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Table of Contents

	<i>Page</i>
The General Framework and overview of the National System.....	3
The Status of Economic, Social, and Cultural Rights in the National Legal System	4
National Legislation Protective of Economic, Social & Cultural Rights	5
Specific ECOSOC Rights.....	7
Article 1: Right to Self-Determination	7
Article 2 (2): The Progressive Realization of Rights in the Covenant and Non-Discrimination	8
Article 3: Gender Equality and Non-Discrimination	9
Articles 4 and 5: Derogations, Restrictions, and Limitations on Economic, Social, and Cultural Rights	14
Article 6: Right to Work	14
Article 7: Right to Just and Favourable Conditions of Work.....	16
Article 8: The Right to Form Trade Unions.....	17
Article 9: Right to Social Security	19
Article 10: Right to Family Life	23
Article 11: Right to Adequate Standard of Living	25
Article 12: The Right of Everyone to the Enjoyment of the Highest Attainable Standards of Physical and Mental Health.....	28
Article 13: Right to Education	33
Article 15: Right to Take Part in the Cultural Life	37

The General Framework and overview of the National System

1. Sierra Leone is a Sovereign State on the West Coast of Africa with its boundaries delimited according to the First Schedule of the Constitution of Sierra Leone, Act No. 6 of 1991, is bounded on the North-East by the Republic of Guinea, on the South-East by the Republic of Liberia, and the West by the Atlantic Ocean.
2. Before Political Independence on April 27, 1961, it was a Crown Colony and a Protectorate under British rule and it lasted from 1808 and 1896, respectively, to 1961 when it became a Sovereign State with affiliations to the United Nations, the African Union, the Economic Community of West African States, the Mano River Union, the Commonwealth of Nations, among others. During the colonial era, it was influenced by a West Minister governance structure for the Crown Colony with the Protectorate governed by local or customary laws under the auspices of traditional leaders.
3. The country has five (5) administrative regions with sixteen (16) districts and seventeen (17) ethnic groups living in different localities across the country with Freetown as the capital city, serving as a melting pot for all the ethnic and regional groups. The 2015 Population and Housing Census put the population at less than eight (8) million people. Sierra Leoneans have lived side by side with each other having similar and in some instances distinct cultural and religious practices with an increased population¹ of Muslims at 78%, followed by a reasonable population of Christians at 21%, and a small number of citizens practicing traditional religion at 1%. It must be acknowledged that Sierra Leone continues to enjoy religious tolerance. Ethnic tension is not commonplace with intermarriages taking place between and among the various ethnic or tribal groups in the country.
4. Despite the challenges with economic development as mainly a donor-driven economy, Sierra Leone is a resource-rich country with access to several minerals and natural resources in addition to marine and agricultural resources. The country is known for its diamonds, gold, bauxite, and rutile, and has one of the largest deposits of iron ore. Many of the people are engaged in subsistence farming with the informal sector employing the majority. In 2019,² for instance, the economy grew by 5.4 percent showing a strong recovery from 2018. This recovery was mainly due to the implementation of the Presidential Recovery Priorities Programme (PRPP), the strengthening of the Anticorruption Commission (ACC), the implementation of the Single Treasury Account (STA), and support to governance sectors after the 2018 elections. Another contributing factor to the growth in GDP in 2019 is the growth in both the agricultural and industrial sectors. The contracting nature of the economy in 2020 on account of the COVID-19 pandemic is looking up in 2021 with huge growth potential.
5. From its colonial past, Sierra Leone has experimented with a liberal democratic system of government with influence from its colonial masters, Great Britain, and the West especially America with a Presidential form of government after a limited period of Parliamentary form of government. Before its present governance arrangement with multi-party democracy, Sierra Leone experienced a one-party state in addition to military regimes during different times of the last sixty (60) years of political independence. It is still in place to note that Sierra Leone also experienced a civil war that lasted between 1991 and 2002 with an evident impact on national development. Despite the huge devastation, it came to an end through a negotiated settlement with those bearing the greatest responsibilities tried and convicted through the Special Court for Sierra Leone which was created in 2002. In addition to the establishment of a Truth and Reconciliation Commission (TRC) which was set up in 2000 by an Act of Parliament and operated between 2002 and 2004. The commission aimed to establish “an impartial historical record of violations and abuses of human rights and international humanitarian law related to the armed conflict in Sierra Leone from the beginning of the Conflict in 1991 to the signing of the Lomé Peace Agreement; to address impunity, to respond to the needs of the victims, to promote healing and reconciliation and to prevent a repetition of the violations and abuses suffered.” Earlier, just after between 1998

¹ The Source of Information on the percentage of Muslims, Christians, and others is from Wikipedia.

² The Source is the Report on the 2019 and 2020 Real GDP Figures at 2006 Prices published by Stats SL in July 2020.

and 2002, when the war formally ended, a Disarmament, Demobilization, and Reintegration (DDR) programme was implemented to get the combatants to return to normal life in different societies across the country.

6. Sierra Leone is a signatory to the International Covenant on Economic, Social, and Cultural Rights (ICESCR) in addition to other international human rights treaties that guarantee economic, social, and cultural rights (ECOSOC).³ By the current operative Constitution of Sierra Leone, Act No. 6 of 1991, Chapter II deals with the Fundamental Principles of State Policy, though not justiciable in Section 14, that refers to most of the ECOSOC rights with Section 4 of the same constitution noting thus: “All organs of Government and all authorities and persons exercising legislative, executive or judicial powers shall conform to observe and apply the provision of this chapter”.

7. Sierra Leone is at present implementing the Medium-Term National Development Plan (MTNDP) 2019 to 2023 and it is titled Education for Development with particular emphasis on human capital development as the pathway to inclusive and sustainable national development. The clusters contained in the MTNDP are in line with the Sustainable Development Goals (SDGs) and the African Union (AU) Agenda, thus creating the enabling environment to realize these internationally acclaimed goals with equal potential to meet the development needs of the country.

8. It must be noted that Sierra Leone has huge touristic potential with natural beaches around its Freetown peninsula and the country at large. It also has a lot of green scenery with virgin forests especially upland in addition to several national wildlife parks and reserves having special species of birds and animals including Chimps and Pygmy Hippos.

The Status of Economic, Social, and Cultural Rights in the National Legal System

9. The national constitution of 1991 places ECOSOC rights under Chapter 2 on Directive Principles of State Policy, and thus there are normative but not justiciable in the legal system. That said, there are human rights treaties that GoSL has ratified that are protective of ECOSOC rights. Notably, the African Charter on Human and Peoples’ Rights (ACHPR), where ECOSOC rights are not just guaranteed but justiciable.⁴ The others are ICESCR, provisions in CRPD, CEDAW, CERD, CRC, and the ILO Conventions.

10. In recent years, 2008 and 2016, some attempts have been made by the CRC⁵ to make some ECOSOC rights justiciable. In its position paper to the Cowan’s CRC, HRCSL recommended that Economic, Social and Cultural Rights (ECOSOC Rights) should now be included in the Constitution, not as State policy objectives, in particular, the Rights to Education, Health, Food, and Reasonable standard of Living, which respond to our collective demand for an end to the poverty that has blighted this nation since independence.⁶ With regards to the issue of which ECOSOC rights should be included as human rights, the CRC recommended that they should add rights relating to the protection of the environment, education, health, food, and shelter. In 2019, the government set up a Technical Committee to look into the CRC report and advise the cabinet accordingly.

11. In Practice, the recognition of ECOSOC rights is currently based on a thematic approach directed at specific vulnerable groups through the enactments of relevant legislation targeting the right to education, health, Right to Just and favourable conditions of work; Right to food and clean water for children, persons with disability, women, and other minority groups.

³ The other treaties are stated and discussed below.

⁴ See for a detailed discussion of the status of ECOSOC rights Under the African human rights regional regimes, see Nana K. A. Busia, Jr, “Non – State Actors and Human Rights Struggle in the Contemporary World: The Role of the African Human Rights system” South African Year Book of International law, (SYBIL) 2012.

⁵ Peter Tucker’s Constitutional Review Recommendations Report date?

⁶ HRCSL Position Paper submitted to the Constitutional Review Committee (CRC), 2015.

National Legislation Protective of Economic, Social & Cultural Rights

12. There is a Child Rights Act 2007, and Section 23 (1) (2) states 1. “Every child has the right to life and survival and development to the maximum extent possible. 2. It shall be the primary responsibility of parents to provide support to their children in the enjoyment of the right referred to in subsection (1) but they may be assisted by the State in case of need”. Section 26 (1) & (2) of the Child Rights Act 2007 states: “(1) No parent shall deprive a child of his welfare whether– (a) the parents of the child are married or not at the time of the child’s birth, or (b) the parents of the child continue to live together or not. (2) Every child has the right to life, dignity, respect, leisure, liberty, health, including immunisation against diseases, education, and shelter from his parents.”

13. To protect this provision of the law, the state has taken practical steps by creating what is now known as the Family Court under section 76 of the Child Rights Act, 2007. This court grants orders for the provision of maintenance for children neglected by their parents. Section 35 states: “Any person who contravenes a provision of this Part commits an offence and shall be liable on summary conviction to a fine not exceeding thirty million Leones or to a term of imprisonment not exceeding two years or to both such fine and imprisonment”. SECTION 38 (1) & (4) of the Child Rights Act, 2007 states: “(1) Any health worker, teacher, or social development worker, and all other governmental and non-governmental service providers shall discharge their duties to children and communities with diligence, fairness, without being swayed by personal interest and without discrimination, respecting people’s dignity and worth and taking into account the short- and long-term interests of the children.” “(4) Any community health worker shall have a duty to render child health and development advice to adolescents, expectant parents, and other parents taking into account the developmental stage of the child concerned”.

14. SECTION 40 (1) & (2) states the support that the central government shall directly give to support children, the said sections stipulate thus: “(1) The Ministry shall implement policies and programmes for childcare services to help working parents carry out employment and other work-related obligations and necessary activities without unnecessarily harming the best interests of the child. (2) The Ministry responsible for finance shall reserve into a trust fund and not utilise until after thirty years a proportion of the proceeds from non-renewable resources, for the benefit of children.”

15. The Persons with Disability Act, 2011: Part V Sections 14 to 28 of the said Act provides for the enjoyment of rights and privileges that would uplift the socio-economic status of persons with disabilities. Some of these rights and privileges are:

- Right to free education;
- Protection from discrimination in educational institutions;
- Right to health and provision of free medical care;
- Right to employment;
- Freedom of movement;
- Protection from discrimination in employment;
- Accessibility to the physical environment without barriers;
- Right to access public premises, services, and amenities;
- Sports and recreational facilities for persons with disabilities.

16. In addition, sections 3 (1) (2) (3)–(5) of the Education Act, 2004 are protective of education rights. Section 1 stipulates that: “(1) The six years of primary and three years of junior secondary schooling provided under paragraphs (a) and (b) of subsection (1) of section 2 shall constitute formal basic education in Sierra Leone. Section (2) provides that: Every citizen of Sierra Leone shall have the right to basic education which accordingly shall be compulsory and shall be designed to– (a) provide facilities for all citizens to be literate and numerate and help them to cultivate the knowledge, skills, and attitudes that will enable them to earn a good living;” (3) Basic education shall be, to the extent specified by the Minister by

statutory instrument, free in government-assisted primary and junior secondary schools and private schools shall not frustrate the right to basic education conferred by subsection (2) by charging fees that are, in the opinion of the Minister, unreasonable". (4) A parent, including a guardian, who neglects to send his child to school for basic education commits an offence and shall be liable on conviction to a fine not exceeding Le500, 000.00 or to imprisonment for a term not exceeding one year or to both such fine and imprisonment".

17. However, apart from labour-related cases for which the industrial court was created, Sierra Leoneans and organizations alike are yet to test the High Court on some of the ECOSOC rights protected by the few aforementioned legislation such as the Persons with Disability Act, 2011 Education Act, 2004, etc. Regional courts are external structures that can be made use of to have government fulfill its obligation under the Covenant.

18. The Human Rights Commission of Sierra Leone, in the exercise of its quasi-jurisdictional as provided by Section 7 (2) (a) of the HRCSL Act (No. 9) of 2004, has received and inquired into cases of complaints and proffered decisions on the rights of workers since it became operational in 2007. The aforesaid provision of the Act empowers the Commission to "investigate or inquire into on its own or a complaint by any person any allegations of human rights violations and to report thereon in writing". HRCSL has received and successfully handled over 350 cases of complaints, and conducted one public hearing and one public inquiry on workers/labour-related rights. Key success stories included: The Commission's first public hearing dealing with a complaint received from 235 Ex-servicemen of the Republic of Sierra Leone Armed Forces (RSLAF) in the matter of Blamo Jesse Jackson and 234 others against the RSLAF and Ministry of Defence (MoD), which was held in August 2011.⁷

19. The Complainants reported to HRCSL, alleging that they received fewer benefits than their Wounded in Action (WIA) counterparts and that they were categorized as "Chronically ill and Mentally imbalanced", which was degrading. They alleged that they had been subjected to continuous discrimination and inhuman treatment. The matter was admitted for investigation and a public hearing was eventually held.

20. The tribunal ruled in favour of the 235 ex-servicemen and directives were made to ensure that RSLAF and MoD pay the complainants the same payments as WIA1 and 2, including the DFID, supported the package, and enhanced disability pension. RSLAF and MoD should also re-issue Discharge Books to the Complainants that do not refer to the label "chronically ill and mentally imbalanced" or unfitness for employment.

21. Eventually, in October 2012, GoSL and MoD implemented HRCSL's key recommendations and a total of 363 ex-servicemen were screened for payment which was done in two phases. The first was the payment of the normal discharge package and the second phase was the Enhanced Disability Pension package. The Discharge Books of the complainants that carried the nomenclature "Chronically ill and Mentally Imbalanced" were also changed to a normal discharge card from the RSLAF.⁸

22. Another success story was the Bumbuna Public Inquiry on the events of 16th to 18th of April 2012 which began with strike action by disgruntled Africa Minerals Limited (AML) workers. In a letter to their General Manager, in which they communicated their decision to stage a protest, the workers complained about poor working conditions and relationship with expatriate staff, medical cover, casual labour or short contracts employment, arbitrary termination of contracts, poor meals, and long working days with no commensurate compensations. They further complained that foreigners serving at similar levels are paid better than nationals, discriminatory application of alcohol rules, the welfare of AML workers, and the end-of-year question of a trade union of their choice. They also complained of maltreatment by expatriates including racial slurs and physical assault.

23. Key among the findings was that the freedom of association of the workers of AML has been violated and continues to be violated by the failure of the Government and especially the Ministry of Labour to make available and real, the possibility of workers belonging to a

⁷ HRCSL – State of Human Rights Report – 2011.

⁸ HRCSL – State of Human Rights Report – 2012.

trade union of their choice. This problem is acute concerning AML workers at the AML mining site in Ferengbeya in Kalasongoa Chiefdom who expressly sought to join a different trade union because they lacked confidence in the United Mining Workers Union (UMU).

