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## **Report of the Working Group on the Universal Periodic Review\***

### **Sierra Leone**

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\* The annex to the present report is circulated as received.

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## Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its eleventh session from 2 to 13 May 2011. The review of Sierra Leone was held at the 8th meeting on 5 May 2011. The delegation of Sierra Leone was headed by Franklyn Bai Kargbo, Attorney-General and Minister of Justice. At its 12th meeting, held on 9 May 2011, the Working Group adopted the report on Sierra Leone.
2. On 21 June 2010, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Sierra Leone: Maldives, Slovakia and Zambia.
3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of Sierra Leone:
  - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/11/SLE/1);
  - (b) A compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/SLE/2);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/SLE/3).
4. A list of questions prepared in advance by Belgium, the Czech Republic, Ireland, the Netherlands, Norway, Slovenia, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland was transmitted to Sierra Leone through the troika. These questions are available on the extranet of the UPR.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. In his introductory remarks, the head of delegation provided the context in which the national report under the UPR was compiled. The present Government came to power in September 2007 headed by President Koroma. A new rights-based development framework was quickly enunciated by the Government, called an Agenda for Change. The process for reporting under the UPR was launched by the President in 2010 and designated as a priority activity. Extensive consultations were held with civil society, children, women development partners and traditional and religious leaders, with the help of partners.
6. The delegation reminded participants that Sierra Leone had suffered a brutal 11-year war, fought against unarmed civilians. Massacres, murder, forced recruitment of children into the fighting factions and forced marriages marked this war. The war officially ended on 18 January 2002, following which two transitional-justice mechanisms were established. The Truth and Reconciliation Commission (TRC) was tasked with collating a historical record of the conflict and making recommendations to avoid any reoccurrence of conflict. The Special Court for Sierra Leone, which is a hybrid court, was established by the Government and the United Nations. It was tasked with addressing impunity for those bearing the greatest responsibilities in the perpetration of egregious human rights violations during the war. Eight persons were now serving prison sentences in Rwanda. The trial of the former President of Liberia, Charles Taylor, continued.

7. The basic law of Sierra Leone is the 1991 Constitution of Sierra Leone. It contains an entrenched Bill of Rights under its Chapter III. In 2007, the present Government inherited a Constitutional Review Process which had addressed emerging concerns about legislation that discriminated against women and discriminatory provisions within citizenship legislation as well as questions relating to the abolition of the death penalty. The delegation indicated that this process had been put on hold pending the 2012 elections, given the fragility of Sierra Leone's new democracy.

8. The Government planned to adopt legislation, prior to the next election, to accord 30 per cent representation for women in all public positions, including parliamentary administration and Cabinet positions. Consultations were ongoing on this matter. Information was provided on recently adopted legislation, including the Registration of Customary Marriage and Divorce Act of 2007, the Devolution of Estates Act 2007, the Domestic Violence Act, the HIV Prevention Act of 2007 and the recently passed Disability Act.

9. Reference was made to the National Human Rights Commission established in 2004 which controlled its own processes and budget. It was expected that the Commission would shortly be accredited under the Paris Principles.

10. On the protection of women and girls, the Government intended to press the issue of curtailing and eventually abolishing deeply rooted harmful traditional practices such as early marriage and female genital mutilation (FGM). Legislation had been passed to mandate the age of consent at 18 years. The Government has also embarked upon a massive sensitization of the population about FGM in collaboration with the United Nations.

11. Sierra Leone held its fiftieth anniversary on 27 April 2011. The UPR provided an ideal opportunity for serious stocktaking and showcasing the steps taken to meeting its international obligations.

## **B. Interactive dialogue and responses by the State under review**

12. During the interactive dialogue, 41 delegations made statements. A number of delegations commended Sierra Leone for its commitment to human rights issues, for the national report which set out the challenges faced by the Government, as well as for cooperating and consulting with civil society in its preparation. A number of delegations recognized the human rights progress achieved after more than 10 years of civil war. Recommendations made during the dialogue are to be found in section II of the present report.

13. Japan commended Sierra Leone's efforts to promote the reintegration of former child soldiers. It welcomed the educational reform and the establishment of a free health care programme. It noted with concern the systematic abuse of women, girls and children during the conflict, the continuing gender-based violence, and structural and legal gender inequality. Japan inquired on specific measures taken to respond to recommendations made by United Nations institutions to amend discriminatory domestic legislation against women and to ensure equality in employment between women and men. It made recommendations.

14. Nepal noted with appreciation legislative and institutional initiatives undertaken and the efforts made for socio-economic development and enhancing effective service delivery. Sierra Leone was also commended for its reconstruction and rehabilitation strategies. Nepal urged the international community to support Sierra Leone's initiatives through technical assistance and capacity-building. It made recommendations.

15. Poland noted the enactment of some crucial laws in the fields of women's and children's rights. Poland was aware of Sierra Leone's challenges, caused by difficult socio-economic conditions and capacity constraints. It made recommendations.

16. Algeria commended the setting up of institutions and mechanisms and the adoption of action plans and national strategies in the areas of the rights of children, women and persons with disabilities. It noted that in spite of Sierra Leone's commitment to end discrimination and violence against women and to include at least 30 per cent of them in political life, these objectives remained a challenge. Algeria mentioned the overcrowding in prisons. It made recommendations.

17. Morocco commended Sierra Leone's political commitment to achieve truth and reconciliation; to establish peace and stability; and to rebuild the social fabric through dialogue. It commended the legal and institutional measures taken, good governance and other human rights achievements. Morocco called for solidarity and technical and financial assistance to support these efforts, notably to organize and speed up constitutional reform, to implement fundamental rights and meet the priorities of the Millennium Development Goals (MDGs) such as access to food, housing, health, water and education. It made recommendations.

18. France raised concerns about gender discrimination, particularly the underrepresentation of women in politics, discrimination of women under customary law and the lawfulness of female genital mutilation. It asked if legal measures and strategies were being considered to remedy this situation. France asked about the measures to put an end to human ritual sacrifice and about intentions to abolish death penalty. It requested information on the measures to remedy the overcrowding in prisons and poor detention conditions. It asked about the provisions considered to combat impunity for the crimes perpetrated during the armed conflict and the 2007 elections and to punish abuses committed by the police and the security forces. France made recommendations.

