



HUMAN RIGHTS COMMISSION OF SIERRA LEONE



# CLIMATE CHANGE AND HUMAN RIGHTS IN SIERRA LEONE

An Assessment of Climate Change-Related Laws and Policies and of  
Climate Change Impacts and Measures from a Human Rights Perspective

OCTOBER 2025

## **CLIMATE CHANGE AND HUMAN RIGHTS IN SIERRA LEONE**

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The Human Rights Commission of Sierra Leone (HRCSL) was established by an Act of Parliament in 2004 to protect and promote human rights throughout the country.

HRCSL would appreciate receiving a copy of any materials in which information from this report is used.

**Design and Layout by:** Hedda Bank

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**Photos:** HRCSL media

### **Contact HRCSL**

Email: [info@hrc-sl.org](mailto:info@hrc-sl.org) / [hrcsl1@yahoo.com](mailto:hrcsl1@yahoo.com)

Website: <http://www.hrc-sl.org>

Facebook: <http://www.facebook.com/hrcsl>

Instagram: <http://www.instagram.com/hrcsl>

### **Addresses:**

#### **Headquarter:**

ECSL Building, Tower Hill,  
Freetown - +232 79-481520

#### **Regional Offices:**

Western Area Rural (Waterloo) - 4 Main Motor Road Waterloo  
+232 76 446793

Southern Region (Bo) - 85 Bo/Taiama Highway by Lewabu Junction,  
+232 78-336306

Eastern Region (Kenema)

5 Maada Bio Street by Kenema City Council +232 78 114714  
North / West Region (Port Loko)

25 New London Area, Freetown - Conakry Highway. +232 76-800026

Northern Region (Makeni)

65 Magburaka Road +232 76-571770

## TABLE OF CONTENTS

<b>FOREWORD</b>	<b>4</b>
<b>ACKNOWLEDGMENT</b>	<b>6</b>
<b>ABBREVIATIONS</b>	<b>7</b>
<b>EXECUTIVE SUMMARY</b>	<b>9</b>
<b>CHAPTER ONE – INTRODUCTION AND NATIONAL CONTEXT</b>	<b>15</b>
INTRODUCTION	15
HRCNL'S MANDATE AND CLIMATE CHANGE	16
COUNTRY BACKGROUND	17
<b>CHAPTER TWO – METHODOLOGY AND PROCESSES</b>	<b>19</b>
METHODOLOGY	19
<b>CHAPTER THREE – FINDINGS ON GENERAL HUMAN RIGHTS</b>	
<b>OBLIGATIONS</b>	<b>26</b>
CLIMATE THEME: ADAPTATION	26
<b>CHAPTER FOUR – FINDINGS ON SUBSTANTIVE HUMAN RIGHTS</b>	
<b>OBLIGATIONS</b>	<b>29</b>
CLIMATE THEME: DISASTER RISK REDUCTION	29
RIGHT TO LIFE	29
RIGHT TO THE HIGHEST ATTAINABLE STANDARD OF HEALTH	33
RIGHT TO WATER	34
RIGHT TO ADEQUATE FOOD	37
RIGHT TO ADEQUATE HOUSING	39
RIGHTS TO LAND AND NATURAL RESOURCES FOR RIGHTS HOLDERS LIVING IN RURAL AREAS	44
CULTURAL RIGHTS	46
<b>CHAPTER FIVE – FINDINGS ON PROCEDURAL HUMAN RIGHTS</b>	
<b>OBLIGATIONS</b>	<b>48</b>
RIGHT TO PARTICIPATION	48
RIGHTS OF ACCESS TO INFORMATION	52
ACCESS TO EFFECTIVE REMEDIES	54
<b>CHAPTER SIX – SUMMARY OF FINDINGS AND CONCLUSION</b>	<b>59</b>
SUMMARY OF FINDINGS	59
<b>CONCLUSION</b>	<b>61</b>
<b>REFERENCES</b>	<b>62</b>
<b>ENDNOTES</b>	<b>65</b>

## FOREWORD



The Human Rights Commission of Sierra Leone (HRCSL) as a statutory national human rights institution underscores the importance of integrating a human rights-based approach to climate-change policies, initiatives, programmes and other adaptation measure. HRCSL views climate change impacts as a serious human rights issue, which precipitated it to establish the Directorate of Climate Change and Information Service (DCCIS).

It is no gain saying that the impacts of climate change are already visible in Sierra Leone ranging from rising sea levels, erratic rainfall patterns, floods, droughts, to coastal erosion; a phenomenon that disproportionately affects the most vulnerable populations. Climate change is one of the greatest challenges of our time, with far-reaching consequences for the environment, the economy, and above all, the enjoyment of fundamental human rights. These challenges threaten not only livelihoods and food security but also the rights to health, housing, water, education, and sustainable development.