24. The Inquiry also found that the police overreacted to the protest action by African Minerals (SL) Ltd (AML) workers and used disproportionate force, including live ammunition, resulting in the death of one Musu Conteh, a young lady who worked for AML. Others were severely wounded; eight (8) of whom sustained gunshot wounds. Some people were also wounded through beating and other forms of manhandling.

Specific ECOSOC Rights

Article 1: Right to Self-Determination

25. Internal self-determination of GoSL, in this case, will relate to how the state allows entities to exercise self-determination domestically. This includes the decentralization of policies, and their related laws; the local government arrangements; the chieftaincy system; as well as cultural practices of each group.

26. External self-determination concerns the policy of GoSL towards other states; its Foreign Policy position. Pre-Independence: Diplomacy conducted by Great Britain 1961: SL developed its Foreign Policy which focuses on:

- Promoting international economic cooperation;
- Adopting mutually beneficial cooperation with industrialized countries to procure the technical and financial assistance required for a nation's economic development; promoting the nation's interest along with the principles and purposes of the Charter of the UN, AU, ECOWAS, MRU, and other multilateral organizations, including the Commonwealth of Nations, the OIC, and the NAM.

27. The Constitution of Sierra Leone is the overarching authority for the conduct of affairs of the state. Section 10 of the 1991 Constitution of Sierra Leone (Act No. 6 of 1991) stipulates that "...The Foreign Policy Objectives of the State Shall be the promotion and protection of the National interest; the promotion of sub-regional, regional and Inter-African cooperation and unity; the promotion of international cooperation for the consolidation of international peace and security and mutual respect among all nations; and respect for their territorial integrity and independence; and respect for international law and treaty obligations, as well as resolution of international disputes by negotiation, conciliation, arbitration or adjudication."

28. The Constitution recognizes the sovereignty of other states:

- SL's membership in the UN, Article 2(1) of the UN Charter is based on the sovereign equality of states, irrespective of size or population.
- Article 2 (4) GoSL recognizes the territorial integrity of and political independence of states and also accords respect.
- The OAU Charter of 1963 in Article 3 lays down the principle of self-determination, respect for the sovereignty of member states and non-interference.
- The constitutive Act of the AU (2002) changed non-interference to non-indifference, but still recognizes the right to Self Determination of states.
- The African Charter on Human and People's Rights (1981), that the GoSL is a party in article 20, accords the right to self-determination; and in article 21, it provides for peoples of African states to dispose of their resources and wealth as they deem fit.
- Article 22 is even more relevant as it dilates on ECOSOC Rights and Economic Development.

29. For example, Yenga is a case in point where the GoSL has preferred to utilize diplomatic means to resolve the impasse with the Government of Guinea. It could have preferred to resort to taking the matter to the International Court of Justice for a ruling.

30. “The Sierra Leone Foreign Policy Guidelines” developed is aligned with the country’s Medium-Term National Development Plan (MTNDP) 2019–2023; the Plan encapsulates the SDGs and seeks to provide government officials, especially Foreign Service Officers, with a reference tool for conducting international diplomacy on behalf of the Government and people of Sierra Leone. These guidelines are predicated on the following objectives.

- Promote and protect the national interest through bilateral and multilateral interactions.
- Promote an equitable, just, and fair international, political, social, and economic order and human rights.
- Promote multilateralism to secure a rule-based international system and contribute to the formulation of and respect for international law, commitments, and obligations.
- Promote the peaceful resolution of international disputes.
- Promote regional economic integration in Africa and ensure that developing countries’ voices are heard in the international arena.

31. Sierra Leone maintains respect for its partners and alliances, both in the region and internationally, and believes that multilateral initiatives provide a better framework for resolving issues affecting our world and its national interest. Self Determination entails the equal recognition of both ICCPR & ICESCR: they both constitute a sine qua non for economic development as they relate to the following: i. Initial Self Determination, under this theme the local government Act and how it confers powers on the local councils to govern themselves on specific governance will be relevant, i.e., the level of decentralization on matters of policy – should be stated; ii. The Right to External Self Determination, any examples of situations in Africa or the world as a whole where GoSL has supported any right to self-determination of the peoples of some states, egg South Sudan, as it were, Western Sahara, and maybe in the past in the case of South Africa, Rhodesia, just some examples.

Article 2 (2): The Progressive Realization of Rights in the Covenant and Non-Discrimination

32. Discrimination is largely a result of long-standing social and cultural norms and gender stereotyping those dictates relationships, roles, and responsibilities among people, as well as access to power, resources, and privileges. Some of the notable forms of discrimination or alleged discrimination are race, colour, sex/gender, age, tribe, persons with disabilities, political belief, or party affiliation, as alleged, Lebanese and citizenship, Creoles and the land question, religion or belief, teenage pregnancy, immigrants, etc. These are further reinforced by a range of discriminatory laws, including statutory and customary laws. Even when national laws are enacted to address these inequalities, effective enforcement has always been the major challenge. This is largely due to the deeply held traditional practices and socio-cultural norms that reinforce discrimination. To eliminate discrimination, the government has signed and ratified major International and Regional Instruments.

33. To achieve the objective of the international, regional instruments which seek to end discrimination, GoSL, has enacted the following laws and developed policies dealing with the different forms of discrimination in the country, and they are:

- Domestic Violence Act 2007.
- The Devolution of Estate Act 2007.
- Registration of Customary Marriages and Divorce Act 2009.
- The Persons with Disability Act, 2011.
- Gender Equality and Women’s Empowerment Policy 2020.
- Gender Mainstreaming Policy.
- Women’s Empowerment Policy.
- The Adoption Act 1989.
- The Child Rights Act 2007.

- The National Land Policy.
- The National Gender Strategic Plan.
- The Sexual Offences Act 2012.
- The Sexual Offences Amendment Act 2019.

The Hands Off Our Girls Campaign

34. This initiative by the First Lady was partly credited for influencing the presidential declaration of a state of emergency on sexual violence. This action paved the way for the amendment of the Sexual Offences law. The Office of the First Lady hosted a successful campaign event on the margins of the 74th United Nations General Assembly to raise global awareness on reducing early marriage and rape in Africa, especially in Sierra Leone. Launching of the Free Sanitary Pads Initiative for all School Girls and an operational plan during the commemoration of International Menstrual Hygiene Day.

Article 3: Gender Equality and Non-Discrimination

35. The Government of Sierra Leone (GoSL) recognizes and is committed to gender equality and women's empowerment as a crucial elements of attaining sustainable peace and social and economic development in the country. In the late 1980s, the GoSL set up administrative structures with the mandate to address gender inequalities. These included the Women's Bureau, the Gender Desk at State House in the 1990s, and the Ministry of Social Welfare, Gender, and Children's Affairs (MOGCA) which has now been separated into Gender and Children's Affairs. The GoSL also established the Human Rights Commission 2006 and the Family Support Unit (FSU). In 1988 GoSL ratified the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and has since taken legislative and strategic policy actions to address a spectrum of gender issues as part of its broader development objectives. Since the end of the civil war in 2002, the GoSL has taken encouraging steps to strengthen the country's ability to address gender issues and track progress made in those areas. New legislation and policies passed include the following:

- The Amended Sexual Offences Act 2019 which in Section 19 (iii) mandates 15 years' imprisonment for an adult who is guilty of sexual penetration or rape of another person and in Section 13 (2) further protects children, especially girls, from sexual abuse by persons in positions of trust including teachers and traditional leaders.
- Sierra Leone's Medium-Term National Development Plan (MTNDP) 2019– 2023 cluster 5 specifically on gender, aims at delivering development results to improve the welfare of men, women, girls, and boys in Sierra Leone.
- The new Ministry of Gender and Children's Affairs has developed a Gender Empowerment Bill (2021) that is now before the Law Makers for enactment.

36. Sierra Leone National Action Plan for United Nations Resolution 1325 and 1820 (SiLNAP) which strengthens women's efforts in conflict prevention, resolution, and peace-building while providing early response mechanisms for addressing sexual and gender-based violence (SGBV) in conflict and post-conflict situations.

37. The creation of a new Ministry of Gender and Children Affairs with the sole responsibility for leading the planning, development, implementation, and monitoring of all issues relating to women and children below 18. The new Ministry's priority areas include:

- The Male Involvement Strategy for the Prevention of (SGBV) in Sierra Leone.
- The free hotline for reporting rape and sexual violence.
- The One-Stop Centres are currently operational in six districts with more to be established – one in each district – for responding to rape and sexual violence in one location.

38. In addition, the 'Hands Off Our Girls' initiative led and supported by the First Lady has also created awareness all over the country, especially about the rights of girls against sexual violence.

Women's Empowerment.

39. On 3rd December 2020, H.E the President, Dr. Julius Maada Bio, formally launched the Gender Equality and Women's Empowerment (GEWE) Policy which seeks to empower women to make choices in all sectors of the development paradigm. This is another piece of evidence of the GoSL's commitment to achieving gender equality. The Covid-19 Pandemic, however, is not only claiming lives but bringing the livelihood activities of most people to a halt. All these realities have an overwhelming and disproportionate impact on the lives and livelihoods of women and girls and present opportunities for and challenges in the quest for gender equality.

40. Between 2017 and 2021, the Government of Sierra Leone has been implementing women's empowerment projects, funded by ECOWAS, in a bid to enhance gender equality. The Scholarship is primarily to support the education of women and girls with the skills and competencies to participate actively in the social, economic, and political life of their countries, and to play critical roles in national economic growth and development.

41. Through the scholarship for Excellence scheme, the Ministry of Gender and Children's Affairs has over the years provided education support mainly to girls in High School, Vocational, and Tertiary Institutions. The long-term aim of this is to contribute to the attainment of gender equity and equality in the ECOWAS region. There were 35 beneficiaries (Women and girls) for the 2017/2018 academic year. The scheme has been expanded to include excellent and needy boys, therefore, in 2019/2020, the number of beneficiaries increased to 47 excellent and needy girls and boys: 42 girls and 5 boys.

42. In 2019/2020, the Ministry of Gender and Children's Affairs through the HAIKAL Foundation (a non-governmental organization that provides clinical and psychosocial services to fistula patients) as sub-grantee, rehabilitated 15 fistula patients and provided livelihood skills training to 15 obstetric fistula patients. The basic livelihood skills include soap making, tailoring, gara tie & dying, weaving, needlework, agriculture, and adult literacy/numeracy lessons.

Empowerment of Women Through Business

43. The Business Incubator for African Women Entrepreneurs (BIAWE), the Sierra Leone Pilot Project is a Women's Empowerment project funded by the NEPAD/Spanish Fund for African Women's Empowerment (NSF). The project was implemented by the ECOWAS Commission through the Ministry of Gender and Children's Affairs (MOGCA) of Sierra Leone as the grantee effective 1st January 2019 to mid-November 2020.

44. The development objective of the project was to transform the lives of poor and vulnerable rural women farmers and traders by stimulating economic opportunities and supporting value chain development geared towards economic empowerment and gender equality.

45. Specifically, the project supported the transformation of rural women farmers by achieving the following objectives:

- Supporting women entrepreneurs and groups/associations in building sustainable business enterprises;
- Establishing a sustainable incubation centre for the economic empowerment of women in the project's focus areas;
- Establishing a credit guarantee scheme that will address the micro-loan needs of rural women farmers and traders;
- Establishing a viable market access pathway that can uptake the various products; and
- Establishing a management and governance structure that will ensure efficient and effective delivery of the project objectives.

46. Specifically, the project supported 200 beneficiaries (100 as individual entrepreneurs and 100 in ten (10) formed groups) in building sustainable business enterprises through the establishment of an incubation facility that provided access to agri-business and value addition technological skills and equipment; access to low interest/women-friendly

microloans and viable market pathway that will enable beneficiaries to take their products to nearby markets.

Sexual and Gender-Based Violence

47. Government has taken practical steps to combat Sexual and Gender-Based violence including enacting or formulating gender-based laws and policies and actively sensitizing the general public on the provisions in these laws and policies. Between 2009 and 2015 Rainbow Initiative, a non-government organization that provides medical examination and psychosocial counseling to survivors of SGBV recorded 17,500 cases. 91% of them were classified as rape/sexual assault, and 74% were aged 17 and under. In 2018, they recorded 3,137 cases of sexual abuse; 93% were under 17 and 60% were below 15. In 2019, they recorded 3,701 cases, of which, 3,041 were infected with sexually transmitted diseases (STIs), 598 pregnancies, and 4 cases of HIV. For the period January to May 2020, 1,272 sexual assault cases were recorded, 932 had STIs, and 217 were pregnant.

Redress Mechanisms (Sexual Offences Model Court)

48. To strengthen the SGBV response mechanism, the Government established the Sexual Offences Model Court (SOMC) on 24th July 2020. Between August and December 2020, a total of two hundred and twenty-eight (228) files were received at the SOMC and assigned to the eight Judges. Of this number, there were twenty-one (21) convictions and seven (7) dismissals. Two hundred (200) cases are still ongoing at the SOMC. The key challenges are:

- The limited capacity to implement/enforce provisions in GBV-related laws;
- Grossly inadequate GBV response services;
- Lack of safe homes and forensic laboratories for efficient clinical examination of sexual assault (rape) among others.

Addressing Women's Economic Disadvantages

49. To address the women's economic disadvantage, long-standing social and cultural norms and gender stereotyping that dictate relationships, roles, and responsibilities between men and women, as well as access to power, resources, and privileges, have to be reconstructed. It has to start with formulating positive discrimination laws and policies. Hence, in February 2020, the Ministry of Gender and Children's Affairs developed the National Strategy on Male Involvement for Gender-Based Violence reduction to demonstrate the Government of Sierra Leone's commitment to eradicating SGBV and promoting gender equality and upholding women's rights and dignity. The strategy contains a social transformative approach that seeks to accelerate the implementation of broad community participation and particularly the participation of men and boys as change agents and champions for protecting women and girls in their families, communities, schools, workplaces, and any public space while at the same time looking at male victims of violence.

50. The formulation of the Gender Equality and Women's Empowerment Policy is another step in addressing women's economic disadvantage. It has nine (9) Policy areas of concern as follows:

- Rural Development and Poverty,
- Education and Training,
- Health, Reproductive Health/HIV/AIDS,
- Trade & Economic Development,
- Decision Making and Political Leadership,
- Gender-Based Violence,
- Media and Access to Information, Communication Technology, and Innovation
- Legal and Human Rights Issues
- The Environment.

51. Each of the policy areas of concern has strategies for intervention and success indicators. There is also a free university education program for women studying Science, Technology, Engineering, Agriculture, and Mathematics (STEAM). For the 2020/2021 academic year, 520 women benefited from the scheme.

52. The Business Incubator for African Women Entrepreneurs (BIAWE) Sierra Leone Pilot Project, a Women's Empowerment project funded by the NEPAD/Spanish Fund for African Women's Empowerment (NSF) is another practical way women's economic disadvantages are addressed. The project was implemented by the ECOWAS Commission through the Ministry of Gender and Children's Affairs (MOGCA) of Sierra Leone as the grantee effective 1st January 2019 to mid-November 2020. The development objective of the project was to transform the lives of poor and vulnerable rural women farmers and traders by stimulating economic opportunities and supporting value chain development geared towards economic empowerment and gender equality.