19. Canada expressed appreciation for Sierra Leone's commitment to fully implement the TRC recommendations. It noted the Presidential Apology to women and girls for their suffering during the war, the National Action Plan on Security Council resolutions 1325 (2000) and 1820 (2008) and the establishment of Family Support Units. Canada welcomed Sierra Leone's commitment to equality and non-discrimination principles. It made recommendations.

20. Ireland welcomed the Human Rights Commission while noting reported funding difficulties. Ireland noted the TRC's contribution to hastening the development of human rights culture and commended the Government's commitment to fully implement the TRC recommendations. It referred to significant corruption issues within the Sierra Leone police undermining public confidence in the institutions. Ireland welcomed Sierra Leone's de facto moratorium on the use of death penalty but noted that much work remained to permanently remove this punishment from legislation. Ireland made recommendations.

21. Azerbaijan noted Sierra Leone's social and economic challenges stemming from the civil war. It welcomed the measures taken to investigate the issues related to the war and the commitment to rebuild society and economy. It also commended the gender equality efforts, including the National Gender Strategic Plan and the establishment of Family Support Units. It mentioned the Children's Forum Network, the Directorate for Gender and a Directorate for Children. It made recommendations.

22. Spain recognized the efforts made by Sierra Leone to overcome the wounds of armed conflict and the steps taken to improve the human rights situation, although serious human rights issues remained. As a sign of improvement, Spain referred to the two electoral processes carried out in the country. Spain made recommendations.

23. The delegation replied that Sierra Leone intended to meet its human rights treaty reporting obligations in the future, however, there was a need for technical assistance in that regard.
24. While there may be instances of child labour, the delegation reaffirmed that the recruitment of children in the armed forces had been expressly prohibited under the Child Rights Act and extensive publicity had been given to that ban.
25. The delegation explained that there was no violence during the 2007 election. However, after the election, there was an incident in Freetown. With the facilitation of UNIPSIL, a Commission was established, with Commissioners nominated by all concerned parties. A report was produced, blame was apportioned and the necessary steps were taken. The delegation noted that another report about violence, unrelated to elections and ethnicity, was outstanding. The Government intended to address those issues and bring the perpetrators to book.
26. The Government was committed to the elimination of the practice of FGM. Steps were being taken progressively and continuously to reach that goal.
27. There was no discrimination on the grounds of sexual orientation. It was expressly prohibited under the Constitution. The delegation reiterated the Government's commitment that persons under its jurisdiction will be protected by the law.
28. The delegation referred to a new Local Courts Act which brought the administration of justice at the customary and traditional level into the mainstream and the formal legal system. It was expected to become law by the end of June. The law would bring the administration of these courts under the purview of the Chief Justice, reducing the possibility of violations and non-access to justice. The Government in Cabinet had also adopted a national legal-aid project which was extended to the local courts level. That legislation was being reviewed by Parliament. Additionally, the Government had created an enabling environment whereby NGOs and other institutions operated a legal aid system at the community level.
29. Currently, Sierra Leone had no death-row prisoners. On 27 April 2011, the President of Sierra Leone commuted all death sentences to life imprisonment and three death-row prisoners were given a pardon. No one had been executed in Sierra Leone since 1998. The question of the abolition of the death penalty was on the legislative agenda of the Government. It had been extensively discussed during the Constitutional Review Process. That process will continue after the 2012 elections.
30. On the question of citizenship the Government recognized that the provision in its 1973 Citizenship Act requiring that forefathers twice removed must be of negro-African descent, was contrary to international human rights obligations. That issue will also be addressed in the future Constitutional Review process.
31. Norway expressed concern regarding women's and girls' illiteracy, jeopardizing their job possibilities and active involvement in development. Norway expressed concern about infant and maternal mortality rates. While commending Sierra Leone's support for the joint statement on ending human rights violations based on sexual orientation and gender identity, Norway noted that criminal sanctions against sexual activity between consenting adults of the same sex were maintained. It expressed deep concern about impunity in cases of sexual violence. It made recommendations.
32. Cuba mentioned Sierra Leone's challenges, due to economic crises, international exploitation and civil war, highlighting poverty, youth unemployment, poor basic social infrastructure, street children, youth violence and women's underrepresentation in leadership positions. Cuba noted progress to achieve peace and reconciliation; to prioritize free public health care; to implement policies to fulfil the rights of women, as

recommended by the TRC, and to reduce illiteracy by increasing free and compulsory education. Cuba made recommendations.

33. Austria welcomed the elaboration of the national report in consultation with civil society. It commended institutional reforms, including the establishment of the Human Rights Commission Anti-Corruption Commission, the Human Rights Secretariat and the Parliamentary Human Rights Committee. It noted that important TRC recommendations had yet to be implemented and asked for further information on the delivery of benefits to war victims and completion of the constitutional review process. It expressed concern about the high level of violence against women, particularly the widespread practice of FGM and asked about concrete steps taken to discontinue the practice. Austria made recommendations.

34. Germany noted the establishment of a Commission to review the Constitution, a key recommendation of the TRC. Germany wished to know how the Government would advance its efforts to overcome the contradiction between Constitutional provisions and progressive human rights-supportive laws, for example, in the field of equality between women and men. Germany noted estimates that 90 per cent of women in Sierra Leone had undergone FGM. It made recommendations.

35. Argentina highlighted the actions of the Special Court for Sierra Leone to investigate, prosecute and punish those responsible for the crimes committed during the armed conflict. Argentina placed stress on the implementation of mechanisms to recognize the conflict's victims and provide them with reparation. It made recommendations.

36. Brazil welcomed Sierra Leone's commitment to combat poverty, consolidate democracy and revitalize the economy through the implementation of the "Agenda for Change". Brazil noted such achievements as the Presidential Apology to women and girls, the adoption of the Domestic Violence Act, the establishment of mechanisms to investigate cases of sexual and domestic violence and free health care programmes. It appreciated assurances that the abolition of the death penalty was on the legislative agenda and that a standing invitation was issued to the special procedures. Brazil noted the persistence of a high incidence of gender-related crimes and that challenges remained in relation to access to medical care and legal assistance. It made recommendations.

