



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Republic of Sierra Leone and welcome the constructive engagement of the Government of Sierra Leone during the 38th session of the UPR Working Group in May 2021.

As the final outcome report on the review of Sierra Leone was recently adopted by the Human Rights Council at its 48th session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of Sierra Leone – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and recommendations made by 102 delegations and the presentation made and responses provided by the delegation of Sierra Leone. I have also considered the actions taken by the Government of Sierra Leone to implement the 177 recommendations supported during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I commend the abolition by Sierra Leone of the death penalty, further to recommendations supported by your country during its second UPR and its voluntary pledge made at its third UPR. I also note with satisfaction the abolition of the criminal seditious level and the establishment of the Sexual Offences Model Court to fast-track sexual offences, both in 2020. I am encouraged by the fact that during the adoption of the UPR report's outcome, Sierra Leone committed to fully implement all 216 accepted recommendations and reflect the related results in its mid-term UPR report.

I also take note of Sierra Leone's voluntary pledges of reviewing the Sexual Offences Act of 2019 and bring it in line with international standards on child rights as well as to finalize the constitutional review process. I encourage Sierra Leone to promptly implement its pledges in this regard. While welcoming the Gender Equality Policy and Bill, as many actors, I regret that Sierra Leone did not accept the recommendations to prohibit and eliminate female genital mutilation. I note with hope that the country has committed to engage in wide ranging national consultations to forge consensus on this issue.

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H.E. Mr. David J. FRANCIS
Minister for Foreign Affairs and International Cooperation
Republic of Sierra Leone



I encourage Sierra Leone to continue its efforts to develop a comprehensive national human rights action plan in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate preparations for the fourth cycle of the UPR. My advice to all Member States is to develop and implement national action plans in close consultation and cooperation with all stakeholders, in particular the national human rights institution and all civil society organizations and, where necessary, with the support of international organizations, including my Office and other United Nations entities, under the leadership of the United Nations Resident Coordinator.

I also encourage Sierra Leone to continue its efforts to strengthen its national mechanism for comprehensive reporting and follow-up to recommendations received from all international and regional human rights mechanisms and to treaty obligations, linking them to the Sustainable Development Goals. To this end, I strongly recommend the use of the OHCHR practical guide on this topic, which is available at:

http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf

Please note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting States with the implementation of the recommendations, following the review. One important measure that can positively contribute to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I welcome the practice of Sierra Leone of submitting a mid-term report in the previous cycle and encourage the Government of Sierra Leone to continue with this practice and to submit a mid-term report on follow-up to the third cycle of the review by 2023.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *"The Human Rights Council's universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council's recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals."*

I look forward to discussing with you ways in which my Office may assist Sierra Leone in relation to the areas identified in this letter and its annex.

Please accept, Excellency, the assurances of my highest consideration.

Michelle Bachelet

High Commissioner for Human Rights

cc: H.E. Mr. Anthony Yeihowe BREWAH
Attorney General and Minister of justice
Republic of Sierra Leone

Mr. Babatunde AHONSI
United Nations Resident Coordinator
Republic of Sierra Leone

Mr. Andrea ORI
Regional representative of the United Nations High Commissioner for Human Rights
OHCHR Regional Office for Western Africa, Republic of Senegal

Annex

Scope of international obligations and cooperation with international human rights mechanisms and bodies

- Ratifying the international human rights instruments to which Sierra Leone is not yet a party, including the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Convention for the Protection of All Persons from Enforced Disappearance, and the Optional Protocols to the International Covenant on Economic, Social and Cultural Rights, to the Convention on the Rights of Persons with Disabilities, to the Convention on the Elimination of All Forms of Discrimination against Women, and to the Convention on the Rights of the Child on a Communications Procedure.

National human rights framework

- Continuing the efforts to institutionalize a national mechanism for reporting and follow-up and establishing a national recommendations tracking database.
- Providing adequate human and financial resources to the Human Rights Commission of Sierra Leone in order to enable it to discharge its mandate effectively and independently, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).
- Resuming the constitutional review process as early as possible, in line with the pledge made during its third UPR and in conformity with Sierra Leone's international obligations, and ensuring that the White Paper is aligned with international and regional human rights law.

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

A. Cross-cutting issues

Equality and non-discrimination

- Eliminating any form of discrimination in domestic legislation, including regarding transmission of citizenship.
- Strengthening the civil registration mechanisms to ensure that every child is registered immediately after birth and that late birth registration procedures are accessible to all unregistered individuals, and ensuring the registration of persons with disabilities in order that they have access to social services.
- Ensuring that key human rights principles of inclusion, participation, equality, non-discrimination and accountability guide the socioeconomic recovery process related to the COVID-19 crisis in order to leave no one behind.