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- Establishing a viable market access pathway that can uptake the various products;
- Establishing a management and governance structure that will ensure efficient and effective delivery of the project objectives.

54. The project was piloted in Kakua Chiefdom and the five (5) neighbouring chiefdoms (Gbo, Tikonko, Selenga, Jaiama, and Baoma) in Bo District, Southern Region of Sierra Leone. The Project targeted 200 women farmers and traders engaged in rice processing (drying, milling, and bagging); palm oil processing; cassava processing (including garri processing and packaging); vegetable preservation and marketing; and livestock (goats).

55. Specifically, the project supported 200 beneficiaries (100 as individual entrepreneurs and 100 in ten (10) formed groups) in building sustainable business enterprises through the establishment of an incubation facility that provided access to agri-business and value addition technological skills and equipment; access to low interest/women-friendly microloans and viable market pathway that will enable beneficiaries to take their products to nearby markets.

56. Access to finance for women especially the poor and marginalised, has been a huge challenge since the end of the Civil War in 2002. As a result, the government enacted the Small and Medium Enterprise Development Agency Act, of 2015/16. Through this Act, the Government has established offices nationwide to train and give soft loans to women engaged in small and medium businesses in rural poor communities. In February 2021, H.E President Julius Maada Bio launched a Le100 billion (\$ 10 million) loan for 2020–2023 called Munafa Fund. The Government is disbursing to more than 2000 women in 2021 alone with a one-digit interest payment on capital. This scheme will address low rural women's economic participation and accelerate participation in socio-cultural activities.

57. Sierra Leone enjoys rich cultural and traditional beliefs and practices. Intercultural marriage among the 16 ethnic groups is very common even among the elitist and political classes. All ethnic groups display their traditional practices with no hindrance. To strengthen this practice the Government has established a separate ministry called the Ministry of Tourism and Cultural Affairs solely responsible for protecting cultural and traditional beliefs.

58. However, Female Genital Mutilation and other harmful traditional practices remain contentious. Sierra ratified the AU Protocol to the African Charter on Human and Peoples'

Rights on the Rights of Women in Africa (Maputo Protocol)⁹ without reservation. In fulfilment of Article 5 of the protocol, the Government of Sierra Leone through the Ministry of Gender and Children's Affairs and partners working on Gender and child protection is taking gradual steps towards complete elimination. These steps include sensitization and awareness measures which have led to the signing of MoUs with Soweis¹⁰ to desist from underage initiation (0–18years). The Ministry of Gender and Children's Affairs with financial and technical support from its partners, in March 2021, held District consultations and regional validations, to review the Child Rights Act, of 2007. Among the recommendations from the consultative process, was a ban on FGM and criminalizing the practice.

59. In most rural communities, the preference of sending the male child to school, over the girl, in the instance of limited resources and cultural norms, was a common practice. To address such, the Government introduced free quality education for every child in primary and secondary education.

60. Most traditional laws do not entertain ownership of land by women. Government 2015 reviewed the National Land Policy and its aspirations, among others are:

- Insert in all relevant legislation effective protection of women's rights to land and other related resources;
- Enforce existing laws and establish a clear legislative framework to protect the rights of women in issues of access/inheritance to land and use of land-based resources;
- Enhance and guarantee women's access to land and their security of tenure;
- Facilitate the acquisition of land by women in their own right not only through purchase but also through allocations;
- Make provision for joint spousal and adult titling registration and documentation of land rights, and joint spousal consent to land disposals, applicable for all forms of tenure;
- Secure access/inheritance rights of women, especially unmarried daughters by the law;
- Ensure proportionate representation of women in institutions dealing with land at all levels;
- Amend the Provinces Land Act Cap 122 to remove the discriminatory distinction between native and non-native citizens.

61. Government has developed the Gender Equality and Women's Empowerment Policy that has a policy area of focus on women's participation in politics, with objectives and set strategic Actions. The set strategic actions include getting the Political Parties Registration Commission to review the political parties' Act to mandate political parties to implement the minimal 30% quota at all levels, adopt affirmative action like the minimal 30% quota in political parties and, Governance at all levels, mend the constitution to incorporate affirmative actions to ensure women's participation in decision-making and political leadership, reform local and traditional laws and align them with statutory laws to allow women's participation in leadership and decision-making at national and local levels, create a database on potential women for leadership and decision-making positions and regularly share this with stakeholders including the Office of the President and MDAs, among others. To make this enforceable, the Ministry of Gender and Children's Affairs is enacting the minimum 30% quota Bill for women in all aspects of public life.

62. The Domestic Violence Act 2007 protects against Domestic Violence. It provides ways of dealing with violence in the home, how to prevent it and how to provide protection for the victims of this type of violence. It takes the form of physical or sexual abuse, economic abuse, and emotional, verbal, or psychological abuse, among others. It is punishable by a fine

⁹ Article 5 of Maputo Protocol.

¹⁰ Soweis are FGM initiators.

not exceeding five million Leones (Le 5,000,000), by a term of imprisonment not exceeding two years, or by both such fine and imprisonment.¹¹

Marital Rape is punished in Section 6 of the Sexual Offences Act, of 2012

63. A person commits the offence of rape if he wilfully forces his penis into the vagina, anus, mouth, or any part of another person's body without the other person agreeing to it. If it is clearly shown in court that a person commits rape, that person would be sent to prison for not less than five years and not more than fifteen years.¹² The Sexual Offences Amendment Act, 2019 makes provision to increase the maximum penalty for rape and sexual penetration of a child from fifteen years to life imprisonment.¹³

Articles 4 and 5: Derogations, Restrictions, and Limitations on Economic, Social, and Cultural Rights

64. Generally, rights conferred in the Constitution of Sierra Leone, 1991 (Act No.6 of 1991) are subject to limitations as contained in the very provisions that grant those rights, including ECOSOC rights designed to ensure that the enjoyment of the said rights does not prejudice the rights of others or the public interest. The Fundamental Principles of State Policy are contained in Chapter II of the constitution.

Article 6: Right to Work

65. The law prohibits most discrimination concerning employment and occupation. The Constitution prohibits discrimination based on religion, national origin or citizenship, social origin, age, language, HIV status, other communicable diseases, sexual orientation, or gender identity. Women experienced discrimination in access to employment and it was...

66. The GOSL in 2019 ratified the ILO Conventions 97 – Migration for employment and Convention 143 for Migrant workers' protection. The GOSL 2019 developed and table the Bill entitled Overseas Employment and Migrant Act 2019 in the Parliament of Sierra Leone for enactment.

67. The constitution prohibits all forms of forced and compulsory labour, including children. Penalties for both forced labours include imprisonment, fines, or both. By law, individual chiefs may impose forced labour (compulsory cultivation) as punishment. Men, women, and child victims of forced labour originated largely from rural provinces within the country and were recruited to urban areas for artisanal and granite mining, petty trading, rock breaking, fishing, agriculture, domestic, and begging (see also section 7. C. and section 6, Sexual Exploitation of Children).

68. The law does not prohibit or criminalize all of the worst forms of child labour. There is no law prohibiting the use, procurement, or offering of a child for illicit activities, in particular for the production and trafficking of drugs. The law limits child labour, allowing light work, the conditions of which are not adequately defined by the law, at age 13, full-time non-hazardous work at 15, and hazardous work at 18. The law states that children younger than age 13 should not be employed in any capacity. Provided they should have finished schooling. Children, aged 15 may be apprenticed and employed full-time in non-hazardous work. The law also proscribes work by any child younger than age 18 between 8. pm and 6 a.m. while the law does not stipulate specific conditions of work, such as health and safety standards, it prohibits children younger than age 18 from being engaged in hazardous work, which the law defines as the work that poses a danger to the health, safety, and "moral" of a person, including going to sea; mining and quarrying; portering of heavy loads; chemicals manufacturing; work in a place where machines are used and work in places of entertainment where a child may be exposed to "immoral Behaviour".

69. Over the years, the GOSL has embarked on several programs and policies to help the youth, Persons with Disabilities, women in rural communities, and the urban poor gain

¹¹ Section 2(3) Domestic Violence Act 2007.

¹² Section 6 Sexual Offences Act, 2012.

¹³ Section 2 Sexual Offences Amendment Act, 2019.

employment. Listed below are some programs embarked on by the GOSL. Employment Promotion Program – Sierra Leone faces the highest levels of unemployment. The current labour force is estimated to be 2.7 million – out of this number 1.6 million (59%),¹⁴ particularly youth, are unemployed or underemployed. The GOSL through the MLSS and Youth Affairs and GIZ over the years has engaged in several programs in promoting employment in the country.¹⁵ GoSL over the years has adopted several programs and policies to promote employment such as:

- The car wash pro-car wash centres programme is built in strategic places;
- The national youth service – internship opportunities to graduate to gain working experience;
- The Munafa fund – cash transfer to business owners affected by COVID-19;
- Garbage collection and street cleaning programme;
- National youth farms;
- Tractors to all districts;
- Bailout package to hotel owners (3 months basic salary paid to workers in hotels in 2020) issued 8000 Pin codes to teachers and nurses;
- Lifting of the ban on overseas recruitment.

70. The GOSL is deeply concerned with the rights of workers in the place of work. In this regard, the Ministry of Labour and Social Security has reviewed the Labour Laws. The draft Bill is currently in the Law Officer's Department. Furthermore, the Industrial Court handles cases of unfair/unlawful termination and dismissal has been established. This Court over the years has adjudicated several industrial matters ranging from unlawful termination to unfair dismissal (for instance the recent matter between the Bank of Sierra Leone v Patrick Massaquoi).¹⁶

71. The Office of the Ombudsman and Human Rights Commission of Sierra Leone are other redress mechanisms created by the Government to handle issues of maladministration, unlawful dismissal, etc. Cases from the HRCSL and Ombudsman should be cited here. According to the report from 1st July 2019 to 30 June 2020, 484 complaints were lodged with the office of the Ombudsman against various Ministries Departments, and Agencies, with 246 lodged at the Head Office in Freetown, 121 in Bo, 71 in Kenema, 16 in Makeni and 30 in Port Loko, while 329 have been concluded so far. The Ombudsman dealt with complaints about government agencies, Local Government councils, and the conduct of the police. In some cases, the Office of the Ombudsman receives, investigates, mediates, and resolves complaints made against administrative decisions, malpractices of the public sector, and institutions of higher learning set entirely or partly out of public funds. Sections 3 & 4 (a) and (b) of the Ombudsman Act, 1997.

72. Recently, the GOSL has also established the Legal Aid Board (LAB) that provides among other things Legal representation to thousands of Sierra Leoneans who have little or no means of acquiring the service of a legal practitioner for representation. Despite the policies and programs embarked on by the GOSL unemployment among the youths remains

¹⁴ Employment Promotion Programme III (EPP), Sierra Leone Integrated Housing Report 2018.

¹⁵ These includes the youth in fisheries and youth in agriculture etc., the rehabilitation of major and minor roads in the rural areas, the Car wash program by constructing car wash centres in strategic areas in the country, the National Youth Farm, National Youth Service, the garbage collection and street cleaning program is to provide employment not only for the youth but also for elderly women, restructuring of Ministry of Works and SLRA, ensuring all public buildings are disable friendly. The Ebola and COVID-19 have tremendous effect in the economy of Sierra Leone which led to the loss of jobs by many Sierra Leoneans due to the closure of business. In mitigating these effects of Ebola and COVID-19 on business owners/employing authorities the GOSL provides financial assistance (Munafa Fund) to Women in Rural areas and Business Owners of Hotels by paying three (3) months basic salary in 2020 to employees of hotels.

¹⁶ During the adjudication of the matter, the court overturn the decision of the Central bank and ordered the payment of the complainant's entitlements in full.

high, especially in the formal sector; to this note, the GOSL with the support of the development partners has embarked on several programs aimed at reducing unemployment, especially the middle-level manpower through the Technical Vocational Education and Training (TEVET). In 2019/2020, the Chinese Government through the Ministry of Labour Trained youths in tailoring.

Article 7: Right to Just and Favourable Conditions of Work

73. Sierra Leone as a member of the ILO has ratified and domesticated among others the eight ILO core conventions. The Government of Sierra Leone, through the Ministry of Labour and Social Security and its Social Partners on October 23rd, 2010 signed “the Decent Work Country Program for Sierra Leone”.¹⁷

Equal Pay for Work of Equal Value

74. In consonant with section 8 paragraph (e) of the 1991 Constitution, the Sierra Leone Civil Service has done the grading system which provides equal pay for work of equal value within the same grade system.¹⁸ Although there are challenges that the wages and salaries compensation commission is aimed at addressing through the harmonization of salaries. Additionally, on 28th July 2020, the GoSL through the Joint National Negotiating Board reviewed the National minimum wage to 600,000 Leones.

75. Furthermore section 3(1) of the regulation of wages and industrial relations act NO, 18 1971 established the Joint National Negotiating Board (JNB).¹⁹ Section 7(1) of the Regulation of Wages and Industrial Relations Act NO, 18 1971 through the various collective bargaining agreement prescribe the conditions of work for overtime, paid leave, unpaid leave, maternity, etc.

76. Overtime – Overtime²⁰ – any period worked more than the agreed normal working hours shall count as overtime. All work performed more than eight (8) hours per day (Monday–Friday) shall be compensated for at the rate of one and a half (1½) hours pay for every hour worked. While work performed on Sundays and Gazetted Public Holidays and Employees’ rest days shall be remunerated for twice the regular hourly rate of basic pay. While work performed on Sundays and Gazetted Public Holidays and Employees’ rest days shall be remunerated for twice the regular hourly rate of basic pay.

- Paid Leave – All workers after continuous service of one year are entitled to annual leave or leave rate/ pay and leave allowance as per the Collective bargaining agreement.
- Unpaid Leave – Sick leave, UPA, examination leave, compassionate leave, etc.
- Maternity Leave – A female employee after continuous service of one year is entitled to twelve or Thirteen weeks of private employment, a worker shall be required to produce a medical certificate signed by a qualified Medical Officer stating the

¹⁷ The decent work country program among other things aimed at the elimination of child labour, a national employment policy, public-private partnership, employment promotion program (EPP) all geared towards the creation of decent work opportunities for Sierra Leone. In alignment with the SDGs 8 sub-cluster 3 (Decent Work), the Ministry of Works is charged with the responsibility to rehabilitate, reconstruct, construct and refurbish all government buildings to ensure a favourable working environment.

¹⁸ This is in line with ILO Convention 100 [Equal Right Remuneration Convention] (1951) which is mirrored in section 8 paragraph 8e, Act No. 6 of 1991 Constitution.

¹⁹ The JNB on the 1st July 2020) revised the Joint National Minimum wage to Le 600,000, equivalent to \$ 60 a month. The JNB has periodically reviewed the National Minimum wage. (In January 2015, the National Minimum Wage was reviewed by Le. 500,000, equivalent to \$ 100 a month).