37. Australia congratulated Sierra Leone for its request to be considered by the United Nations Peace Building Commission. Australia called for the domestic implementation of international human rights treaties and the TRC recommendations. Australia expressed concern about extended periods of detention without trial resulting from a lack of prosecutorial capacity, and reported impunity in cases of gender-based violence as well as the exploitation of child labour. It encouraged Sierra Leone to strengthen its judicial system. Australia was pleased to have provided assistance to Sierra Leone. It made recommendations.

38. Chile pointed to the TRC and its 2004 report as an important transitional-justice mechanism to fight impunity, promote national reconciliation and guarantee their non-reoccurrence. Chile congratulated Sierra Leone on its efforts to implement the TRC recommendations. Chile especially welcomed the recent free public health programme and noted the death-penalty commutations. Chile made recommendations.

39. Hungary acknowledged the TRC's remarkable work, the adoption of the Health Sector Strategic Plan 2010-2015 and the establishment of the National AIDS Secretariat. Hungary noted that primary education was still not free of charge and that the lack of infrastructure and overcrowded classrooms affected the learning environment. Hungary suggested that Sierra Leone use the concluding observations of treaty bodies to identify the most pressing human rights issues. It made recommendations.

40. The Netherlands commended impressive legal developments, while noting that the basic rights of vulnerable groups remained threatened, especially those of women and children, prisoners, human rights defenders and journalists. Their right to freely express and organise themselves had reportedly been violated without the intervention of the authorities. It took note of the National Strategic Plan for HIV/AIDS. It thanked Sierra Leone for supporting the statement on ending human rights violations based on sexual orientation and gender identity, while referring to reports that LGBT people did not benefit from the protection afforded by article 27 of the Constitution which prohibited discrimination. It made recommendations.

41. The delegation indicated that although the Follow-up Committee to the Truth and Reconciliation Committee had yet to be constituted, the Government intended to do so, in due course. Recommendations of the TRC were, nevertheless, being implemented. For example, the National Commission for Social Action was implementing the reparations programme. Despite a background of severe economic constraints and unfulfilled assurances from development partners, Sierra Leone continued to implement the Commission's recommendations.

42. Ratification of international treaties was at the top of the Government's agenda. An agency had been set up within the Ministry of Foreign Affairs to assist in this task and the delegation asked that partners consider giving assistance to strengthen its capacity.

43. Reconciliation was a national endeavour and paramount to Sierra Leone. On the fiftieth anniversary of the country's independence, the President promised to hold a national conference in the second quarter of 2011 at which issues would be openly discussed.

44. The Government had supported the National Human Rights Commission since its establishment, including through the payment of salaries and had allocated a building to the Commission. The delegation requested that interested countries consider the possibility of augmenting the Government's efforts.

45. On the question of corruption, the Government has established an autonomous Anti-Corruption Commission. Though its work, three Government ministers were prosecuted, and the Head of the National Revenue authority and other Government agencies were brought before the courts. The Anti-Corruption Commission had the full support of the Government as it recognized that corruption was also a violation of human rights.

46. Free health-care service was introduced in 2010 and continued, despite severe constraints, such as the "brain drain" of doctors and other trained health personnel. The Government was considering ways to address this situation and in the next few weeks is planning to set up a second teaching hospital with a view to increasing the number of trained medical personnel.

47. Child labour was being addressed. Priority had been given over the last six years to enhancing the formal education of girls. By way of affirmative action, certain incentives had been provided to the family and the child, including through the Government's SABABU education project. The entire education sector had also been the subject of a review, recommendations of which were being currently being considered by the Government.

48. Mexico recognized Sierra Leone's efforts to create and promote a human rights culture and to investigate and punish the human rights violations committed. Mexico noted the TRC and its Reparation Programme which provided financial support and labour training to the war victims Mexico asked for Sierra Leone's views on ensuring continuity of the reparation programme through international cooperation and capacity building. Mexico took note of Sierra Leone's presidency of an Economic Community of West African States



(ECOWAS) Commission as a demonstration of the country's political will to promote and protect human rights. Mexico made recommendations.

49. Switzerland praised Sierra Leone's efforts to promote national reconciliation and implement many TRC recommendations. Switzerland welcomed the legislation adopted on domestic violence in 2007 and encouraged renewed efforts for its implementation. Switzerland expressed concern at the prevalence of FGM and the limited access to the formal judicial system, particularly in rural areas. It observed that judgements were frequently handed down late, detention was extended and prison sentences exceeded the legal limit. It noted that excessive use of force, corruption and other abuses committed by the police had reportedly lowered confidence in the security and police forces. Switzerland made recommendations.

50. The United States of America commended the Government's commitment to alleviating high infant and maternal mortality rates and encouraged improved oversight and management of the programme and expanded rural coverage. It noted the progress made by the Anti-Corruption Commission. It encouraged full implementation of the three "gender laws" particularly in rural areas and for national resources to be committed to declared goals. It expressed concern over the conditions in overcrowded prisons and detention centres, as well as the inaccessibility of legal representation and delayed trial dates. It noted governmental officials' occasional interference with journalists' work. It remained concerned about the prevalent use of child labour, particularly in the mining sector. While commending preparations for the 2012 elections, it expressed concern about the possible adverse effects of tensions between the ruling and opposition parties. It made recommendations.

51. Turkey welcomed the recommendations of the TRC with regard to women and girls who had suffered during the civil war. Turkey appreciated the establishment of the National AIDS secretariat and the National Strategic Plan on HIV/AIDS 2011-2015. It commended the introduction of the free health-care initiative and the efforts to increase access to education with a view to achieving universal primary education by 2015. It supported the Government's efforts to address youth unemployment, reinforce democratic institutions and promote national cohesion and unity. It made recommendations.