Development, the environment, and business and human rights

- Taking legislative measures and mobilizing financial and technical resources to minimize exposure to hazardous substances through the adoption of cost-recovery systems; strengthening anti-corruption efforts in the entire governance structure for hazardous substances and wastes; ensuring that informed consent is given by the communities



concerned prior to any investment in their land; and establishing and implementing an appropriate regulatory regime for pesticides, as well as adequate compliance and enforcement systems.

B. Civil and political rights

Right to life, liberty and security of person

- Introducing specific legislation to enhance police accountability; strengthening monitoring mechanisms to enable the police and other security forces to adequately conduct their tasks; investigating any case of excessive use of force and bringing perpetrators to justice; and providing regular training to the police and other security forces on the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.
- Increasing efforts to ensure that prison conditions are aligned with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules); providing adequate resources for the implementation of the Correctional Service Act, the operation of Prison Courts and the implementation of the Bail Regulations and bail guidelines; monitoring the Bail and Sentencing Committee; and considering passing the criminal procedure bill into law in order to reduce overcrowding in correctional centres.
- Supporting efforts to raise awareness among the public about the Sexual Offences (Amendment) Act of 2019 to effectively prevent and eradicate sexual and gender-based violence in all its forms, and increasing investment in medical and psychological health services for victims of sexual and gender-based violence and in the continuous upgrade of the Family Support Units of the police.
- Increasing efforts to eliminate female genital mutilation, including by carrying out awareness-raising campaigns and a national debate on the harmful effects of this practice on girls, women and wider society.

Administration of justice, including impunity, and the rule of law

- Continuing the efforts to address the persistent challenges of the justice system, including the low public confidence and lengthy trial proceedings, and increasing access to justice in marginalized communities and for the most vulnerable populations.
- Providing updated human rights training to the local court Chairs, including in connection with the administration of justice and on the rights of women and children, and enhancing an oversight of the operations of the local courts.
- Combatting corruption and strengthening institutional capacities to effectively detect and investigate cases of corruption and prosecute the perpetrators, including by putting in place the Public Expenditure Tracking Survey system, and stepping up anti-corruption efforts in all areas of the private sector, including the mining sector, especially those involving public and private entities.

Fundamental freedoms

- Enacting legislation for the protection of human rights defenders and ensuring that citizens, including those who hold opposing views to government actions, are allowed to exercise the right to freedom of expression and peaceful assembly, openly and without fear of reprisal.

Prohibition of all forms of slavery

- Harmonizing the 2005 anti-trafficking law with international human rights law, standards and principles; ensuring that thorough investigations and robust prosecutions of offenders are carried out and punish the perpetrators; and ensuring the protection of victims of human trafficking.

C. Economic, social and cultural rights

Right to work and to just and favourable conditions of work

- Ensuring respect of the principle of equal remuneration for men and women for work of equal value, including by raising awareness among workers, employers, labour officials and judges.
- Implementing a training programme for labour inspectors and establishing adequate penalties for violations to the rights of workers.

Right to an adequate standard of living

- Improving the food security situation of the population and increasing the production capacity of the country, particularly through the implementation of productive safety net interventions that provided livelihood opportunities for young people and women and boosted the production of nutritious foodstuffs.

Right to health

- Allocating sufficient resources to the health sector to upgrade and equip health-care facilities in order to provide quality basic and comprehensive emergency obstetric care and new-born services; increasing the provision of contraceptives to prevent teenage pregnancy and school dropout; and strengthening the coverage of adolescent-friendly health services with an emphasis on programmes focused on teenage pregnancy.
- Increasing investment in medical and psychological health services for victims of sexual and gender-based violence and in the continuous upgrade of the Family Support Units of the police.

Right to education

- Enshrining the right to education in Sierra Leone's legislation in a comprehensive way, ensuring that primary school is free and removing all other additional costs that are barriers to access.
- Improving access to quality education, especially by ensuring the implementation of the education sector plan, and pursuing efforts towards gender equality in education, and ensuring that pregnant girls and young women are back to school following the overturn of the ban.

D. Rights of specific persons or groups

Women

- Increasing efforts to eliminate gender inequalities that are exacerbated by discriminatory cultural norms, including in the areas of marriage, divorce, adoption, devolution of property on death, and participation of women in decision-making processes and politics.



Children

- Allocating adequate budgetary resources for the promotion and protection of children's rights; harmonizing laws to prevent and eliminate child marriage and undertaking comprehensive awareness-raising campaigns on the negative consequences of child marriage on girls; and enforcing the Child Rights Act and enacting the bill on the prohibition of child marriage.

Persons with disabilities

- Improving the access of persons with disabilities to education, health care and economic empowerment and ensuring that the quota for persons with disabilities in schools is met, that all children with disabilities are able to access education, that households with children with disabilities benefit from dedicated social safety net programmes, and that social protections and programmes for persons with disabilities are strengthened.

Stateless persons

- Accelerating efforts to finalize and adopt a national action plan against statelessness and establishing a steering committee responsible for the design and fine-tuning of the national action plan's implementation.