²⁰ Section 8 paragraph (e) of the 1991 Constitution. states... “*there is equal pay for work without discrimination on account of sex, and that adequate and satisfactory remuneration is paid to all persons in employment*”. Chapter 3 Rule 3 sub-rule 1 of the Civil Service Code of Conduct JNB which has the mandate to determine and fix minimum rates of pay, paid public holidays and minimum hours of work.

approximate date of confinement. Whereas for public employment like the Civil Service is 90 working days.

Sexual harassment in the workplace is prohibited and is punishable in Sierra Leone. By the Sexual Offences Act, anyone who commits sexual harassment is liable on conviction to a fine not exceeding ten million or a term of imprisonment not exceeding three years.

77. The legal and administrative measures taken to ensure health and safety conditions at the workplace. Occupational Health and Safety at work – Section 8 paragraphs b, c, & e of the Constitution of Sierra Leone, is crystal clear on the health and safety conditions of workers; Conditions of Service and work are fair, just, and human. The health, safety, and welfare of all persons in employment are safeguarded and not endangered or abused, *and* in particular that special provisions are made for working women with children. In addition, Occupational Health and Safety at work are regulated by the Factory (OSH) Act No. 3 of 1974, Workmen Compensation Act cap 219 of the Laws of S/L (1955), Employers and Employees Act Cap212, Industrial Relations Act (1996) Performance Directorate, Human Resources Management Office (HRMO), etc. These Acts provide for greater protection of workers, regarding industrial / workplace accidents, basic conditions at work (terms and conditions of service), health and safety at work, favourable conditions of service, the use of personal protective equipment (PPE, s) non-discrimination of HIV/AIDS, etc²¹. The Factory/occupation health and safety directorate of the Ministry of Labour through routine inspection ascertains the prevailing conditions in which men and women work to meet the legitimate conditions of work.

Article 8: The Right to Form Trade Unions

78. Article 8 of the covenant is covered in section 26 (1) of the Constitution of Sierra Leone provides for Freedom of Assembly and Association, “in particular to form or belong to any political party, trade union, or other economic, social or Professional association.”

79. The Constitution of Sierra Leone, Act No. 6 of 1991, has adequate provision for the protection of those rights and freedoms which are dealt with by the core and priority ILO convention as they relate to workers. The Laws of Sierra Leone has not only made comprehensive and consistent adherence but enforcement and good social relationship exist among the tripartite members in the world of work. Concerning the ILO convention No. 144 on tripartite Consultations, there is adequate provision in the Regulation of Wages and Industrial relations Act No. 18 of 1971 for the appointment of a Joint Consultative Committee (JCC), which is an advisory committee to the Minister of Labour-on-labour matters.

80. There is no way Government can undertake consultations in isolation as set out in the laws. There have always been regular joint consultative meetings between the Ministry of Labour, the Sierra Leone Employers’ Federation, and the Sierra Leone Labour Congress as and when it is necessary to convene the same. Over the years, there have been relentless efforts to update the Labour laws of the country. It is gratifying to note that, the draft Labour Bill is at the final stage of completion for submission to Parliament. What does this labour law seek to achieve or correct? The Labour laws when reviewed will not only promote, protect the health and safety, and rights of workers but will promote investors/ investment confidence.

81. The Regulation of Wages and Industrial Relations Act no.18 of 1971 and Cap 221-Trade Union Act- of the laws of S/L 1940 guarantee the right to join or form a trade union and the establishment of a Trade Group Negotiating Council. In practice trade Unions and Trade group negotiating Councils are the same, it is an industrial relation mechanism or tool which is an aspect of negotiation. In collective bargaining, the union and the employers

²¹ Rule 6 sub-rule 1 paragraph (d), CSC&R by the Sexual Offences Act, Section 13 (1) (an) Act No 12 of the Sexual Offences Act, 2012, and the Labour laws off Sierra Leone the constitution of Sierra Leone, Act No. 6 of 1991, Section 8 paragraph b, c, & e are crystal clear on the health and safety conditions of workers;

(b) Conditions of Service and work are fair, just and human.

(c) The health, safety and welfare of all persons in employment are safeguarded and not endangered or abused, and in particular that special provisions are made for working women with children.

always have a collective interest since the negotiations are for the benefit of both parties in the negotiation process. Over the years there is an increasing number of Trade Unions with collective bargaining agreements and they have made significant contributions to protecting and promoting the aspirations of both the workers and their employers. Below are some of the collective bargaining agreements as enshrined in Section 7(1) of Act No. 18 of the Regulation of the Wages and Industrial Relations Act No. 6 of 1971.

82. Formation and Registration: As stated in the Regulation of Wages and Industrial Relations Act, the Minister of Labour may in consultation with the Joint Consultative Committee (JCC), appoint a person to be the registrar of Trade Union and Employers' Organizations. The Registrar shall maintain a separate registrar of Trade Union and Employers' Organizations. A Trade union seeking registration shall apply the provisions of the Act. The application must be made to the registrar in the prescribed form and must be signed. The Registrar upon receipt of the application shall cause a notice of the same to be published in the Sierra Leone Gazette. After three months from the date of publication of the notice in the gazette, the registrar shall consider any objections which have been brought to his or her notice. If the registrar is satisfied that no proper objection has been raised and that the Union has complied with the provisions of registration under the Act and that the constitution of the Union provides for matters prescribed by the section shall register such Union and issue a Certificate of registration in the prescribed form of the union. A certificate issued under subsection 4 unless proven to have been withdrawn or cancelled shall be conclusive evidence that the provisions of the Act relating to registration have been complied with and that the union is an organization of the type stated in the certificate. No trade union shall be registered under a name identical to that of any existing union or nearly resembling such name. ("Trade Union Act | Trustee | Fine (Penalty)").

83. Any person aggrieved by any refusal of the registrar to register a Union may, within thirty (30) days from the date of notification of the refusal, appeal to the Industrial Court whose decision shall be final. Cancellation of Certificate of Registration – the registrar may cancel the registration of a union and shall put it in writing accordingly in the following case: At the request of the Union. On the proof to his or her satisfaction that the registration of a union does not meet the requirement of the Act.

84. The GOSL adequately respects the ILO convention No. 144 on tripartite Consultations, and there are adequate provisions in the Regulation of Wages and Industrial relations Act No. 18 of 1971 for the appointment of a Joint Consultative Committee (JCC) and Joint National Negotiating Board (JNB).

85. There is no way Government can undertake Consultations in isolation and there have always been regular joint consultative meetings between the Ministry of Labour, the Sierra Leone Employers' Federation, and the Sierra Leone Labour Congress as and when it is necessary to convene the same.

86. In Sierra Leone, the Sierra Leone Labour Congress is the National umbrella body representing Trade Unions and is a member of the International Trade Union Confederation (ITUC-Africa) working closely on 'Trade Union Co-operations.

87. Although the right to strike is a guarantee in the laws of Sierra Leone, Article 17 of the Regulation of Wages, and Industrial relations Act No. 18 of 1971 adequately outlines the process and procedure to embark on strike action. However, because of the nature and importance of their service, members of the forces (Arm forces, Sierra Leone Police, the Sierra Leone Correctional Services (Prisons), the Fire Force, etc.) the Civil servant, and utility companies (Guma Valley water company, Telecom, Sierra Leone Electricity Cooperation) are limited to embark on strike actions. The law allows workers in both the public and private sectors to join the independent unions of their choice without prior authorization, bargain collectively, and conduct legal strikes, but it prohibits police and members of the armed services from joining unions or engaging in strike actions. The Government may require that workers provide written notice to the police of an intent to strike at least 21 days before the planned strike. The law prohibits workers at certain specified public utilities from going on strike. It is gratifying to note that for the past decades there is no political interference in the registration and formation of Trade Unions.

Article 9: Right to Social Security

88. Article 9 of the Covenant's provisions is similar to that of the provision of Chapter III of the constitution of Sierra Leone, Act No. 6 of 1991– "The recognition and protection of fundamental human rights and freedoms of the individual"²². This provision grants the right to citizens of the state to have access to social security to be assured of partial replacement of income in the form of social insurance in the event of a contingency for themselves and their dependents. Consequently, the state is duty-bound to take reasonable measures to make these rights to the citizenry of the state. As such the state is under obligation to make frantic efforts to progressively realize such rights yearly in and year out. Hence, the enactment of the NASSIT Act No.5 of 2001 which covers three of the nine social security contingencies was a welcomed step in addressing ECOSOC rights in Sierra Leone. The Act covers three contingencies among the nine social security contingencies. These include old age retirement, invalidity, and survivor in the event of the death of a member. There are still hopes to further implement and enforce the remaining six (6) of the Sierra Leone Health Insurance (SLeSHI) Act No 46 of 2017 has been commissioned and the Employment Injury Scheme and 'Option to Extend to Social Security to the Informal Sector are in an advanced stage.

89. The National Social Security and Insurance Trust came into existence as a statutory Public Trust charged with the responsibility of administering Sierra Leone's National Pension Scheme. By the National Social Security and Insurance Trust Act No. 5 of 20th July 2001, the Scheme was established to provide retirement and other benefits to meet the contingency needs of workers and their dependents and to provide for other related risks. The NASSIT Scheme as a long-term defined benefits social insurance scheme requires members to contribute during their working life and are paid benefits at the onset of any of the three contingencies of old age, Invalidity, and Death. The scheme covers all formal sector employers and employees without discrimination based on sex, race, tribe, religion nationality, etc., on a mandatory basis and as well as provides voluntary membership for the self-employed.

90. The National Social Security and Insurance Trust came into existence as a statutory Public Trust charged with the responsibility of administering Sierra Leone's National Pension Scheme. By the National Social Security and Insurance Trust Act No. 5 of 20th July 2001, the Scheme was established to provide retirement and other benefits to meet the contingency needs of workers and their dependents and to provide for other related risks. The NASSIT Scheme as a long-term defined benefits social insurance scheme requires members to contribute during their working life and are paid benefits at the onset of any of the three contingencies of old age, Invalidity, and Death. The scheme covers all formal sector employers and employees without discrimination based on sex, race, tribe, religion nationality, etc., on a mandatory basis and as well as provides voluntary membership for the self-employed.

91. All the Core Conventions of the International Labour Organization (ILO) Conventions are signed and ratified and many are domesticated into the national legal system.²³ Furthermore, the state of Sierra Leone being a signatory to the ILO Conventions,

²² Act No.6 1991 and these include, the Fundamental Human Rights and Freedoms of the Individual, Protection of Right to Life, Protection From Arbitrary Arrest or Detention, Protection of Freedom of Movement, Protection From Slavery and Forced Labour, Protection From Inhuman Treatment, Protection From Deprivation of Property, Protection for Privacy of Home and Other Property, Provision to Secure Protection of Law, Protection of Freedom of Conscience, Protection of Freedom of Expression and the Press, Protection of Freedom of Assembly and Association, Protection From Discrimination, Enforcement of Protective Provisions.

²³ Convention 29 [Forced Labour Convention] (1959)

- Convention 105 [Abolition of Forced Labour Convention] (1957)
- Convention 87 [Freedom of Association and Protection of the right to Organize] (1948)
- Convention 98 [The Right to Organize and Collective Bargaining convention] (1949)
- Convention 100 [Equal Right Remuneration Convention] (1951)
- Convention 111 [Discrimination (Employment and Occupational) Convention] (1958)
- Convention 138 [Minimum Age Convention] (1973)

these conventions have been ratified, domesticated, and enacted according to the guidelines of International Labour Standards.²⁴ These include the Employers and Employed Act CAP 212 of the laws of Sierra Leone, the Workmen's Compensation Act, the Regulation of Wages and Industrial Relations Act No. 18 of 1971, NASSIT Act No. 5 of 2001, and the SLeSHI Act No. 46 of 2017 are clear evidence to showcase the consistent adherence by the state to enforce the rights under this covenant.

92. There is a scheme that provides cash benefits to its contributors/members in respect of any of the three contingencies as and when they fall due. Such benefits include; Old age gratuity, old age Retirement pension, Reduced and Old age early Retirement, Retirement grant, Invalidity Pension, Invalidity grant, Survivors' pension, and Survivors' grant.

93. The trend in NASSIT Benefits Payment (Million SSL)²⁵

<i>Benefit Type</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>
Old Age Retirement Pension	86 439	98 813	144 826	155 872
Old Age Retirement Gratuity	19 068	16 064	28 809	27 039
Old Age Retirement Grant	6 255	10 468	14 449	11 739
Invalidity Pension	-	-	0	7 179
Invalidity Gratuity	193	400	358	537 552
Invalidity Grant	35	34	45	29
Survivor Pension	23 010	24 303	29 427	29 078
Survivor Gratuity	26 841	3	2 971	3 914
Survivor Grant	23	941	951	1 354
Total	161 864	151 026	221 836	773 756

94. In addition to the social security benefits accorded to its members based on the contingencies provision of the NASSIT Act No. 5 of 2001, the state is well aware of the vulnerability that comes with old age. In November 2006, Government launches the Social Safety Net – social assistance programme for the aged it is a non-contributory scheme and is being implemented by the Ministry of Labour in collaboration with the National Commission for Social Action²⁶ (NaCSA). Under this programme, a lot of Pro-Poor and poverty reduction programme has been implemented and is directly supervised by the Office of the Vice President of Sierra Leone.

95. The contingencies covered by NASSIT are long-term in nature, which allows the Scheme to invest the surplus funds to be in a better position in meeting its future financial obligation as and when they are due. Improving investment performance and raising sufficient liquidity to pay benefits is therefore critical to the Trust's existence. However, achieving this has been a challenge in the face of the global economic downturn and the slow pace at which Sierra Leone's economy is recovering from the recent Ebola epidemic outbreak as well as the ongoing Corona Virus Disease (COVID-19).

96. As the country's capital market is yet to fully take off, most of the Trust's surpluses have been directed to infrastructural investments, financial services, and hospitality sectors. The Trust's strategy going forward is to embark on cost-effective and relatively low-risk

• Convention 182 [Elimination of Child Labour and Protection of Children and /young Persons Convention] (1999)

• Convention 102 [Social Security Minimum Standard] (1952).

²⁴ Parliament of Sierra Leone, on the 16th July 2019 ratified ILO Convention 102 Social Security (Minimum Standards) 1952 and the instrument of ratification of same has been deposited with the treaty depository.

²⁵ The trend of National Social Security benefits paid in the event of respective contingencies of old age, invalidity and death measured millions of Sierra Leone Leones for the last four years. Data is sourced from the institution's Facts and Figures Report.

²⁶ Sierra Leone National Social Protection Policy – Revised February 2018.

methods of investment within the Institution's Investment Policy²⁷. This policy is entrenched in the NASSIT Act of 2001, and it states that "Subject to the approval of the Board of Trustees, the Trust may invest any part of the fund not immediately required to be expended to meet any of its obligations under this Act". Furthermore, it is contained in Section 7(1) that, "The Board shall, in approving any investment, take into consideration best practice that will maintain risk-free and prudent investments to main the financial soundness even in the event of unforeseen shocks that they seem to affect future liabilities".²⁸

97. NASSIT in compliance with the mandate established in the Act has over the years invested her surplus funds of the Trust based on the recommendation of the Investment Management Committee to the Board Sub Committee on Investment and approved by the Board of Trustees.²⁹

98. These investments within the national pension administration are classified in the Statement of the Trust's Investment Policy as (a) Liquidity Matching Assets Profile (LMAP) and (b) Long Term Assets Profile (LTAP). The LMAP investments are the fixed-income assets investments that are tailored to meet the Trust's liquidity demands as and when they fall due; whilst the LTAP investments are carried out to match the long-term liabilities of the Trust.