52. While noting the de facto moratorium on the death penalty, Portugal asked about the Government's intentions to amend legal provisions for the replacement of this penalty. Portugal noted that despite the progress made, discriminatory laws against women remained as did a high percentage of sexual and domestic violence, torture and rape. Portugal asked about the measures to reduce and eliminate child labour and child mortality and to assist and compensate children who were victims and participants during the civil war. Portugal was concerned at the widespread practice of FGM and the intention to prohibit this practice only for girls below 18 years old. Portugal raised concerns about the poor provision and realization of economic, social and cultural rights and asked about the measures taken to achieve related MDGs. Portugal made recommendations.

53. Slovenia, while commending Sierra Leone for its development of strategies and plans, remained concerned about discrimination against women in law and practice. Slovenia was concerned about the reported thousands of orphaned and vulnerable children who were victims of exploitation. Slovenia commended the free health-care programme and asked about other measures taken to address the high infant, under-five and maternal mortality rate, including to improve safe drinking water and sanitation facilities. Slovenia also asked about measures to effectively monitor the situation of former child combatants, particularly girls, who were not included in the disarmament, demobilization and reintegration (DDR) process with a view to providing them with the necessary assistance to facilitate their full reintegration. Slovenia made recommendations.

54. The United Kingdom of Great Britain and Northern Ireland was encouraged by Sierra Leone addressing what was at one point the world's highest infant and maternal mortality rates. It acknowledged other progress made through the creation of a Human Rights Commission, the 2007 "Gender Acts" and the 2011 Disability Act. Challenges remained to improve access to justice; to address poverty; to bring the Human Rights Commission in line with the Paris Principles; to roll back discriminatory laws, practices and customs which entrench gender equality, and to prevent reoccurrence of conflict through promotion of national reconciliation. It encouraged the Government to address those issues as the country moved towards elections in 2012 and beyond. It made recommendations.

55. Italy noted the important steps taken for consolidating peace and enhancing political pluralism and the launching of reforms. It welcomed the free health-care programme to improve maternal and child health. Italy recognized the many challenges faced because of dire social and economic conditions it faced and the acknowledged problem of the increasing number of street children and youth violence. Italy referred to concerns expressed about the widespread harmful practice of FGM in the country, which severely harmed the individual and negatively affected women's empowerment and development. Italy made a recommendation.

56. Sweden commended the criminalization of domestic violence, including sexual assault within marriage through the Domestic Violence Act 2007. However, it noted reports that domestic violence, including rape, remained a serious problem and very few offenders were prosecuted. It asked for elaboration on measures to reinforce women's protection from domestic violence. It noted with appreciation efforts to reduce maternal mortality by introducing free health care for birth delivery. Sweden noted that other causes of maternal mortality remained to be addressed such as early marriages, lack of reproductive health information, unsafe abortion and FGM, in particular. It inquired about the measures to improve health care in birth delivery. Sweden made recommendations.

57. South Africa welcomed the Presidential Apology of March 2010 and asked for information on steps taken to implement the call by the Committee on the Elimination of Discrimination against Women (CEDAW) for a comprehensive strategy with clear goals and timetables to modify or eliminate harmful negative cultural practices and stereotypes that discriminate against women. South Africa referred to acknowledged challenges such as the need to strengthen and nurture democratic institutions and mechanisms, the very high poverty rate, youth unemployment and ensuring gender equality. It encouraged the international community to provide technical assistance to overcome these challenges. It made recommendations.

58. The delegation of Sierra Leone pointed out that the Government needed to redouble its efforts for the elimination of the practice of FGM. The delegation would convey to the Government the international community's views on FGM and assured the Council that policies were designed to attain that objective.

59. Regarding steps taken by the Government to curtail sexual, gender based and domestic violence, the delegation referred to the extensive publicity given to their negative effects and to the establishment of special courts before which offenders of such violence are given speedy but fair hearings.

60. On access to justice in the rural areas, the delegation referred to the amendment to the Local Courts Act which is in its final stages of consideration by Parliament. According to its draft provisions the administration of justice would be brought under the purview of the formal justice sector, which was headed by a female Chief Justice. The Government had created an environment within which legal services, including legal aid in particular, was extended to the smallest of communities.

61. Replying to concerns raised about the difficulties journalists faced in doing their work, the delegation observed that Sierra Leone, with a population of almost 6 million people, had 52 national papers, all of which were privately owned. The Sierra Leone Association of Journalists operated freely. The Freedom of Information Bill was at committee stage. Since the Government came to office, no journalist has been jailed or taken to court by the Government. The Independent Media Commission adjudicated on cases and complaints between journalists and the Government. The Public Order Act of 1965, which criminalized libel, had not been used. The issue was on the Government's legislative agenda and the ultimate intention was to remove it from the Statute books.

62. Regarding the question on human trafficking, the delegation referred to cooperation on this issue, including through the work of National Taskforce comprising Government, United Nations agencies and civil society, and of the good progress achieved.

63. Responding to issues raised about elections, the delegation noted that the Electoral Commission was strong and independent and headed by Christiana Thorpe, who was internationally renowned. The Commission had recently undertaken consultations, the report of which had been validated. It was being recommended that the laws governing elections which were to be found in various Statutes should be consolidated so that all provisions would be contained in one volume.

64. Good progress had been made on food sufficiency, with Sierra Leone exceeding the obligations for budgetary allocations to agriculture required under the Maputo Declaration.

65. On the problem of overcrowding in prisons, the Government had established a leadership group on this matter, with external partners as members. The Government had taken steps to ensure that juveniles are not incarcerated with adult prisoners, which although prohibited by law had occurred in practice. A prison had recently been refurbished. Prisoners were to be transferred there, to ease the overcrowding at the Pademba Road prison, the main prison. All persons receiving a sentence of more than 7 years' imprisonment had to serve their sentence at the main prison; this practice was also being considered for re-examination from the perspective of reducing overcrowding. Alternative sanctions to imprisonment and shorter sentences were also under consideration.

