



The European Union's Human Rights Priorities for Sierra Leone

Human Rights are a silver thread running through the EU's foreign policy and one of the EU's founding principles. Respect for all human rights and fundamental freedoms constitute the essential element of the Cotonou Agreement. The EU will continue to offer unwavering support for human rights and democracy, and those who defend them.

Through this strategy the EU strives to raise the EU's profile on Human Rights in Sierra Leone in compliance with the various EU Human Rights Guidelines and taking into account the Mutual Accountability Framework.

The EU can best promote the respect for Human Rights in Sierra Leone through support for Human Rights Defenders, encouragement for the implementation of the recommendations of the Universal Periodic Review's and Truth and Reconciliation Commission's, assistance to the Government to respect/promote Human Rights and to ensure Sierra Leone fully respects its international Human Rights obligations. The EU's development assistance in all areas, in particular health, education and agriculture, is another contribution to the promotion and realization of human rights.

The strategy seeks to ensure coordination of the human rights related activities of EU diplomatic and development missions in Sierra Leone [EU Delegation, France, United Kingdom, Germany, and Ireland]. Recognising that the greatest change can be delivered when working in concert, we will focus our energies on shared human rights objectives.

The strategy also guides the EU response in the event of specific Human Rights issues requiring immediate action.

1. VISION

A Sierra Leone in which, through support from the European Union, Human Rights are consistently protected and promoted, and in which national and international commitments, obligations and standards are met; thus enabling consolidation of peace, good governance and poverty reduction.

2. PRINCIPLES/OBJECTIVES

The overall objective of the EU's work on Human Rights is, *inter alia*, to raise the EU's Human Rights profile in Sierra Leone, to encourage all actors to implement the recommendations of the Truth and Reconciliation Commission, to engage with and protect Human Rights Defenders, to contribute to rolling back discrimination and violence against women and to promote gender equality.

3. DESIRED OUTCOME

Implementation of the strategy should be conducive to Sierra Leone achieving the following results:

- EU Missions are engaging with relevant authorities in view of promoting Human Rights and the work of Human Rights Defenders in Sierra Leone in line with the EU Guidelines on engaging with and protecting Human Rights Defenders
- The TRC follow-up committee as mentioned in the TRC Act is operative and progresses further towards implementing the TRC's Recommendations
- Sierra Leone authorities undertake a broad stock taking on the implementation of the TRC recommendations as well as those of the 2011 UPR exercise and submit a comprehensive and consultative report to the United Nations Human Rights Council (in time before the Universal Periodic Review Board in May 2015)
- Based on agreement in the Constitutional Review Committee Parliament approves a Bill - which, *inter alia*, aligns the constitution to the country's international human rights obligations - for endorsement by referendum
- The Government makes progress in implementing the Human Rights relevant parts of the Agenda for Prosperity including in the areas of gender and education
- Discrimination against women is rolled back in all spheres of Sierra Leone social, economic and political life; including a reduction in gender based violence and the abandonment of harmful traditional practices, including FGM
- Gender based violence is highlighted as a major human rights violation which can undermine the achievement of the Millennium Development Goals (MDGs). Gender equality is addressed as an integral part of all development programmes, in particular with a view to promote gender equality and women's empowerment.

4. MAIN ACTIVITIES

The EU will continue to support projects aimed at promoting fundamental rights in Sierra Leone including through the European Instrument for Democracy and Human Rights. Project support is implemented mainly by civil society organisations defending human rights and specialised agencies directed towards persons with disabilities (capacity-building, mental health), gender (e.g. empowerment, combating gender based violence, including FGM) and child rights (child labour), strengthening access to justice, including training for legal and para-legal practitioners, freedom of information and better health services, including the improvement of reproductive and sexual health. Through its aid agenda, the EU promotes the socio-economic development of Sierra Leone, contributing to the full realization of human rights. Human rights and fundamental freedoms are an integral part of sustainable development.

- Accompany the implementation of the recommendations of the UN's Universal Periodic Review (UPR) and the Truth and Reconciliation Commission (TRC), including on abolition of the death penalty; alignment of the constitution to international human rights commitments (e.g. repeal of Art 27 (4) d and e); gender equality; gender based crimes; domestic violence; access to justice; prison conditions; human rights education; education for girls up to senior secondary level and adult literacy
- Engaging with and promoting the protection of Human Rights Defenders
- Rolling back discrimination against women and addressing Gender Based Violence, including FGM and other harmful traditional practices

5. IMPLEMENTATION

The strategy seeks to ensure coordination of human rights related activities of EU diplomatic and development missions in Sierra Leone [EU, France, UK, Germany, and Ireland].

In implementing the strategy, the EU missions individually or collectively, will concentrate in one or the other of the issues mentioned under the main activities. The expert group (see below) will discuss the operational side of the various activities, including the mechanisms to engage with the Government in a regular fashion.

