15.
- <sup>92</sup> CRC/C/SLE/CO/3-5, paras. 22 (b) and 23 (c).
- <sup>93</sup> United Nations country team submission, para. 20.
- <sup>94</sup> See [http://ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:4020745](http://ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4020745).
- <sup>95</sup> See [www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100\\_COMMENT\\_ID:3316125](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:3316125).
- <sup>96</sup> For the relevant recommendation, see A/HRC/32/16, para. 111.89.
- <sup>97</sup> United Nations country team submission, para. 4.
- <sup>98</sup> Ibid., para. 38.
- <sup>99</sup> For relevant recommendations, see A/HRC/32/16, paras. 111.28–111.30.
- <sup>100</sup> United Nations country team submission, para. 42.
- <sup>101</sup> See [www.iom.int/news/learning-ebola-outbreak-fight-covid-19-iom-sierra-leone](http://www.iom.int/news/learning-ebola-outbreak-fight-covid-19-iom-sierra-leone).
- <sup>102</sup> UNHCR submission, p. 1.
- <sup>103</sup> Ibid., p. 4.
- <sup>104</sup> Ibid., pp. 2–3.
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