66. China noted the importance given to development issues, the commitment to meet poverty-reduction targets, the accession to core international human right treaties, the emphasis on protecting the rights of vulnerable groups, such as women and children, and on ensuring children's right to education. It acknowledged Sierra Leone's difficulties in ensuring the rights to food, adequate housing and safe drinking water. It called upon the international community to provide necessary financial and technical assistance. It made a recommendation.

67. Ecuador recognized Sierra Leone's efforts to fulfil its international obligations to guarantee, respect and promote human rights. Ecuador noted the efforts made regarding the national reconciliation process following the tragic civil war from 1991 to 2002. Ecuador made recommendations.

68. Costa Rica recognized the institutions established and the human rights legislative measures taken as well as the public policies adopted to reduce child and maternal mortality. Costa Rica expressed concern about the vulnerability of women and children and requested that particular attention be accorded to this situation. It requested the international community's cooperation to overcome those challenges. Costa Rica made a recommendation.

69. Bangladesh noted that poverty remained a serious issue, hampering the full enjoyment of human rights. Bangladesh noted achievements, including in the health sector, and commended the Government's initiatives to ensure free and compulsory formal

primary education. Bangladesh encouraged the full implementation of the Child Rights Act. Bangladesh acknowledged that much remained to be achieved to promote and protect the rights of women and children. It made recommendations.

70. Uganda commended the Government's commitment to stemming the ravages of the civil war and its efforts in restoring peace and democracy, building an enabling environment and a human rights regime, including through the establishment of the Human Rights Commission. Uganda commended the work of the TRC and the Presidential Apology to women and girls as examples of best practice for countries emerging from war, especially since women bore the brunt of war. Uganda encouraged the Government to pursue the promotion of women into the high ranks of the army and police force. It noted Sierra Leone's need for technical cooperation. Uganda made a recommendation.

71. Ukraine encouraged the use of the United Nations Peace-building Fund to carry out the reform of the judiciary. Ukraine noted that the existing customary justice practices frequently violated the Sierra Leone's international human rights obligations and asked about the measures to correct this situation. It appreciated the delegation's assurance to pay additional attention to eliminating negative cultural practices and stereotypes harmful to women and children. It noted that reports to human rights bodies were overdue and it made a recommendation.

72. Belgium welcomed the free health-care initiative. It asked for information on measures taken to allay CEDAW's concern at legislation relating to women, particularly section 27 4 (d) of the Constitution. Belgium referred to the Committee on the Rights of the Child's concern about the use of children by armed groups and the Committee's recommendation on the adoption of a national plan of action for children and asked about progress made on these matters. Belgium noted with satisfaction the continued application of the moratorium on the death penalty and asked whether the Government was considering abolishing the death penalty in the Constitution. It made recommendations.

73. Senegal commended Sierra Leone's commitment to work towards stability, peace and development. Senegal was pleased to note that Sierra Leone was a party to the main international and regional human rights instruments. It welcomed the establishment of a human rights normative and institutional framework to ensure respect for those rights including through the establishment of a dynamic National Human Rights Commission in line with the Paris Principles and the Ministry for Equality. Senegal requested more information on policies to achieve the MDGs. Senegal made recommendations.

74. Indonesia commended the efforts made to ensure that human rights remained a key priority in the national rebuilding process and made reference to the work of the National Human Rights Commission. It noted the importance of access to education and of gender equality and women's rights. Indonesia appreciated the Government's commitment to implement the TRC recommendations. It made recommendations.

75. Ghana commended the establishment of the Human Rights Commission. Ghana applauded the efforts to fully implement the TRC recommendations, particularly those relating to the promoting the rights of women and children. It urged the Government to remain committed to ensuring a minimum 30 per cent quota for women in governance. Ghana expected that the provisions of free and compulsory formal education, with particular emphasis on girls, will yield fruitful dividends. It made recommendations.

76. Nigeria welcomed the efforts to consolidate peace and stability and to harmonize domestic legislation with international human rights instruments. Nigeria observed that there were still some treaties in the process of being ratified. Nigeria commended the reforms and programmes on education, health, women rights, children rights and persons with disabilities. It recognised the challenges and constraints to achieve its MDGs. It made recommendations.

77. With regard to the attainment of the Millennium Development Goals, the delegation referred to the Government's Agenda for Change, which had been transformed into the Poverty Reduction Strategy Paper II. This Paper was informed by the MDGs and incorporated strategies for the attainment of those Goals. The Government was actively engaged in meeting the Goals within a time framework.

78. Since 2007 Sierra Leone had adopted a new mines and minerals policy and enacted legislation and regulations governing the exploitation of natural resources and the distribution of mineral wealth within the country. Sierra Leone was a candidate country of the Extractive Industries Transparency Initiative (EITI) and expected to be considered under this initiative's process in the near future. Sierra Leone was mindful of the importance of the careful management of resources as one of the findings of the Truth Commission was that country's mineral resources, although not a direct cause of the conflict, had contributed to its prolongation.

79. In conclusion, Sierra Leone promised to continue its efforts to honour its obligations and wished to record that technical assistance would be needed to address many of the issues facing the country which were raised during the dialogue. The delegation thanked participants for their engagement and promised cooperation.

## II. Conclusions and/or recommendations

80. **The recommendations formulated during the interactive dialogue have been examined by Sierra Leone and enjoy its support:**

80.1. **Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; and ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Optional Protocol to the Convention on the Rights of Persons with Disabilities and the International Convention for the Protection of All Persons from Enforced Disappearance (Spain);**

80.2. **Examine the possibility of ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), the International Convention for the Protection of All Persons from Enforced Disappearance and the Optional Protocol to the International Convention on the Elimination of All Forms of Discrimination against Women (Argentina);**

80.3. **Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and present the most delayed reports, particularly on the Convention on the Elimination of All Forms of Racial Discrimination and on the two International Covenants (Costa Rica);**

80.4. **Sign and ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and establish an independent national mechanism to monitor places of deprivation of liberty (France);**

80.5. **Sign and ratify the Optional Protocol to the Convention against Torture (United Kingdom);**

