

ADVANCE QUESTIONS TO SIERRA LEONE – Add.2

NETHERLANDS

Women

- Paragraphs 76-79 of the national report, dealing with Gender issues mentions the SL National Action Plan on UN Security Council Resolution 1325 and 180 with its 5 pillars: Participation, Prevention, Protection, Prosecution and Coordination. Taking into consideration that this programme was launched on 8 June 2010, could the government already share some best practices with the Human Rights Council?

Freedom of religion and belief/ Freedom of Expression

- Sierra Leone has made impressive legal developments in the field of human rights over the past years as described in paragraphs 57 and 58 of the national report, which we applaud. At the same time basic human rights of vulnerable groups in society remain threatened as described in paragraphs 42-47 of the OHCHR-compilation, especially those of women and children, prisoners, human rights defenders and journalists. Their rights to freely express and organise themselves have been violated numerous times without intervention of the authorities. What will the authorities do to ensure that groups most vulnerable to human rights violations will be protected and to ensure that they can freely express and organise themselves?

The Judiciary

- Paragraphs 18 of the national report states that the citizens of Sierra Leone have access to justice through interventions by administrative tribunals, the office of the Ombudsman, the Human Rights Commission, the National Commission for Democracy and Human Rights, the Independent Media Commission. However, paragraph 31 of the OHCHR-compilation states that the UN Country Team indicated in 2010 that accessibility to the formal system was especially in rural areas, where the large majority of the population resorted to local courts, which administered customary law in provincial communities, and to the traditional justice system. What will the authorities do to ensure that all citizens will have access to these mechanisms, also in cases when traditional forms of justice have already been applied? Also in this light, why has no action been taken to prosecute those who are responsible for sexual violent crimes during violent outbursts on 14 March 2009?

Death penalty

- Paragraph 20 of the stakeholders-reports states that the death penalty is still legal in Sierra Leone and that despite recommendations by the Constitutional Review Committee and the TRC to abolish the death penalty, it remained in law for the offences of treason, murder and aggravated robbery. Seeing the *de factom* moratorium, as mentioned in paragraph 19 of the OHCHR-compilation, would the government consider amending its national law?

Female Genital Mutilation (FGM)

- Paragraph 25 of the OHCHR-report states that CRC, CEDAW and the High Commissioner continued to express concern about FGM and forceful initiation into secret societies. Would the government of Sierra Leone consider ratifying and incorporate into national law the Optional Protocol to the African Charter on the

Rights of Women? Or could the government consider explicitly prohibiting FGM for anyone under the age of 18?

Lesbian, Gay, Bi-sexual, Transgender and Intersex (LGBTI)

- Paragraph 44 of the stakeholders' report states that LGBTI-people do not benefit from the protection afforded by Article 27 of the Constitution, which prohibits discrimination, and evidence suggested that LGBTI community remained highly vulnerable. Could the government of Sierra Leone elaborate on the measures taken to prevent discrimination against LGBTI-people?