Monitoring & Evaluation

Human Rights will be a regular item on the agenda of HoM meetings. A Human Rights Working Group at "expert" level will meet at least four times a year to discuss and review the implementation of this strategy. It will also review the human rights situation in the country and draft situation reports to HoM and, where appropriate, to non EU actors. The Group would also draw up / revise the country strategy and contributions to the yearly EU HR report.

Secretariat

The EU Delegation will act as secretariat for this strategy. The Delegation will, where appropriate:

- Review and evaluate the strategy
- Develop the network of Human Rights Defenders
- Set up regular meetings between the EU and HRDs
- Set up regular meetings of EU human rights experts
- Formalise link between EU missions and the Human Rights Commission of Sierra Leone for notification of incidents involving HRDs
- Encourage reciprocal sharing of information relating to human rights issues/news
- Develop a Human Rights communication plan in consultation with EU missions, to include key dates/milestones including, but not limited to: International Women's Day, International Human Rights Day
- Organise field visits to assess the situations in various areas

6. RISK ANALYSIS

Risk	Likelihood	Impact	Mitigation
Lack of Government prioritization	Medium	High	Lobbying of GoSL/Support to the Agenda for Prosperity
Lack of Civil Society buy-in	Medium	High	Frequent meetings/discussion network. Create robust, effective stakeholder management and communications plan
Lack of funding	Medium	High	Ensure strong and sustained use of non-financial resources including lobbying, strong engagement with HRDs, liaising with other possible partners/donors

7. OTHER INFORMATION

Contact regarding this strategy and its implementation

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Progress, Challenges and Commitments

There has been welcome progress in the development of Human Rights in Sierra Leone since the end of the rebel war in 2002, notably steps taken towards reconciliation, increased recognition of the work for the Human Rights Commission of Sierra Leone (HRCSL), introduction of better health-care policies, efforts to improve standards in the media, the holding of three elections, including those in 2012 which were conducive to the consolidation of democracy¹ as well as the adoption of various Acts to guarantee fundamental rights such the Chieftaincy Act, Child Rights Act, Domestic Violence Act, Sexual Offence Act, the three Gender Acts, the ratification/enactment of the Convention on the Rights of Persons with Disabilities, and, in October 2013, the adoption of the Freedom of Information. An Independent Police Complaint Board was approved in Parliament in early 2013 and is being set up. Constitutional review process has been launched in July 2013 to build a fairer society and a more inclusive governance system as well as to better align the constitution with international Human Rights obligations. Work should be concluded by mid-2015. In November 2012, the country was elected to the UN Human Rights Council in Geneva for the period 2013 to 2015 and has since been participating constructively in the HRC sessions. Major challenges remain, in particular address to justice, domestic violence, prison conditions, gender equality and poverty issues. Implementation of legislative Acts is often slow and erratic. The Universal Periodic Review (UPR) of Human Rights in Sierra Leone in 2011 was overall satisfactory.

Sierra Leone has entered into important commitments through the TRC, UPR, the HR Council, the Third Committee of the UN General Assembly and international human rights instruments. Some of them still need to be translated into domestic law, notably the Rome statute creating the International Criminal Court.

At the opening of the 22nd session of the HR Council, on 27 February 2013, the Minister of Justice / Attorney General emphasised that Sierra Leone aimed to strengthen the rule of law, improve access to justice, and remove political influence from the courts. He also stated that the country was taking steps to address its international obligations and that over the next two years the country would be submitting all outstanding human rights reports and signing human rights treaties to which it had not yet acceded. Concerning the judiciary, he pointed out that prisons were being transformed into correctional services in line with international standards and that efforts were being made to reduce the backlog of pending legal cases and the overcrowding in prisons.

Some of the EU's main activities under the Strategy

Taking into account the progress achieved, the remaining challenges and the commitments made (see above) the EU missions, collectively or individually, will endeavour to assist the Government, the civil society, HR Defenders in some of the following areas:

1. In May 2015 the United Nations Human Rights Council (UNHRC) will review for the second time the state of Human Rights in Sierra Leone as part of the **Universal Periodic Review (UPR)** process. This will give the Government of Sierra Leone the opportunity to declare to the UN HRC what actions have been taken to fulfil their international and national human rights commitments and follow up the first UPR exercise in 2011. By then 41 states made about 180 recommendations on issues ranging from FGM to adoption / and domestication of HR instruments to libel law. The government has accepted all recommendations except those in relation to LGBT issues. In some cases, implementation depends on constitutional review. Best practice for states under review is to start working on their "national report" a year in advance of the review, ideally in consultation with the civil society. A midterm review of the UPR is ongoing with a conference held in September 2013 and a report due in December showing some progress in implementing recommendations.