99. The Trust's Fixed Income Assets comprises mainly of Liquidity-Matching Assets Profile (LMAP). The LMAP encompasses both short-term fixed-income assets like call deposits, fixed deposits, and government securities and long-term fixed-income assets such as government bonds and private placements with commercial banks. The instruments contained in the LMAP are generally subdivided into a) Instruments with Commercial banks (ICBs) and b) Instruments with Government (IGov). The Trust's investment income was derived mainly from its fixed-income assets.

100. The Long-Term Assets Profile (LTAP) of NASSIT consists of Debenture Holdings, Equity Holding Companies (basically referred to as the Portfolio Company), the Real Estate Assets of the Trust (which includes ongoing projects), and Land Banks. As part of its investment diversification to enrich the funds of the Scheme to meet its long-term contingencies as they fall due, the Trust entered into various Joint Ventures in a bid to promote the foundation for stronger economic growth which in return will create more jobs and increase contribution income. Over the years, the Trust has engaged in various Economically Targeted equity investments and Socially Targeted investment portfolio companies.³⁰

²⁷ To implement an Optimal Asset Allocation Policy.

- To maintain a long-term Optimum Fund Ratio.
- To protect the principle of the assets in the Scheme and the value of those assets.
- To achieve a Real Return on Investments.
- To attract, train and retain competent investment talents.

²⁸ These are, The safety and yield of the Investment;

- The liquidity of the Investment;
- The need to maintain the real value and spread of the investment;
- The maintenance of the fund and diversification of the portfolio of the investment; and
- The harmony of the investment with the public interest (Section 7 (2)).

²⁹ For purpose of prudent and less risky investment the following are some of the investment areas exploited by the current scheme; Fixed Income Assets comprising of Call and Fixed Deposits with the Commercial Banks and Government Securities; Investment in Portfolio Companies mostly in the form of Equities and or Debenture Loan facilities; Investment in Projects that are real estate and commercially viable property development projects; and Land Banks for foreseeable projects or joint venture participation and development into site and service plots for sale in the unforeseeable future.

³⁰ Regimental Gray (SL) Limited, Sierra Concrete Block Product (SCPL), HFC Mortgage and Savings (SL) Limited, West African Holdings Limited (WAHL), Kimbima Holdings Limited (KHL), Sierra Estate Management Company Limited, Sierra Akker Agricultural Company Limited, Sierra Leone Commercial Bank Limited, SISIMI Health Care Facility, Others (Financial Markets), Gouji Development Company – (Dividend Income), Sea Transportation Investments, Freetown International Conference Centre.

101. The Trust currently holds equity in thirteen (13) domestic companies and an off-shore investment in Ecobank Transnational Incorporated (ETI). Equity participation had not paid substantially due to the influence of general macroeconomic performance on corporate profit potential. These assets are acquired as an investment outlay wherein the real value of the Trust's funds will be secured and will be in a position to meet the long-term contingencies.

102. The Trust, in its effort to meet its medium-term strategy consistent with its objective on Security, Yield, and Liquidity, intensified its diversification drive by investing in the real estate market. While most of the projects considered here are economically targeted, others were selected because of their twin effect of addressing social problems while at the same time yielding modest returns for the Trust.

103. These sets of assets are being managed by Sierra Estate Management Company Ltd. (SEMCo), which is a limited liability company duly registered in January 2012 and incorporated under the Companies Act of 2009. It was established as a Special Purpose Vehicle (SPV) by the Board of Trustees of the parent company, NASSIT to manage the Trust's real estate properties. The company authorized and issued Share Capital of Le 300 million (300,000,000.00), divided into 100,000 Ordinary Shares at Le 3,000 each with the right to increase as set out in the Memorandum of Association.

104. SEMCo's shares are fully issued with NASSIT having 99% while the remaining 1% is held by a private individual. SEMCo's operations are not limited to commercial property management and real estate development but also provide other services such as security, cleaning services, and many more. As of the end of December 2018, the total Market Value of the assets controlled by SEMCO is as follows: Seaview Estate – Le160 billion, Makeni Plaza – Le 60 billion; Bo Plaza – Le 49 billion, and Kenema Plaza – Le51 billion.

105. The Trust acquired the land property in main provincial towns up to the tune of about 740 acres mainly to carry out investment projects. These lands are held for investment in affordable housing and other infrastructural projects. Location of such properties are found in the provincial headquarters cities of Makeni, Bo, Kenema, and Kono, as well as the Western Urban and Western Rural communities of Waterloo, Gloucester, Charlotte, Bathurst Village, and Peninsular Road Aberdeen.

106. The current status of the LTAP status shows that Debenture Loan facilities are and account for part of the fixed-income assets and represent 26.16% of the portfolio. Equity allocation accounts for 22.83% of the total portfolio and Properties account for 51.01%. Table 18 provide LTAP's type, class, and actual assets allocation as of the end of December 2018.

107. It is worth noting that, the Cooperate Debenture facility with Commerce and Mortgage Bank (CMB) is fruitful and the income earned for the review period was Le 3.59 billion. Rental income both from the use of Freetown International Conference Centre (FICC) and remittances by SEMCO for the review period amounted to Le 2.02 billion. The total dividend income received for the review period amounted to Le 634.9 million. The total investment income earned from LTAP for 2018 amounted to Le 6.25 billion. The Trust is also involved in several projects as part of its global investment portfolios. Since the National Social Security and Insurance Trust in its mission statement aims to administer a Social Security Scheme that provides financial security to all employees in Sierra Leone in the form of Old Age Benefits, Invalidity Benefits and Survivors Benefits based on Social Insurance Principles, the state through the National Social Security and Insurance Trust with collaboration with line Ministries, Department and Agencies has enacted the 'Sierra Leone Social Health Insurance (SLeSHI) Act No.46 of 2017' to provide Health Insurance scheme for all workers, now awaiting its operationalization. As an institution, they are again working on two other contingencies within the right to social security viz: Employment Injury³¹ and the option to extend social security to the informal sector³². However, the Blueprint of the proposed 'Option to Extend Social Security Coverage to the Informal Sector scheme' will expand coverage to the informal sector.

³¹ A Blue Print of a proposed Employment Injury Scheme has been developed to cover all workers in the event of occupational injury, accident, etc.

³² A Blue Print of the "Option to extend Social Security to the Informal Sector".

108. NASSIT is defined as a long-term benefit contributory social insurance scheme that has a minimum of 180 months qualifying condition for a full pension and 60 months for Grants. The minimum pension is half of the national minimum wage of Le 300,000 (six hundred thousand Leones). Hence, this category is still below the poverty line of less than 2 US dollars a day.

109. The current social security scheme is a defined benefit contributory social insurance scheme and does not cover non-contributory groups. It is hoped that the recently ratified convention 102 (Minimum Standards) 1952 and the review process of the NASSIT will further bring forth more benefits for the poor vulnerable and marginalized groups.³³

110. The NASSIT Act No. 5 2001 makes provisions for a voluntary contribution for members of the informal sector (self-employed). This has not been very attractive to such members and they continue to remain excluded from social security protection. Over 90% of the informal sector, which includes contract staff, casual workers, self-employed persons, and other categories of workers engaged in informal economy activities are yet to benefit from the current NASSIT scheme.

111. The Scheme covers, December 2020 287,650 insured persons from all workforces in Sierra Leone, including the public sector, formal private sector, and the informal Self-employed as well as non-national.

112. There are challenges, which include the following: The National Social Security and Insurance Trust, like any other Social Security institution worldwide, do grapple with many challenges, especially in Sub-Saharan Africa. These challenges range from the increasing size of the informal sector to the lack of investment infrastructure and an unfavourable macroeconomic environment. As an institution, the following constitute some of our specific challenges: In Sierra Leone, several vulnerable groups, particularly the rural population which is typically poorer and more vulnerable, also the self-employed and workers in the informal sector, continue to remain excluded from social security protection.

Article 10: Right to Family Life

113. In the context of Sierra Leone, the family is not just the immediate members of the nuclear family, but the extended family based on communal living with far-reaching implications for the wellbeing of all involved in addition to the sources and availability of resources for the sustenance of the family.

114. The sanctity of family life is guaranteed in the customary and civil laws of the Sierra Leone legal system respecting how marriages are contracted conferring rights and responsibilities to the parties involved regarding men and women as consenting adults even as child marriage is frowned upon. By both social and legal standards, marriages are considered central to family life with bigamy not treated kindly and punishable by law with a serious attempt made to protect especially the women by way of affirmative action to correct the imbalance of the past with men assuming roles of dominance. The three Gender Acts of 2007, in general, with emphasis on the Registration of Customary Marriage and Divorce Act of 2007³⁴ speak to the substantive issues concerning traditional marriages thus bringing them at par with civil marriages in addition to Christian and Muslim marriages. It must be noted that there are significant differences between and among the different types of Marriages contracted in Sierra Leone regarding what is acceptable and not acceptable especially with polygamy and monogamy with the former relating to Customary and Muslim marriages and the latter relating to Civil and Christian marriages. The marriage rate is at 62.5%³⁵ and the divorce rate is at 0.5% with implications for the importance attached to marriage life.

³³ As enshrined in the Provisions of the National Social Security and Insurance Trust Act No. 5 of 20th July 2001, the Scheme was established to provide retirement and other benefits to meet the contingency needs of workers and their dependants for all workers in Sierra Leone irrespective of sex, race, religion, tribe, etc.

³⁴ The Registration of Customary Marriage and Divorce Act was given assent in 2009 even though it was enacted in 2007 as part of the three Gender Acts.

³⁵ The Source is the Demographic and Health Survey Report Produced by Stats SL in 2019.

115. It must be acknowledged that poverty is a reality in Sierra Leone with rural communities experiencing it in a worse state. However, the Government of Sierra Leone over the years has taken steps through the National Commission for Social Action to provide safety net programmes at regular intervals to meet the needs of especially indigent persons, thus supporting poor families in the process. With both the Ebola epidemic and the COVID-19 pandemic, direct cash transfers have been made to vulnerable families and affected persons in the public and private sectors. There are Munafa Funds from which poor families are sure to benefit with particular emphasis on providing microfinance to small and medium businesses as part of the continued effort of GOSL to address acute poverty in Sierra Leone. In respect of saving livelihood,³⁶ vulnerable groups were given safety nets in the form of expanded cash transfer programmes of Le35,000 to Le100,000 for households with a quota of persons with disabilities. Workers, both in the informal and formal sectors were also beneficiaries. Petty traders, market women, and low-paid workers in the informal sector, totalling about 29,000, received cash injections of Le 1,300,000 per person. (“United Nations A/HRC/WG.6/38/SLE/1 General Assembly”).

116. With the Child Rights Act of 2007, GOSL has a framework for child care and the prevention of child labour with serious sanctions prescribed against any form of infringement as a safe environment is provided for the upbringing of the children. The Alternative Care Policy of 2014 also creates the atmosphere in Sierra Leone for effective and efficient childcare. The Adoption Act of 1989 is part of GOSL’s moves to make child care a legal reality and as a conscious effort to prevent child trafficking. Child care has also been given a boost with the free medical initiative that addresses medical care for lactating mothers and under-five children with the potential to include children of other ages. Also, childcare has gained prominence with the rise of day care facilities and kindergarten education. Suckling mothers in the working class can now take their babies to these day care facilities, thus making available the opportunity to go back to work after maternity leave. Despite the challenges of childcare, children living in a hazardous environment³⁷ are at 6.7% with GOSL taking concrete steps to ameliorate the situation.

117. Social services for the aged and persons with disabilities have attracted a lot of attention as state and non-state actors are seized with the importance of such services. It must be noted that as a developing country there are evident challenges in providing for all, but due consideration is given to the minimum core as social services are provided for especially the aged and persons with disabilities. The Sierra Leone National Social Protection Policy (Revised) in 2014 has helped GOSL to address the needs of the aged and persons with disabilities. Peculiar to meeting the needs of the aged is the National Aging Policy of 2019 to 2030 as a regulatory framework to cater to the needs of the aged. The Disability Act of 2011 and the Radical Inclusion Policy of 2020 have helped immensely in addressing the social needs of persons with disabilities. It must also be noted that GOSL has created an enabling environment for interest and pressure groups to advocate on behalf of the aged and persons with disabilities.

118. On the issues of paternity and maternity leaves, increased awareness is being raised on them with the Civil Service Code of 2009 giving due cognizance to maternity leave and special leave with the approval of the Director-General of HRMO regarded as a must for the latter. However, with the public service and regarding the Staff Manual of the National Commission for Democracy (NCD), paternity leave is part of the package.

119. Gender discrimination concerning the employment of pregnant women has always been a cause for concern with GOSL paying close attention to the substantive issues. It must be noted that 1,004,618 females are in employment³⁸ by GOSL which is 88.2% of the economically active females in the country. The Gender Equality and Women’s Empowerment (GEWE) policy of 2020 has seen the light of day as a backup to Section 27 of the Constitution of Sierra Leone, Act No. 6 of 1991, focusing attention on Protection from Discrimination as attention is paid to women not becoming victims of obvious discrimination

³⁶ The Source is the GOSL’s National Report for the 3rd Cycle UPR of February 1, 2021.

³⁷ The Source is the Multi-Dimensional Child Poverty Report Produced by Stats SL in 2018.

³⁸ The Source is the Sierra Leone Integrated Housing Survey Report Produced by Stats SL in 2018.

in the place of work. Also, there is the Radical Inclusion Policy of 2020 with focuses on education with no one left behind.

120. GOSL is cognizant of the fact that domestic violence is a serious concern in most households and families and is taking tangible steps to minimize the happenings and consequences. GOSL is also mindful of the peacebuilding and national development implications of domestic violence, with Physical violence at 61% and sexual violence³⁹ at 11%, thus the need to address the underlying causes and consequences. There is in place the Domestic Violence Act of 2007, the Sexual Offences Act of 2012, and related policies and regulations to rein in domestic violence including gender-based violence offences. GOSL has also established Family Support Units (FSUs) through the Sierra Leone Police to address family-related issues including domestic violence. The Legal Aid Board (LAB) is also working at the family level to ensure related issues are addressed including childcare, welfare support, alimony, domestic violence, and the like. According to the 2021 UPR report, LAB recruited and deployed 35 paralegals to address these issues through Alternative Dispute Resolution (ADR) mechanisms with a total of 97,838 people benefiting from the scheme since its inception in 2016 including 23,789 children.

121. Significant strides have been made through legislation, policies, and regulations to make family life a lot more conducive and that is not to say there are no challenges.

Article 11: Right to Adequate Standard of Living

122. The right to a standard of living adequate for the health and well-being of himself and his family, including food, clothing, housing, medical care, and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age, or other lack of livelihood in circumstances beyond his control is a right of all citizens in Sierra Leone.