- 80.6. **Ratify the Optional Protocol to CEDAW as well as the Optional Protocol to the African Charter on the Rights of Women (Belgium);**
- 80.7. **Consider ratifying pending treaties such as OP-CEDAW and ICRMW (Nigeria);**
- 80.8. **Ratify the ILO Convention No. 155 on Occupational Safety and Health (Hungary);**
- 80.9. **Develop national plans of action on children and on human rights (Australia);**
- 80.10. **Consider instituting a human rights training programme specifically for its army and police forces (Uganda);**
- 80.11. **Submit its outstanding reports in a step-by-step manner and make use of the reviews of the respective treaty bodies to improve its human rights situation (Japan);**
- 80.12. **Catch up with the accumulated delays in submitting reports to treaty bodies and, to do so, request appropriate assistance from the OHCHR (Algeria);**
- 80.13. **Improve the situation with implementation of its reporting obligations to the United Nations human rights bodies (Ukraine);**
- 80.14. **Extend an open and standing invitation to all special procedures (Spain);**
- 80.15. **Take further initiatives towards protecting and promoting the rights of marginalized and vulnerable population (Nepal);**
- 80.16. **Strengthen actions to promote and protect rights of women and child (Bangladesh);**
- 80.17. **Continue its measures to further improve the human rights of women (Azerbaijan);**
- 80.18. **Make additional efforts to enhance the role of women in public life and ensure that these efforts are combined, for girls, with the abolition of female genital mutilation, whether it is consented to or not (Senegal);**
- 80.19. **Deepen the measures to change traditional practices and stereotypes that violate the civil, political, social and economic rights of women and prevent them from having a situation of equality with regard to men/having equality with men (Argentina);**
- 80.20. **Take all necessary measures to prevent women and girls from suffering from harmful traditional practices, such as female genital mutilation, early and forced marriages and teenage pregnancies (Slovenia);**
- 80.21. **Further improve the health care in connection with birth delivery and address other causes of maternal mortality and address other causes of maternal mortality and other related issues such as early marriages, lack of reproductive information, unsafe abortions and female genital mutilation (Sweden);**
- 80.22. **Train law enforcement officials to deal with sexual violence cases (Brazil);**
- 80.23. **Intensify its efforts to protect the rights of the child, especially children in poverty, victims of child prostitution and children with disabilities;**

undertake a comprehensive review of national legislation to guarantee full implementation of the principle of non-discrimination as well as adopt a national strategy to mitigate against such a situation, as recommended by the Committee of the Rights of the Child in 2004; take all necessary measures to put an end to the practice of child soldiers (Spain);

80.24. Strengthen measures of prevention and fight against phenomena affecting the rights of the children, particularly child labour and violence against children (Morocco);

80.25. Undertake efforts to enforce the prohibitions on child labour, especially in its worst forms (Poland);

80.26. Take measures to tackle the exploitation of children, including domestic work, hazardous labour, especially in the mining sector, commercial sex and trafficking, starting with the ratification of the ILO Minimum Age Convention No. 138 and the ILO Convention No. 182 on Worst Form of Child Labour (Slovenia);

80.27. Amend the 2007 law on the rights of the child for a uniform and increased minimum age for work, and ensure, through dissuasive or repressive measures, notably within the framework of a law on human trafficking, that arduous work similar to the worst forms of exploitation is not given to this vulnerable category of people (Senegal);

80.28. Urgently address, the anomaly - accepted by the Government - regarding citizenship status for residents of non-African descent (Ireland);

80.29. Develop a shelter system for victims of trafficking (United States);

80.30. Pay particular attention to the improvement of prison conditions (Algeria);

80.31. Take effective measures to reduce overcrowding in prisons and lengthy pre-trial detention as well as strengthen the judicial system including for juvenile offenders (Austria);

80.32. Take steps to strengthen legal aid programmes and speed up the scheduling of trial dates and provide for better living conditions in both prisons and detention centres (United States);

80.33. Improve the working conditions of judges and prosecutors, especially of prosecutors, in order to further strengthen their independence, and fill vacant positions for judges and prosecutors (Switzerland);

80.34. Continue to take effective measures to push forward the poverty alleviation strategy and ensure people's basic human rights, such as the right to subsistence and the right to development (China);

80.35. Continue with the support and cooperation of the international community to fight poverty (Bangladesh);

80.36. Continue to apply programmes and measures to improve the enjoyment of the right to education and the right to health (Cuba);

80.37. Maintain the efforts to guarantee equal access to education, particularly for women and children (Chile);

80.38. Continue to ensure that programmes, services and support for HIV-prevention will reach the general population (Netherlands);

- 80.39. **Resolve the discriminatory provisions against women in relation to HIV prevention (Netherlands);**
- 80.40. **Continue disseminating information and materials to the public on HIV prevention (Netherlands);**
- 80.41. **Strengthen its programmes and adopt further measures in the field of HIV/AIDS (Turkey);**
- 80.42. **Seek technical and financial assistance from the international community in order to deal with the poverty, unemployment and food insecurity (Azerbaijan);**
- 80.43. **Consider requesting technical assistance from the High Commissioner for Human Rights to fulfil the complex task of presenting the reports to the treaty bodies (Chile);**
- 80.44. **Call on the international community to support Sierra Leone's efforts through development assistance, technical assistance and capacity-building (Nigeria).**
81. **The following recommendations enjoy the support of Sierra Leone which considers that they are already implemented or in the process of implementation:**
- 81.1. **Explicitly prohibit by law and criminalize the use of children in hostilities by the armed forces and the recruitment and use of children in hostilities by non-State armed groups (Poland);**
- 81.2. **Explicitly prohibit by law and criminalize the use of children in hostilities by armed forces and the recruitment and use of children in hostilities by non-State armed groups (Slovenia);**
- 81.3. **Adopt and implement a national plan for children that includes legislative measures, such as the prohibition of the use of children in armed conflicts (Costa Rica);**
- 81.4. **Looking to the 2012 elections and within the context of the exploitation of Sierra Leone's natural resources, bring to the forefront a consensual approach and permanently bear in mind respect for human rights, in order to reinforce national reconciliation (Senegal);**
- 81.5. **Set up the TRC Follow-up Committee and continue to implement all of the TRC recommendations (Austria);**
- 81.6. **Formally establish the Follow-up Committee recommended in the Truth and Reconciliation Commission's report and task it to monitor and report to Government and civil society on the further implementation of the Commission's recommendations (United Kingdom);**
- 81.7. **Implement fully the recommendations from the TRC (Australia);**
- 81.8. **Continue the work in the field of the promotion of the rights of women and adopt all the recommendations made by the Truth and Reconciliation Commission in this area (Portugal);**
- 81.9. **Redouble the efforts to ensure that women are represented in political life and implement recommendations of the Truth and Reconciliation Commission in that regard (Morocco);**
- 81.10. **Continue to work to strengthen national human rights mechanisms (Nepal);**