In view of the 2015 exercise, the EU seeks to raise the profile of the UPR process in country. EU missions will assist the Government of Sierra Leone and Civil Society/NGOs to engage

constructively in the lead up and preparations for the UPR process, encouraging timely completion of a comprehensive and consultative national report and stocktaking on implementation of the 2011 UPR exercise. EU missions will also engage regularly with Civil Society Organisations (CSOs) to get their perspective on HR developments in view of the 2015 UPR. EU missions could also offer practical advice to GoSL, Human Rights Commission of Sierra Leone (HRCSL) and CSOs based on previous experience of the UPR process. As to the UPR follow-up, the EU missions could offer support to the GoSL directly or through Civil Society to implement UPR recommendations and where necessary, identify gaps and make constructive proposals to overcome them.

2. 10 years after the **recommendations of Sierra Leone's Truth and Reconciliation Commission** were published in 2004, the follow up Committee intended to take forward their implementation still exists only as an idea on paper. The TRC was unique in that the Act that created it placed a legal obligation on Government to implement its recommendations. So far a lot still needs to be adopted or implemented. Many of the TRC left-overs figure in the UPR exercise so that the UPR and TRC recommendations often overlap.

EU missions will advocate for the implementation of the TRC's recommendations concerning the protection of Human Rights, Youth, Women, and Children, through direct / indirect advocacy or assisted funding of capacity building projects. EU missions will also advocate for the Government of Sierra Leone to formally establish the Truth and Reconciliation Commission's follow-up committee, to include representatives of the moral guarantors of the Lomé Peace Agreement and to monitor/report on the TRC recommendation implementation. The EU is supporting the on-going Constitutional Review Process in view of aligning Human Rights clauses to the international norms which the country has accepted and, overall, creating an inclusive democratic system - the current Constitution still contradicts international commitments and discriminates against women.

3. **Support for Human Rights Defenders** (HRDs) is a long established element of the European Union's human rights policy. HRDs are those individuals, groups and organs of society that promote and protect universally recognized human rights and fundamental freedoms. Although the primary responsibility for the promotion and protection of human rights lies with the Government of Sierra Leone, the EU recognizes that HRDs play an important part in furthering the course of human rights in Sierra Leone. As such the EU has adopted guidelines to provide practical suggestions for enhancing EU action in relation to this issue. EU missions in Sierra Leone will promote the HRD guidelines with the Sierra Leone authorities, including: using reports and recommendations of the UN Special Representative on HRDs and the African Commission Special Rapporteur on Human Rights Defenders.

The EU missions in Freetown will see to it that human rights become an intrinsic part of wider EU- Sierra Leone dialogue, that human rights issues are being discussed, in particular through regular meetings of EU human rights officers and improved information sharing and that regular dialogue with Sierra Leone authorities are held on human rights issues, including joint demarches delivered to relevant authorities on pressing human rights issues/violations. Missions will discuss cases of human rights violations raising cases jointly with GoSL, including at Head of Mission level where appropriate. Public statements and press conferences on human rights issues can be organized where appropriate and after consultation/coordination. Being aware of the importance of improved communication and consultation with HRDs, EU missions will encourage local, regional or cross-border networks of HRDs to share experiences, knowledge, ideas, documents/publications and training on human rights issues in order to coordinate activities and to improve access to regional and international bodies and the media. Joint EU/HRD field trips in-country to assess the local human rights situation and received first-hand accounts from locals and HRDs in particular could be envisaged.

4. **Gender based violence** (GBV) including female genital mutilation (FGM) are key human rights abuses that continue to impede the **empowerment of women. Gender inequality** is entrenched in all spheres of Sierra Leone social, economic, and political life by discriminatory laws, practises, and customs. Societies prosper if women prosper. Full participation of women in the development of Sierra Leone will bring obvious intrinsic and instrumental benefits to building the foundations of a sustainable, just society.

EU Missions in Sierra Leone will use gender as a cross-cutting issue to encourage progress on a range of social, economic and political issues. They should ensure that all projects financed either jointly or individually under the auspices of this strategy take into consideration gender equality/female empowerment. They will advocate for prioritisation of the prevention of, and responses to, gender based violence and prioritisation of coordination of programmes and policies across sectors such as health, social welfare, gender, justice and education, ensuring that the needs of survivors of gender based violence are comprehensively addressed. EU mission will act collectively, and - where appropriate - in partnership with other International Actors in Sierra Leone, to advocate, encourage, and raise awareness of gender issues, particularly those set out in GoSL's Agenda for Prosperity across the board, e.g. political participation, access to justice, subordination of women, GBV, education, health, land tenure rights. The EU missions will also encourage the establishment of an Independent Gender Commission.