123. GoSL has in recent years been embarking on improving the socio-economic conditions of its citizens. For instance, the past government of Ex-president Ernest Bai Koroma launched the Agenda for Prosperity which was geared towards the welfare of the citizens. In February 2019, His Excellency the President, Julius Maada Bio launched ‘The National Development Plan’ which is linked with the AU aspiration and the Sustainable Development Goals (SDG) to which NaCSA has been the player on the part of the government.

124. The governments, previous and present, have been working so hard and continue to work in ensuring that poverty is minimised hence entitling the citizens to an adequate standard of living. In that vein, we have seen the establishment of the social protection scheme that is geared toward providing financial resources for small scale enterprises development passing into law or improving on Policies/Acts such as the Sierra Leone Water Company Act, 2017, National Water Agency Act, 2017 and the Guma Valley Water Company Act of 2017 all to enhance and facilitate provision and availability of water to its citizens (the establishment of NASSIT and introduction of the minimum pension of Le 21,000–Le 250,000).

125. This said, the realization of economic, social, and cultural rights in the country, and thus the adequate standard of living of citizens remains a big challenge in the country. Thus, drinking water, sanitation, and adequate housing are not readily available where they are, they are expensive and hence not accessible to all and sundry. There is mass poverty, meaning the state or condition of lacking the financial resources and the essentials for a minimum standard of living where basic human needs are not met.

126. Suffice it to say, that there is no generally acceptable national definition of the poverty line. However, two (2) poverty line and deprivation-related human development indices have been identified in the year 2019 S/L 4th National Human Development Report: Income/Monetary Poverty and Multidimensional poverty. By Income/Monetary Poverty, is, wherein the percentage of individuals residing in a household is measured where the standard of living of those individuals falls below the threshold of national and international poverty

³⁹ The Source is the Demographic and Health Survey Report Produced by Stats SL in 2019.

lines.⁴⁰ The S/L Integrated household survey of 2018 (Jan–June data only) points out that poverty (income /monetary poverty) had increased to 57% with 10.8% of the population living in extreme poverty with the highest rate of poverty in the rural areas (72.4%)⁴¹ and lowest in Freetown (18%). To derive this estimation and definition in respect of income/monetary poverty, various socio-economic characteristics, demographic characteristics, gender educational achievements and the main occupation of the household head, economic diversification, ownership of assets, health, and access to utilities.

127. The Medium-Term National Development Plan 2019–2023 presents the overall poverty rate in Sierra Leone at 57% with 10.8% living in extreme poverty with the rural areas having the highest rate of 72.4%. therefore, poverty in Sierra Leone remains a rural issue. Socio-economically, poverty reduced significantly with increased educational levels. Households with heads who completed secondary education are less likely to be poor than those whose heads completed primary education only. By occupation, the poorest households are those heads who are engaged in farming with a poverty incidence of 72% (according to the Medium-Term National Development Plan 2019–2023).

128. The multiple-dimensional poverty index builds on recent advances in theory and data to offer a valuable complement to income-based measures of poverty. The latest national MPI for S/L, computed with support from the oxford poverty and Human Development Initiative (OPHI) and based on the 2017 Multi-Indicator Cluster Survey (MICS) uses five (5) dimensions and 14 indicators; namely:

- Education (years of schooling and school attendance) health (nutrition, child mortality, and vaccination), housing (housing materials, assets, ownership, and over-crowding), living standards (water, sanitation, and bank accounts), and energy (cooking fuel, electricity, and internet).

129. The MPI estimates based on the 2017 MIC and the mid-term national development plan 2019–2023 indicate that 64.8% of the population (that is 2/3) of the population were multi-dimensionally poor with an intensity of 57.9 and Western Area Urban has the lowest levels of poverty with 28.5% of its population living in poverty. MPIPI) shows that Sierra Leoneans are deprived beyond income. These include health, nutrition, education and skills, inadequate livelihood, and poor household conditions.⁴² When the levels of multidimensional poverty are analysed by age group, children younger than 18 years have the highest levels of multidimensional poverty (69.6% according to the mid-term NDP 2019–2023) compared to any other age group. The group with the lowest levels of poverty is working-age individuals (18–40 years old).

130. The Sierra Leone Multidimensional poverty index of 2019 uses a poverty line equal to 40 percent in determining the definition of the poverty line. Therefore, a person is deemed multidimensionally poor if he or she is deprived in two or more dimensions or less than 40 percent of the weighted sum as indicated in the table below indicators.⁴³

131. According to the 2015 National Population and Housing Census, 68.3 percent of Sierra Leoneans were deemed poor. Using the Alkire-Foster method with its dimensions and indicators, in 2017, using the same data i.e., National Housing and Population Census 2015, it was revealed that the rate of multidimensional poverty is 64.8 percent, which accounts for two-thirds of Sierra Leone's population.⁴⁴ So officially, 64.8 percent of Sierra Leoneans are declared to have been below the national poverty line.

132. The GOSL has been producing National Development Plans, otherwise known as the Poverty Reduction Strategy Papers (PRSP), Since the end of the conflict in 2002, beginning with an interim PRSP for 2002–2003, followed by the National Recovery Strategy implemented in 2003–2004. The first fully-fledged PRSP was the National Programme for Food Security, Job creation, and Good Governance 2005–2007, which was to establish the platform for a stable society with a focus on peace consolidation. The agenda for change

⁴⁰ Laderchi, Saith et al. 2003.

⁴¹ Sierra Leone Medium-Term National Development Plan 2019–2023.

⁴² Sierra Leone Multidimensional Poverty Index (MPI) 2019.

⁴³ GOSL 2019.

⁴⁴ Government of Sierra Leone MPI-2019.

2008–2012 was aimed at improving the socio-economic condition of the people and laying the foundation for sustained growth. The 3rd PRSP, Agenda for prosperity 2013–2018 built on the success of the agenda for change and was supposed to continue the transformation of the economy and accelerate growth towards a middle-income status while improving the lives of all citizens.

133. Currently, Sierra Leone has the medium-term National Development Plan (2019–2023) which is grounded on renewed optimism as the country’s democracy matures and public participation in the development process attains new heights. This plan represents a vision for a middle-income country, with an appropriate governance framework that would be based on inclusivity, unity, and the rule of law, and with a resilient and diversified economy, offering jobs to all, and taking account of the special needs of women, children, and vulnerable groups. The key objective of the plan is for Sierra Leone to become a united, peaceful, progressive dynamic confident, enterprising, and happy nation where the people have access to jobs, food, education, and health services, and where there is equal justice and equal opportunity for all.⁴⁵ The goals are also stated as:

- The first is to have a diversified resilient green economy;
- Second, a nation with educated, empowered, and healthy Citizens capable of realising their fullest potential (“Sierra Leone: A New Direction – African Heroes”);
- Thirdly, a society that is peaceful, cohesive, secure, and just;
- And fourthly, a competitive economy with a well-developed infrastructure.

134. The expected outcomes of the MTNDF are

- Human Capital Development (6 sub-outcomes/ Clusters).
- Free quality basic and senior secondary education.
- Strengthening tertiary and higher education.
- Health care improvement.
- Environmental Sanitation and Hygiene.
- Social protection.
- Lands and Housing.
- Diversifying the Economy and Promoting growth (7 Sub-outcomes/Clusters).
- Infrastructure and Economic Competitiveness (7 Sub-outcomes/Clusters).
- Governance and Accountability for Result (10 Sub-outcomes/Clusters).
- Empowering Women, Children, and persons with disabilities (3 Sub-outcomes/Clusters).
- Youth, Employments, Sports, and Migration (3 Sub-outcomes/Clusters).
- Addressing vulnerabilities and building resilience (3 Sub-outcomes/Clusters).
- Plan Implementation.

135. Uniquely, for the first time in the history of Sierra Leone, the MTNDP sets its indicators for all clusters in volume two of the Sierra Leones Mid-term National Development Plan.⁴⁶ The target of the plan includes women, as such, the plan strategy makes provision in a whole cluster (5) for not only women but children and persons with disabilities as well. There are targets also in this cluster including;

- The first target in cluster 5 makes provision to ensure that there are more women in leadership positions in government than in 2028;
- Secondly, more women are supported to engage in entrepreneurial activities;

⁴⁵ Government of Sierra Leone MTNDP 2019–2023.

⁴⁶ Sierra Leone MTNDP 2019–2023(Vol. 2).

- Develop and implement a national data and information management system on gender-based violence cases;
- Drastically reduce the number of women experiencing GBV by 50%.

136. In the case of socially excluded persons, ethnic minorities, rural communities, and the urban poor, this plan is widely consultative as it includes representation of every Sierra Leonean at the district, regional and national levels. It is unique in a way that it is inclusive of even the ideas and vision of people living in correctional centers, marketplaces, and even commercial bike riders, taxi drivers, etc. were all equally consulted.

Adequate and Affordable Food

137. According to the results of the analysis of the current situation of acute food insecurity in Sierra Leone by the Ministry of Agriculture and Forestry (MAF), it was revealed that 33.9% of households in Sierra Leone have a poor food consumption score, whilst slightly above 33.5% of households consume 3 food groups or less. Except for Bo, Western Area Rural, Koinadugu, Bonthe, and Kono all other districts' food consumption was challenging (MAF, 2020). The right to adequate food is the right to all nutritional elements that the person needs to live a healthy and active life with the means to access them (UNHR, 2010).

138. According to the Demographic and Health Survey (DHS), 30 percent of children in Sierra Leone under age 5 are stunted (Short for their age). 5 percent are wasted (thin for their age), and 5 percent are overweight (heavy for their height), whereas 56 percent of women aged 15 – 49, consume food from 5 or more of 10 specified food groups during the day or night, preceding the interview.⁴⁷ It is in this background that the government introduced the School Feeding Programme 2019 which to this day has benefitted 460,358 learners in 2999 schools across provincial areas.

Policies for the Food Security

139. To ensure that Food Security is ensured, Government and other development partners have designed the National Transformation Programme 2023 which aims at doubling production in four value chains: rice, livestock, cash crops, and forestry by employing ambitious and innovative ideas and investment in large scale irrigation, mechanization and technology input supply system which is in line with the Regional, Global Agricultural Planning Instrument that Sierra Leone has signed, a subset of National Agricultural Investment Plan 2025 (NAIP) which is broader in scope in that it involves active participation of other ministries e.g.: Fisheries and Marine Resources.

140. The NAT 2023 wholly focuses on addressing Agricultural needs whereas NAT 2025 reflects a broader adherence to Regional, Continental, and international compacts put together by the Government of Sierra Leone, Sierra Leone Agricultural Research Institute, Projects, and Partners to formulate the Policy Shift which aims at injecting USD 800,000,000 in the Economy over the period to achieve Rice Self Sufficiency in Sierra Leone. Thus, in effect, before these Policy Shifts farmers who had been cultivating in traditional farming by hand tools thereby creating room for a nation to rely on rice importation, will now be empowered with machinery which will be operated by private sector players. To enhance this, the government will partner with the Ministry of Finance and the Bank of Sierra Leone and will establish an Agricultural Investment Bank to provide funding of USD 50,000,000 along the Agriculture Value Chain.

Article 12: The Right of Everyone to the Enjoyment of the Highest Attainable Standards of Physical and Mental Health

141. Sierra Leone's health service delivery is pluralistic. The government, private sector, local and international NGOs, and FBOs are all providing health services in the country. "There are public, private for-profit, private non-profit, and traditional medicine practices." ("Integrated Health Service Plan - Gov") Health care is delivered at primary, secondary, and tertiary levels.

⁴⁷ GOSL/Statistics Sierra Leone (DHS Report) 2019.

142. The primary health units (PHUs) are the first-line health services and are further sub-classified into three (3) levels: Maternal and Child Health Posts (MCHPs) are situated in villages with a population of less than five thousand (5,000); Community Health Posts (CHPs) are at small towns with a population between 5,000 and 10,000; Community Health Centre's (CHCs) which are located at chiefdom level usually covers population ranging from 10,000 – 20,000.

143. The Government Hospital Boards Act of 2003 and the Local Government Act of 2004 devolved some government functions to the local councils for effective and efficient service delivery. The local councils now work in collaboration with the District Health Management Team (DHMT) to implement the district health programs. Secondary health care is delivered at district and non-governmental hospitals. Tertiary health care is delivered at the regional level and in some non-governmental hospitals.⁴⁸

The Provision for the Reduction of the Stillbirth Rate and Infant Mortality and the Healthy Development of the Child.

144. According to the estimated stillbirth rate for Sierra Leone (30 per 1,000 live births). A total of 7,596 stillbirths were expected during the survey. However, only 5,608 stillbirths were documented from all facilities giving a stillbirth rate of 25.6 stillbirths per 1,000 live births. Of the 5,608 stillbirths that were reported through the Demographic and Health Survey (DHIS2) system, a total of 3,118 (55.5%) were macerated stillbirths while the rest, 2,490 (44.5%) were fresh stillbirths. In Sierra Leone, the main causes of neonatal deaths are prematurity birth, asphyxia, and sepsis.

145. To reduce stillbirth government has instituted Free Health Care for pregnant women allowing them attending to clinic appointments that give them relevant information as pregnancy progresses. To effectively gain access to this facility, the government is also operating ambulance services across the country which has given a boost to the free health care that is now having enormous gains. Free Health Care in collaboration with the ambulance services has helped a lot to reduce infant mortality. This is evident as the infant mortality rate from 2009 to 2019 is at 80.9 deaths per 1,000 live births. This trajectory of reducing infant mortality is expected to grow more.

The Improvement of All Aspects of Environmental and Industrial Hygiene

146. To improve environmental and Industrial hygiene, a National Environmental Health and Sanitation Strategy was created for 2015–2020.

147. This Strategy articulates the main environmental health and sanitation service delivery priorities. The Strategic objective is to provide a framework for delivering environmental health and sanitation services to all Sierra Leoneans. It is the strategic plan for achieving the policy shift from supply-driven to demand-driven approaches with greater emphasis on technology sequencing. The strategy seeks to address challenges that have impeded growth and progress in the environmental health and sanitation sector. (“National Environmental Health and Sanitation Strategy 2015 ...”) This policy identified seven priority core service delivery programmes, namely: Housing; Food Safety and Quality Control; Integrated Waste Management; Integrated Vector Management; Occupational Health and Safety; Port Health Services and Water, Sanitation, and Hygiene.⁴⁹

Housing

148. The objective of Housing is to develop a framework for the inspection and control of housing and country planning activities to address health and sanitation issues in building plans and compound layouts. The implementation of this strategy has a lot of challenges as there is a gross lack of resources for Housing programme activities; inadequate or outdated housing programme legislation; absence of coordination and cooperation among control agencies of government; and no effective policy on Housing programmes in Sierra Leone.

⁴⁸ Rebuild Consortium, Country Situation Analysis, Sierra Leone.

⁴⁹ National Environmental Health and Sanitation Strategy 2015–2020.

149. Nevertheless, the government has done some progress in the environment and sanitation. In 2015 addressing health and sanitation issues in housing, malaria nets were periodically distributed to households to fight malaria been a leading course of morbidity and mortality, especially among under-five children.