- 81.11. Consider establishing a national human rights institution in accordance with the Paris Principles (Poland);
- 81.12. Allocate the resources required for the Sierra Leone Human Rights Commission to carry out its core statutory functions (Australia);
- 81.13. Strengthen the work of the Human Rights Commission in line with the Paris Principles (Indonesia);
- 81.14. Give adequate resources to the Human Rights Commission to enable it to discharge faithfully the onerous duty of protecting and promoting human rights in Sierra Leone (Ghana);
- 81.15. Acknowledge and enhance the important role of women in peacebuilding and in the decision-making process. (Indonesia);
- 81.16. Continue to strengthen its efforts and its track on socio-economic and political reforms in the bid to enhance the promotion and protection of fundamental human rights and freedoms (Nigeria);
- 81.17. Maintain efforts to promote and protect the rights of children, young people, persons with disabilities and women, and seek to overcome the low representation of women (Cuba);
- 81.18. Implement further policies to ensure gender equality and the promotion of the rights of women and children throughout society (South Africa);
- 81.19. Investigate, prosecute and punish those responsible for rape and other forms of gender-based violence (Norway);
- 81.20. Adequately staff Family Support Units in police stations to address violence against women (Austria);
- 81.21. Ensure that Family Support Units are located at police stations tasked with investigating and providing support to victims of sexual violence, and are adequately staffed and resourced so as to be able to carry out their mandate (Hungary);
- 81.22. Raise awareness by the poor and marginalized population of the legal provisions of the Domestic Violence Act; open investigations into all complaints lodged relating to domestic violence; and prosecute all cases and provide victims to appropriate services, especially the possibility to benefit from a free medical report and legal aid (Switzerland);
- 81.23. Intensify its efforts to combat domestic violence including rape and work against the impunity for this violence; take measures such as awareness-raising and training of the police officials in the judicial system and medical officers (Sweden);
- 81.24. Take all appropriate measures to address violence against women effectively and more specifically to eliminate FGM, including by making its performance a criminal offence (Austria);
- 81.25. Introduce an effective system towards the elimination of female genital mutilation (FGM) and develop governmental policy in this regard (Japan);
- 81.26. Facilitate an inclusive national dialogue on female genital mutilation and put in place, in cooperation with tribal chiefs, religious leaders and women's groups, effective measures to eliminate the practice (Canada);

- 81.27. **Abolish FGM and as a first step support those initiatives from within the country which call for prohibiting FGM at least for minors of under 18 years age (Germany);**
- 81.28. **Adopt legislation to prohibit FGM and, at the same time, promote an open dialogue on this issue (Switzerland);**
- 81.29. **Fully prohibit and criminalize female genital mutilation, as it represents a clear human rights violation (Portugal);**
- 81.30. **Specifically prohibit, sanction and effectively prevent the practice of female genital mutilation for children under the age of 18 (United Kingdom);**
- 81.31. **Spread information about the negative consequences of female genital mutilation, also in cooperation with relevant international organizations and United Nations agencies (Italy);**
- 81.32. **Remove obstacles preventing women having effective access to justice and adopt appropriate measures to promote basic legal assistance and knowledge of women's rights, including the right to obtain redress in the courts (Mexico);**
- 81.33. **Implement measures to ensure girls' and women's access to all levels of education and ensure a higher level of women's participation in public life (Norway);**
- 81.34. **Review the current maternity health-care policies and introduce necessary changes to ensure pregnant women's access to medical facilities throughout the country (Norway);**
- 81.35. **Improve access to confidential family planning services and sexual and reproductive health services (Norway);**
- 81.36. **Put in place effective measures to implement the Child Rights Act and protect children from sexual and gender-based violence, abuse, exploitation, trafficking, and the worst forms of child labour (Canada);**
- 81.37. **Continue its endeavours to reduce the illiteracy rates and eradicate forced labour, especially child labour (Azerbaijan);**
- 81.38. **Monitor the reintegration of former child combatants, particularly girls, with the aim to ensure that appropriate assistance is provided and suitable measures are implemented (Japan);**
- 81.39. **Take effective measures to ensure local courts and traditional leaders operate in compliance with human rights obligations and the principles of equality and non-discrimination, including by ensuring adequate access to human rights training and by reviewing the appointment procedures for local and traditional leaders (Canada);**
- 81.40. **Deter police officers, whatever their rank, from excessive use of force or acts of corruption, theft, extortion and other abuses; investigate abuses involving the police; hand down disciplinary sanctions against the perpetrators or prosecute them (Switzerland);**
- 81.41. **Take the necessary steps to ensure that victims of human rights violations and their families have access to full reparation in the form of restitution, compensation, satisfaction and rehabilitation (Canada);**
- 81.42. **Strengthen domestic judicial and criminal law and its effective enforcement, with respect to the accountability and corresponding sanctions of**

those found responsible of grave/serious human rights violations during the internal conflict in Sierra Leone, while respecting due process (Ecuador);

81.43. Shed full light on the serious human rights violations committed during the armed conflict and during the 2007 elections by the police and the security forces and incorporate into domestic law the provisions of the Rome Statute of the International Criminal Court (France);

81.44. Investigate, prosecute and punish all those allegedly responsible for political-ethnic violence during and after the 2007 elections (Canada);