150. The government in 2018 National Water and Sanitation policy stated that access to safe and adequate water for basic needs is a fundamental human right. Therefore, the government has been providing public taps to provide the leading source of quality drinking water in all regions, though not adequate, with sanitation that covers refuse, and bathing toilet facilities. There are still challenges in accessing a safe and adequate water supply, especially in the city of Freetown.

151. In the 2015 census, the government improved the method of refuse disposal in the country over the decade. The proportion using the leading method not changed much (55.4%) but the proportion of households that dumped their refuse anywhere had by half (14.9%). Households burning their refuse had increased two and a half folds (4.7%) and the proportion of households that had their refuse collected had more than doubled (8.8%).

152. In 2004 most households (80%) had their bathrooms outside their houses. But in 2015 the quality of bathroom facilities had made a soon moderate improvement. There is much improvement in toilet facilities as many households are using flush toilets instead of Ventilated Improved Pits (VIP). There is a need to move the environmental health and sanitation sector from a situation of comparative advantage to one of its competitive advantages.⁵⁰

Food Safety and Quality Control

153. Food Safety and Quality Control as a core service delivery programme is to ensure that all local and imported food served to the public and the premises where the food is served are regulated to protect the health of the public. A lot has not yet been achieved in food safety and quality control as the Food Safety Authority Act that was passed in Parliament in 2017 is yet to be implemented. Implementing this Act will ensure the safety and quality of food and feed to protect the public against health hazards by food safety offenders who should have been tried by a Sanitary Court that should have been set by the government. There are inadequate laboratory facilities to have tested food quality before consumption by the general public.

Integrated Waste Management

154. In implementing the Integrated Waste Management programme, the government is expected to ensure that all health facilities, educational establishments; all manufacturing and mining industries; business firms; public buildings; markets; parks; households, and rural communities are practically environmentally safe methods of waste disposal.

155. Though there are few private companies, the government is yet to be more proactive as it is evident in the country that in most cases, septic tanks effluent and household greywater discharged into streets and storm sewers; plastic bags, paper, rubber products, tomato cans, and other solid waste stuffed in storm sewers, integrated waste. For the Integrated Vector Management programme, the government is expected to reduce 80% of the incidence of diseases attributable to vectors and neglected tropical diseases.

156. This programme has room for improvement as there is weak coordination at inter-ministerial and inter-agency levels; weak capacity for surveillance, monitoring, and evaluation; a high population at risk of malaria; no data on ecological mapping of vector distribution.

Occupational Health and Safety

157. Occupational Health and Safety programme was designed to provide tools for the effective implementation of the programme. The government is faced with a weak human capacity in implementing this programme. It also lacks a policy, guidelines, and standards

⁵⁰ Sierra Leone Integrated Household Survey 2018.

for proper implementation of occupational health and safety activities, market women operating in poor and unsanitary environments, and lack of and limited use of protective equipment for workers in the workplace.

Port Health Services

158. The Port Health Services programme is for the Ministry of Health and Sanitation to develop a strategic action plan for the port health services programme and to lay down the framework governing the moment, through Sierra Leone's ports of entry and exit, of illegal and harmful drugs and substances of environmental and public health importance.

159. Due to the many illegal points of entry with our neighbouring countries, there is a lack of adequate staff to inspect and control humans for notifiable diseases and harmful substances. Government should ensure environmental sanitation within ports and frontier posts.

Water, Sanitation, and Hygiene (Washing)

160. With the Water, Sanitation, and Hygiene (WASH) programme, the government is to develop guidelines for the construction and maintenance of rural and urban sanitation facilities. In a bid to provide guidelines for the construction and maintenance of rural and urban sanitation facilities, the government has almost completed the Three Towns Water Supply and Sanitation Project which is to provide improved access to adequate, safe, and reliable water supply and public sanitation services for the three cities in Bo, Kenema, and Makeni, and to enhance the institutional, operational and management capabilities of Sierra Leone Water Company (SALWACO), the main service provider for water and sanitation services.

161. In improving WASH, the government has established the National Water Resources Management Agency (NWRMA) to protect, manage and regulate surface and groundwater resources. The Agency is also responsible for granting water rights, and water resources allotment among competing/data collection and sharing on water resources, with a view also to controlling the population. ("National Water Resources Management Agency – Sierra Leone").

The Prevention, Treatment, and Control of Epidemic, Endemic, Occupational and Other Diseases

162. The government has tremendously excelled in the prevention, treatment, and control of epidemic, endemic, occupational and other diseases especially with Ebola and COVID-19. However, there are still challenges in the prevention, treatment, and control of other diseases like malaria, hypertension, and diabetes. These diseases are yet to be controlled. The success gained in this area is the government's collaborative strategy with the Centre for Diseases Control and Prevention (CDC) which started working in Sierra Leone in the 1970s focusing on Lassa fever. The intervention of the CDC escalated with a focus on global health security and the Ebola response.

163. Sierra Leone has an effective surveillance laboratory, surveillance, emergency management, and workforce capacity to respond to disease outbreaks. As new health threats emerge (e.g., COVID-19) CDC and national partners are well-placed to leverage past successful initiatives and rapidly respond to new public health challenges. The government has done well to respond to outbreaks, control TB and Malaria, eradicate polio and prepare for influenza and other pandemic diseases have built strong foundations upon which COVID-19 is attacked.

164. Government can boast of having effective laboratory systems for rapid and effective epidemic response. Recently, the COVID-19 testing molecular laboratory has been commissioned in Makeni which makes the 6th COVID-19 testing site, in addition to; Central Public Health Reference Laboratory, Jiu P3 Laboratory, Connaught National Teaching and Referral Hospital Laboratory, 34 Military and Kenema Government Hospital Laboratory.

165. This is indeed remarkable progress for the health sector in Sierra Leone. Not only because we are having a new Molecular Laboratory in Makeni, but because as a country we have made tremendous strides in improving our preparedness and response capacity to

disease outbreaks. Sierra Leone in 2016, introduced an electronic Integrated Disease Surveillance and Response IDSRC (eIDSR) system that transmits data into a web-based District Health Information system (DHIS2).

Ebola Virus Disease (EVD)

166. The first case of Ebola Virus Disease (EVD) in Sierra Leone was reported on 25th May 2014 in the Kailahun district. A total of 3,589 confirmed deaths and 4,051 survivors. This Virus ravaged the country in all facets of society. It decimated families, the health system, the economy, and social structures. (“Ebola virus transmission has been stopped in Sierra Leone ...”) Ebola was unknown to our region, unknown to Sierra Leone, unknown to our health personnel and it attacked us with a ferocity that stunned the eventually we overcame that strange virus. It spread fear among citizens; it devastated communities, disrupted social life, and stalled our economy. But we soon learned that we must overcome our fears, confront the enemy and free our country from the virus. We learned and adapted as we fought on and eventually, we overcame that strange virus. We achieved this victory through the bravery of our health workers, the resilience of our communities, and the commitment of our partners.

167. There are lessons learned from Ebola. One abiding lesson is that reinforcing trusting relations between leaders and citizens is key, as are community participation, ownership, and bye-laws for any initiative to achieve its desired outcomes. The role played by the Chief Social Mobiliser in the fight played out positively in defeating Ebola. In fighting Ebola, isolated centers, Ebola treatment centers, and safe dignified burials were instituted. A toll-free nationwide phone alert system was established for rapid notification and response during the period. (“The 117 – call alert system in Sierra Leone: from rapid ...”) The system remained in place after the mandatory reporting and Ebola testing for all death, and from June 2016, testing only in case of suspected Ebola.⁵¹

168. Before the inception of Covid-19 in Sierra Leone on 30 March 2020, the government instituted prepared measures in the event the virus enters the country. The Emergency Operational Centre that was established during the Ebola period was reactivated. The President of Sierra Leone declared one year State of Emergency on March 16th, 2020 as additional precautionary and extraordinary measures. There was also restriction imposed on freedom of movement in terms of international travel and between July, 13th to 17 November, 2020 the different forms of imposed restrictions at different times on congregational worship, the imposition of nationwide night curfews, public gatherings lockdown, inter-district, and inter-district and international flight travels were all lifted.

169. The government also responded to the virus with a plan that was aligned with the National Medium-Term Development (NMTDP), 2019–2023. The strategy was two-pronged: a COVID-19 Health Preparedness and Response Plan, that focused on Saving Lives and the second was the Quick Action Economic Response Programme (QAERP) which aimed at Saving Livelihoods. In the health sector, the number of hospital treatment beds in March 2020 increased from 30 to over 720 by June 2020. (“United Nations A/HRC/WG.6/38/SLE/1 General Assembly”) One thousand beds were provided for COVID-19 added to a life insurance policy for 11,039 healthcare workers. In saving livelihoods, vulnerable groups were given safety nets in the form of the expanded cash transfer programme of Le. 35,000 to Le. 100,000 for households with a quota of persons with disabilities. Workers in both formal and informal sectors were also beneficiaries.⁵²

170. The government instituted a National Covid-19 Emergency Response Centre (NaCOVERC) which is the main body to fight Covid-19. it is collaborating with the Ministry of Health and Sanitation and other relevant Ministries, Departments, and Agencies in enforcing the implementing the relevant protocols by the populace in the fight against Covid-19.

⁵¹ Lessons from the Response to the Ebola Virus Disease outbreak in Sierra Leone May 2014–November 2015 Summary Report.

⁵² National Report for the 3rd Cycle Universal Periodic Review.

The Creation of Conditions that would Assure All Medical Services and Medical Attention in the Event of Sickness

171. Construction of district hospital laboratories. Procurement of laboratory equipment. Operationalize the Sierra Leone Social Health Insurance (SLeSHI) scheme to provide universal healthcare coverage for all and sundry across the country. The Free Health Care Initiative (FHCI) provides maternal and child health services to pregnant women, lactating mothers, and children under five years at no cost. It has also been providing malaria testing and treatment services free to the entire population since 2010. This scheme has expanded beneficiaries to physically challenged persons and Ebola survivors and very shortly to school-going children (School Health). A new public health Act is to be enacted replacing the new public health ordinance Act of 1960. To strengthen the Health Management Information System (HMIS) to support informed decision-making by providing quality data at all times. Increase vaccinations of children (12–23 months) against vaccine-preventable diseases (tuberculosis, diphtheria, whooping cough, tetanus, polio, and measles). To increase by 2023 the total fertility rate for women of childbearing age (15–49 years) from 4.1 in 2017 to 3.5 in 2023. To reduce teenage pregnancy from 28% in 2013 to 10% in 2023. Government to provide cost-recovery drugs to cater to the entire population of the country. These drugs will effectively serve the nation as an assurance of quality is observed.⁵³ The government has made tremendous improvements in the employment of doctors, and nurses in the health system. Some of these nurses were serving as volunteers without pin codes and these accounts for most of them not fully committed to working as those with pin codes. From 2018 to 2020, the government employed four thousand health workers and will continue to employ three thousand inclusive nurses and essential workers.

Budgetary Allocation

172. Sierra Leone has continued to increase government budget allocation to health in compliance with the Abuja declaration for African countries to allocate to health a 15% of the national budget. There is a progressive increase in the national budget for health from 7.4% in 2012 to 11% in 2020.

Health Education

173. The Health Education Division is one of the Technical Programmes under the Directorate of Primary Health Care in the Ministry of Health and Sanitation. It is responsible for the provision of Health Education and Health Promotion to change behaviours. Health Education gives out a lot of information on health deliveries and this has gained some prominence with the level of interaction in combating different outbreaks of epidemics and other outbreaks. Sierra Leone is improving on all of the above challenges and will uplift its people to enjoy the highest attainable standard of physical and mental health.

Article 13: Right to Education

174. The President in his New Direction Government Agenda identifies education as its flagship program to develop the human capital of the country. This is the more reason the MTND Plan 2019–2023 is named “Education for Development”. In the Plan, they identify key targets, and they are: By 2023, implement free quality basic and senior secondary education by, 2023 increase access, equity, and completion rates at all levels of schooling (formal and non-formal) above the 2018 rate. Recognizing the significance of education to national development, the new direction Government allocated almost a quarter of 22% of the national budget to education in Sierra Leone, the government has taken some steps regarding the provision and management of education to intensify and strengthen educational improvement initiatives at all levels of the education system from foundation phase through to the tertiary level. Following the 2018 elections, the new administration split the Ministry of education into two. The Ministry of Basic and Senior Secondary Education – is responsible to oversee pre-primary, primary, and secondary education. The Ministry of Technical and Higher Education – is responsible for technical and tertiary education.

⁵³ Ministry of Health and Sanitation Mid Term Performance Tracking.

Local Government Act 2004, Part V, Section 20, (k) (1), Third Schedule

175. Provides for the transfer of management and supervision responsibilities for basic education, from central government to local government.” (“National Curriculum Framework & Guidelines For Basic”) White paper on education 2010: Provides for reduction of class size; performance contracts for headteachers and principals; and library facilities in every school. National Education Policy 2010: States the goal of education is “to develop citizens that can contribute to building a cohesive, healthy, and strong nation with a sustainable and dynamic economy; a free, just and peace-loving society; a democratic and harmonious society; and a moral and disciplined society” Teaching Service Commission Act 2011 provide for the transfers responsibility for teachers from the Ministry to a semi-autonomous Teaching Service Commission (TSC), with a mandate to “manage the affairs of teachers to improve their professional status and economic wellbeing and for other related matters”.

Relevant Legal and Policy Instruments Regulating Education in Sierra Leone

176. 1991 Constitution, Chapter 2, N0.9(1,2) Identifies education as an instrument for national development. It commits the Government to equal rights and provision of educational opportunities for all citizens at all levels (primary, secondary, vocational, colleges, and universities). “More specifically it states that the Government should develop policies that provide free and compulsory basic education at primary and junior secondary levels as and when practical” (“National Curriculum Framework & Guidelines For Basic”) Education act of Sierra Leone 2004. Compulsory Education – Part II, sub-section 3, No. 2 – Every citizen of Sierra Leone shall have the right to basic education which accordingly shall be compulsory and shall be designed to:

- Provide facilities for all citizens to be literate and numerate and help them to cultivate the knowledge, skills, and attitudes that will enable them to earn a good living;
- Improve the social and health circumstances of the citizen.

177. Inculcate patriotism to enable the citizen to understand the complexities and opportunities of the modern world. Punishment for parents – Part II, sub-section 3 No. 4 – A parent, including a guardian, who neglects to send his child to school for basic education commits an offence and shall be liable on conviction to a fine not exceeding Le500,000.00 or to imprisonment for a term not exceeding one year or to both such fine and imprisonment. Non-discrimination for admission for boys and girls – Part II, sub-section 4. (1) This Act and any other enactment and administrative instructions relating to education shall be administered and interpreted in such a manner as to ensure that there is no discrimination between pupils or students in the matter of their admission to and treatment in any educational institution in Sierra Leone but nothing in this section shall be deemed to forbid or restrict – Part II, sub-section 4. (2) For this section “discrimination” includes any distinction, exclusion, limitation, or preference which, being based on race, colour, sex, disability, language, religion, political, national, or social origin, economic condition, or birth, has the purpose or effect of impairing equality of treatment in education at any level. Child Rights Act 2007: Makes education rights binding in the laws of Sierra Leone for commitments relating to the United Nations Convention on the rights of the child (CRC), and the African charter on the rights and welfare of the child.