81.45. Uphold the right to freedom of expression and assembly (Netherlands);

81.46. Take necessary measures to ensure the independence and credibility of the bodies that will have primary jurisdiction over validating polling results in the 2012 Presidential and Parliamentary elections, as well as to ensure the appropriate level of security at the polls sufficient for all voters to freely exercise their franchise (United States);

81.47. Take steps to eliminate child labour and forced labour and enhance respect for the rights of workers, particularly those in the mining sector. Ways to accomplish these objectives include amending the current labour laws to align with the internationally recognized fundamental worker rights, and taking measures to effectively enforce the labour laws (United States);

81.48. Intensify policies for job creation and programmes for the social reintegration of young people, especially those who were child soldiers during the civil war (Mexico);

81.49. Mobilize the necessary resources for the successful implementation of national programmes in the area of economic, social and cultural rights, such as the second poverty reduction strategy, Agenda for Change, and the health and education strategies (South Africa);

81.50. Strengthen the efforts to guarantee to all the population of Sierra Leone access to basic social services within the framework of the MDGs (Ecuador);

81.51. Allocate more financial resources to improve access to and quality of education in the country. (Indonesia);

81.52. Give special attention particularly to the education of girls and women (Turkey);

81.53. Incorporate human rights education and awareness training into the school curriculum through cooperation with and assistance from the international community (Indonesia);

81.54. Seek the assistance of the ILO to combat child labour (Brazil);

81.55. Engage the civil society in the UPR follow-up process (Poland);

81.56. Continue consulting with civil society in the follow-up to UPR (Austria);

81.57. Strengthen the capacity to investigate, punish and prosecute complaints presented against public security forces and reinforce the autonomy of the Directorate of Complaints, Discipline and Internal Investigations Department (CDIID) office in charge of punishing corrupt practices and abuse in the use of force (Mexico).

82. The following recommendations will be examined by Sierra Leone which will provide responses in due time, but no later than the eighteenth session of the Human Rights Council in September 2011. The response of Sierra Leone to these recommendations will be included in the outcome report adopted by the Human Rights Council at that session:

82.1. Accede to/or ratify the following international instruments: the Optional Protocols to the Convention on the Elimination of All Forms of Discrimination against Women; Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol; Convention on the Rights of Persons with Disabilities; Rome Statute of the International Criminal Court; Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; and the second Optional Protocol to the International Covenant on Civil and Political Rights (Ecuador);

82.2. Sign the Second Optional Protocol to ICCPR (Portugal);

82.3. Sign and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights which prohibits the death penalty in all circumstances (France);

82.4. Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights with a view to abolishing the death penalty as soon as possible (Belgium);

82.5. Continue to adapt the legislation to ensure the full implementation of the Convention on the Elimination of All Forms of Discrimination against Women and, in particular, expressly prohibit and criminalize female genital mutilation (France);

82.6. Introduce reforms of domestic laws and regulations aiming at the eliminating all forms of discrimination against women (Ecuador);

82.7. Bring its legislation into conformity with its commitment to equality and non-discrimination for all by prohibiting discrimination based on sexual orientation or gender identity (Canada);

82.8. Repeal all provisions which may be applied to criminalize sexual activity between consenting adults (Norway);

82.9. Repeal all provisions criminalizing sexual activity between consenting adults (Netherlands);

82.10. Enact the Freedom of Information bill, and repeal laws that that provide criminal penalties for libel (United States);

82.11. Adopt concrete measures to implement the National Gender Plan and the National Action Plan on United Nations Security Council resolutions 1325 (2000) and 1820 (2008) and consider the opportunity of adopting a national strategy to combat violence against women (Algeria);

82.12. Establish a strategy to seek the elimination of practices of discrimination against women and eliminate female genital mutilation (Costa Rica);

82.13. Adopt a national strategy for the elimination of violence against women (Norway);

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- 82.14. Establish a *de jure* moratorium on the application of the death penalty aimed at its definitive abolition in line with the recommendations of the Truth and Reconciliation Commission (France);
- 82.15. Enact legislation as soon as possible to abolish the death penalty (Ireland);
- 82.16. Establish a moratorium on the application of death penalty with a view to its definitive abolition in legislation and, in this case, sign and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Spain);
- 82.17. Abolish the death penalty completely (Austria);
- 82.18. Formally remove the death penalty from the statutes (Germany);
- 82.19. Adopt measures to abolish the death penalty (Argentina);
- 82.20. Consider legislative measures to abolish the death penalty (Brazil);
- 82.21. Ensure that the commutation of the death penalty continues to be part of the Constitutional review process (Chile);
- 82.22. Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Switzerland);
- 82.23. Establish a formal moratorium on executions with a view to abolishing the death penalty and support the General Assembly resolution on the moratorium on the use of death penalty (Portugal);
- 82.24. Formalize its present *de facto* moratorium on executions with a view to legislating to abolish the death penalty soon (United Kingdom);
- 82.25. Introduce necessary reforms to fully abolish the death penalty (Ecuador);
- 82.26. Establish as soon as possible an Independent Police Board and undertake an information campaign to inform the public that such a body has been created and to outline its role and functions (Ireland);
- 82.27. Increase the annual budget as well as set up mechanisms to investigate ways to improve education management and teaching methods (Hungary);
- 82.28. Intensify its efforts in the name of gender equality; amend the legal provisions that establish a system of patronising gender promotion and protection for gender reasons; and develop a comprehensive policy in favour of gender equality, including awareness campaigns in areas of society and public administration (Spain).
83. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as being endorsed by the Working Group as a whole.

## Annex

### Composition of the delegation

The delegation of Sierra Leone was headed by The Honorable Franklyn Bai Kargbo, Attorney-General and Minister of Justice and composed of the following members:

- Mr. Soulay B. Daramy, Director-General, Ministry of Foreign Affairs and International Cooperation;
  - Ms. Cassandra O. M. Labor-Bangura, Coordinator, Human Rights Secretariat, Ministry of Foreign Affairs and International Cooperation;
  - Mr. Kekura Bnagura, States Counsel;
  - Mr. Franklyn B. Fawundu, Desk Officer, International Division, Ministry of Foreign Affairs and International Cooperation.
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