*Educational Programmes**Free Quality School Education (FQSE):*

178. On the 20th of August 2018, The President of Sierra Leone launched the FRSQ which is the flagship programme of his new direction government. To successfully implement the program the president established the FQSE Secretariat. The program which commenced at the beginning of the 2018/2019 school year in September 2018; seeks to remove financial barriers to attending school while ensuring that students learn under the supervision of trained and qualified teachers with the right facilities and equipment; the government presents a per student block grant to all approved government and government-assisted schools and enforces that schools do not charge fees; the block grants are supposed to substitute for school

fees and cover running expenses such as salaries for non-teaching staff, paying for facilities maintenance and basic materials. The government also provides educational materials directly to schools, including textbooks for core subjects, and supplies to students and teachers, and will cover examination fees.

179. The government has procured and distributed textbooks for the four core subjects of English, mathematics, Social Studies, and Integrated Science to all government and government-assisted primary schools and English Language and Mathematics for JSS and SSS. The government has provided 12 million exercise books and 4334 assorted teaching and learning materials (Pens, pencils, chalk, attendance registers, sports equipment, etc.) to Government and Government-assisted schools at all levels. The government procured 3billion worth of school furniture to accommodate the increase in school enrolment. The government has spent 69billion Leones on school feeding for rural and poverty striking areas in the country. Increase in school subsidies: The government has increased school subsidies from over 89 billion in the 2018/2019 school year to 103billion in the 2019/2020 school year. The government recently paid over 51 billion to 6,965 Pre-primary, Junior Secondary, and Senior Secondary Schools with an enrolment of 2,139,562 pupils as a subsidy for the first 2nd term of the 2020/2021 school year;⁵⁴ Phasing out of double-shift schooling and also reverted from the 6-3-4-4 system of education to the 6-3-3-4 system of education; The government has approved 3,044 Schools to become Government-assisted schools throughout the country; Again 5,000 qualified new teachers are recruited in the schools through the Teaching Service Commission; Enhancing free Quality Education during COVID-19 pandemic, provided bucket and receivers to Government and Government-assisted schools at all levels and Facemasks two each to a pupil in public examination classes; Increase in school enrolment increase because of the introduction of Free Quality Education. Of the 2,654,306 that were enrolled in 2019, 2,200,000 were catered for in the Free Quality School Education programme.⁵⁵

180. However, even with the introduction of FQSE, according to the Sierra Leone Integrated Household Survey (SLIHS) report, there is an alarming percentage of school dropouts in all districts, ranging from 20.9% in Falaba to 39.3% in Western Area Rural districts, and so this is a concern for all stakeholders in the education sector. From the annual 2019 annual school census, despite the increase in learners between 2018 and 2019, there is a significant drop in learners between class 1 and class 2. Throughout the system after class 1, there is a gradual drop in learners between 2018 and 2019, the reason attributed to this was that most of the pupils who started school in class 1, should have started in Pre-primary school. In 2019, the annual school census data indicates that there was a dropout rate from class 6 –JSS 1, and the dropout rate for girls for the same year was 7.8% as compared to boys’ 2.5%. The dropout rate for girls from JSS 3 – SSS1 was 8.8% compared to 5.7% for boys.

Measures to Support Free Quality Education

181. There are distance learning programmes for teachers which aim to increase the quality teacher-pupil ratio in schools. The programme is designed to allow teachers in rural areas to upgrade while in the classroom and cannot attend the normal /regular college; b. School Bus Programmes: As a bonus to the FQSE, the government has also successfully introduced a national school bus system by procuring fifty FQSE school buses through the Ministries of Finance and Transportation and Aviation which children across the country are utilizing under stringent management by communities, local councils, youth organizations, and the police to help them get to school and home with ease. This is to enhance FQSE for the transportation of school children to and from their respective schools; Teaching Service Commission (TSC); Management of teachers has been transferred to the Teaching Service Commission through the TSC Act of 2011. The sole mandate for teacher Recruitment, Assessment, Transfers, and Promotions. The TSC has developed a Teacher Deployment Policy which has been adopted and ratified by parliament and clearly defines the teacher management responsibilities of the TSC; School Feeding Programme – Since 2008, fuel and financial crises have highlighted the importance of school feeding programmes both as a

⁵⁴ Ministry of Finance, Public Notice – 3r March 2021.

⁵⁵ 2019 annual school census.

social safety net for children living in poverty and food insecurity, and as part of national educational policies and plans. School feeding programs can help to get children into school and help to keep them there, through enhancing enrolment and reducing absenteeism; and once the children are in school, the programs can contribute to their learning, by avoiding hunger and enhancing cognitive abilities.

182. There is a school feeding program which is within the FQSE Secretariat the aim of which is: to ensure that every child registered in preschool, primary, and Junior Secondary School will have access to nutritious food required for promoting their attendance and retention in school in selected communities in all the provinces; to promote learning, health, and nutrition, growth, and development of the children. A nationally owned and run home-grown school feeding of the kind that is the object of this policy puts a considerable premium on the multi-facets aspect of school feeding including linking school feeding activities with local food production and procurement that can trigger social and economic development of communities. As of March 2021, 434,671 children in all 14 districts (102 out of 224 chiefdoms) were being fed in 1,604 out of 5,333 government and government-assisted schools nationally.

Measures Taken to Mitigate Dropout in Schools

183. Hands off our Girls initiative – 2019 – “Hands off our Girls” is an initiative that is instituted by the first lady of Sierra Leone – Madam Fatima Bio. The primary aim of the initiative is to reduce teenage pregnancy, preventing girls from rape and early child marriage thereby discouraging drop out of school for school-going girls. To complement the Hands off our Girls initiative, the Chief Justices of the Supreme Court of Sierra Leone through his administrative powers established a Sexual Offences model court in 2020. The initiative coupled with the Sexual Offences model court has acted as a deterrent in preventing the exploitation of underage girls for sexual purposes.

Radical Inclusion-2020

184. This policy allows pregnant teenage girls to attend regular school. It also makes provision for children with disabilities to attend regular normal. Among other things, radical inclusion in education is intended to stop early marriage, encourage parents to send their pregnant girls to school, and foster no discrimination and friendly schooling. Other policies are for Parents to always share success stories of great women with their girl child. The government through a non-formal education program has established a Girls Access to Education and Services (GATES) for out –of school girls project to reduce adolescent pregnancies and enhance retention and completion among girls. Incorporate sexual and reproductive health education into the school curriculum to educate boys and girls on the sexual and reproductive consequences of early pregnancy.

The Nature and Role of Vocational and Technical Schools in the Educational System

185. Technical Vocational Education and Training (TVET) is a structured system aimed at providing students/trainees with the necessary knowledge and skills to continue their studies at the Tertiary education level or to exercise a profession for employment and self-reliance. Technical Education puts more emphasis on the theoretical, whilst vocational training is a structured system that aims at providing students/trainees with the necessary knowledge and skills for employment and self-reliance. It is both initial and continuing training. The objectives for the establishment of TVET are: to fill the gap in technical and vocational manpower needs of Sierra Leone by substantially increasing the number of Indigenous skilled lower-middle level ‘blue collar’ workers; to produce a more literate, numerate, and enterprising lower-middle level technical and vocational workforce and thus speed up national development; to encourage women and girls to participate in national development through the acquisition of technical and vocational skills; to correct the present geographical imbalance in the distribution of technical and vocational resources; to develop appreciation and understanding of the increasing complexity of science and technology; to create an enabling environment for the development of appropriate indigenous technology; to provide training for technical and vocational instructors, teachers, and lecturers; to develop an appreciation of cultural and aesthetic values in productive work.

186. Several existing Policies, Acts, and Plans have addressed issues of TVET with emphasis on self-reliance and actualization for the development of the economy through areas of urgent need, especially in Agriculture, Industry, and Commerce. The National Council for Technical and Other Awards 2001 (page 3132): (1) To provide validation and certification services for specialized and professional programs in a tertiary education institution. The Polytechnic Act 2001: Makes provision for the establishment of Polytechnic institutions and polytechnic Councils in the country. It makes provision for one member of the council of TVET institutions in Sierra Leone to be a member of polytechnic councils and the academic boards in part 4, the Act stipulated that among its numerous functions a polytechnic should grant diploma and certificate through the NCTVA. Education Act 2004 9. (1) State definition aim: and objectives of Technical Vocational Education (2) Establishment for NCTVA and its composition (3) Certification and awards at various levels in Technical and vocational Institutes and Secondary Schools. Sierra Leone Education Sector Plan 2007–2015 (chapter 6 page 61): To provide more and improve literacy and skills training in TVET institutions below the polytechnic level. Sierra Leone National Youth Policy 2003–4.5: The policy identifies skills training as one of its areas of priority. Information from the Education Sector Plan 2018–2020 indicates that there were 380 TVET institutions registered with the Ministry of Education, with a total enrolment of 27,055 in 2019 of which 9,848 (36%) are males and 71,207 (64%) are females. In addition, there are 1,718 teachers of which 611 (36%) are males and 1,107 (64%) are females.

187. Over the years, enrolment in tertiary education has increased with the introduction of the FQSE program. The enrolment in tertiary institutions increased as students transitioned from Senior Secondary schools to tertiary institutions. There is a gradual increase in student enrolment from 89,592 in 2017 to 101,817 in 2018 and 129,196 in 2029.⁵⁶

Article 15: Right to Take Part in the Cultural Life

188. Cultural life is part of the Sierra Leonean heritage with Section 12 of the Constitution of Sierra Leone, Act No. 6 of 1991, making provision for the “Enhancement of National Culture” with an aspirational expression of GOSL to (a) promote Sierra Leonean cultures such as music, art, dance, science, philosophy, education, and traditional medicine which is compatible with national development.

189. In its quest to enhance the cultural life of the people, GOSL has taken concrete steps to create an enabling environment with the Ministry of Tourism and Cultural Affairs, the National Tourist Board, the Monuments and Relics Commission, the National Dance Troop, addition to the National Museum and the Sierra Leone National Railway Museum, among others. There is also a growing entertainment industry inclusive of music and film-making with GOSL working assiduously in concert with entertainers, record labels, actors’ guilds, and producers to regularize their status and give the industry a structure to enhance its economic potential. With such interest expressed by GOSL, many more artists and related groups are showing great interest in the music and film industry in the country.

190. Except for restrictions regarding the fight against the EVD⁵⁷ epidemic then and now the COVID-19 pandemic, cultural life especially in rural communities has been encouraged with cultural displays, masquerades, and cultural music, in addition to cultural dance, as common practice. Conscious effort is being made to enhance our traditional past through oral tradition with storytelling and drumming playing a predominant role. Bubu Music, Milo Jazz, and Palm Wine Music continue to showcase Sierra Leone in the world of entertainment with prominent names like Dr. Orlor, Ebenezer Calendar, Ahmed Janka Nabay, Sir Rogie, and the like, blazing the trail. The cultural sites (especially sacred bushes) are mostly intact, and many more heritage sites have been approved and protected by GOSL with employment potential under the auspices of the Ministry of Tourism and Cultural Affairs with guidance provided by the Monuments and Relics Commission, an institution established in 1948 after the enactment of the Monuments and Relics Ordinance No. 12 of 1946 with the mandate “to

⁵⁶ Republic of Sierra Leone Education Sector analysis –2020.

⁵⁷ Sierra Leone was gripped with the Ebola Virus Disease epidemic in 2014.

provide for the preservation of ancient, historical and natural monuments, relics and other objects of archaeological, ethnographic, historical or scientific interest”.

191. Arts and Culture continue as significant elements of the Sierra Leonean consciousness forming part of the formal curriculum in learning institutions with a focus on Creative, Practical, and Performing Arts resulting in different art forms across the country. Painting, Carving, and Weaving continue unabated, and they constitute lucrative trades with huge touristic potential. Graduates of Performing Arts are mostly part of those promoting the film-making industry that is gaining traction among the youthful population in the country. There is a draft National Film Policy to guide the process as the potential of the industry is tapped into. As an expression of interest in Arts and Culture in the country, the Office of the President is hosting a Senior Presidential Adviser and Ambassador of Heritage and Cultural Affairs with the current holder⁵⁸ being a former faculty of Cultural Studies at the University of Sierra Leone. Also, the Office of the President has appointed an Ambassador for Entertainment and Investment as an expression of the political will with a young entertainer⁵⁹ serving in that capacity.

192. Consequent to the war situation in the country between 1991 and 2002 resulting in the closures of cinemas and theatres across the country for especially economic reasons, street theatres continue unabated in addition to the availability of electronics mass media, and the worldwide web through the internet creating further opportunities for talent explosions. In recent times, through collaborative engagements with evident support from GOSL, the nation has hosted four reality television shows, two each, named “Big Sister Salone” and “Housemates Salone” showcasing natural talents whilst building the entertainment industry in the country. It must be noted that in addition to AYV TV that has hosted the first edition of “Big Sister Salone” and both editions of “Housemates Salone,” privately owned, SLBC TV, the national broadcaster, hosted the latest edition of the “Big Sister Salone” reality show.

193. With the religion of the people considered a key to the enjoyment of their cultural rights, religious tolerance is still commonplace in Sierra Leone with known Christians and Muslims belonging to the same or different secret societies, fraternal or esoteric, with GOSL creating the enabling environment for mutual tolerance. It must be reported that even in the worst moment of the country’s history, the eleven years of civil war, there was no evidence of religious and ethnic, or tribal influence in the conflict. In some public functions, Muslim and Christian prayers are offered in addition to the pouring of libation as a way to invoke the presence of God for such public functions.

194. There is now ample opportunity to codify the cultural practices of Sierra Leone through works of literature with the platform created by the Sierra Leone Writers Series (SLWS), among others, a standard publishing house owned by a Sierra Leonean. The literature of Sierra Leone and the works of Sierra Leonean writers are now taught in learning institutions spanning the entire national curriculum. It is also a curricular prescription to teach local languages across the length and breadth of Sierra Leone with learners allowed to experience the local culture through the formal curriculum. Sierra Leone has enacted a copyright law with the Copyright Act No. 64 of 2011 “being an act to provide for the protection of copyright in Sierra Leone and other related matters” as Sierra Leoneans are accorded the opportunity to benefit from their intellectual property.

195. Traditional science through traditional medicine is no longer an anathema in Sierra Leone as there is now a nationally recognized union of traditional healers. Their membership is usually consulted to address issues concerning public health. During the fight against the EVD epidemic and in the current fight against the COVID-19 pandemic, their membership is involved in preventing and curtailing the spread with their leadership involved in GOSL’s strategy to win the fight.

⁵⁸ Rev. Raymond de Souza George is the present Senior Presidential Adviser and Ambassador of Heritage and Cultural Affairs in Sierra Leone.

⁵⁹ Amara D. Turay (Alias Kao Denero) is the current Ambassador for Entertainment and Investment.

196. There is a vibrant cultural life in Sierra Leone with the need for enhancement with GOSL making strides to help the people realize their cultural rights.