This national assessment of climate change-related laws, policies, and plans together with the perspectives of rights holders on the impacts of both climate change and the measures adopted to address it by the State comes at a critical moment. Sierra Leone, like many developing countries, is striving to align its climate actions with international human rights standards while ensuring that national frameworks effectively safeguard the dignity and resilience of its people.

The findings of this report provide a comprehensive analysis of the existing legal and policy landscape, highlight gaps and opportunities, and amplify the voices of rights holders whose lived experiences bring meaning and urgency to the discussion. The findings underscore the importance of strengthening institutional frameworks, ensuring inclusive participation, non-discrimination,

and promoting accountability. By adopting a human rights-based approach, the report demonstrates that effective climate governance is not only about protecting the environment but also about safeguarding dignity, equity, and justice. The voices of rights holders captured here remind us that policies and plans must translate into meaningful protection and empowerment for communities most at risk.

I commend the Directorate of Climate Change and Information Services for leading this exercise and for coming out with an empirical report. This report offers evidence-based insights and practical recommendations that can inform policy reforms, strengthen institutional responses, and promote accountability in the climate change agenda. More importantly, it serves as a reminder that addressing climate change is not only an environmental imperative but also a human rights obligation.

I trust that this assessment will serve as an important resource for policymakers, civil society, and development partners, and that it will inspire collective climate change action as we work together toward a just, equitable, resilient and sustainable future for Sierra Leone going forward.

Signed,

A handwritten signature in blue ink, appearing to read "Victor I. Lansana". The signature is fluid and cursive, with a large, stylized "V" at the beginning.

Victor I. Lansana Esq  
Vice Chairperson & DCCIS Oversight Commissioner  
HRCSL

## ACKNOWLEDGMENT

This national assessment of climate change-related laws, policies, and plans together with the perspectives of rights holders, provides a timely and comprehensive analysis of how climate change impacts and the measures designed to address it affect people's lives. It highlights achievements, identifies critical gaps, and underscores the importance of placing human rights at the centre of climate action. This assessment was made possible through the generous support of our counterpart and donor partner.

The Human Rights Commission of Sierra Leone (HRCSL) extends its profound gratitude to the Danish Institute for Human Rights (DHRI) and the French Development Agency (AFD) for their financial and technical assistance. The Commission is particularly grateful to the DIHR Team Lead and Senior Adviser, Human Rights and Development, Maria Ploug Petersen for her expertise in building the capacity of staff to undertake a project of this nature. Their commitment to promoting climate resilience, sustainable development, and human rights in Sierra Leone has been instrumental to the success of this work.

The Commission is equally grateful to all those who contributed their time and insights during the community outreach and data collection process. The active participation of HRCSL Commissioners, Executive Secretary, deputy Executive Secretary, Regional focal staff, and the general staff, together with community stakeholders enriched the findings of this assessment and ensured that the report captures diverse perspectives and lived experiences.

HRCSL sincerely appreciates staff of the Directorate of Climate Change and Information Services (DCCIS) and their Oversight, whose leadership and dedication spearheaded the implementation of this assessment research. Their coordination, technical guidance, and commitment were central to bringing this assessment to completion.

The Commission also acknowledge the support of partner institutions, district human rights committees, and government agencies whose collaboration continues to strengthen Sierra Leone's response to climate change from a human rights perspective.

Finally, this report is dedicated to the resilience of the people of Sierra Leone, whose voices inspire us to pursue strategy and solution for climate action that is inclusive, equitable, and sustainable.

Joseph Kamara  
Executive Secretary - HRCSL

## ABBREVIATIONS

ACHPR	African Charter of Human and Peoples' Rights
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CESCR	Committee on Economic, Social and Cultural Rights
CRC	Convention on the Rights of the Child
DCCIS	Directorate of Climate Change and Information Service
DIHR	Danish Institute for Human Rights
DRF	Disaster Risk Financing
DRM	Disaster Risk Management
EM-DAT	Emergency Events Database
EPA	Environmental Protection Agency
ETF	Emergency Trust Fund
FPIC	Free Prior Informed Consent
GANHRI	Global Alliance of National Human Rights Institutions
GEWE	Gender Equality and Women Empowerment
GoSL	Government of Sierra Leone
GRiF	Global Risk Financing Facility
HARPIS-SL	Hazard Profile Assessment Sierra Leone
HRCSL	Human Rights Commission of Sierra Leone
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
IPCC	Intergovernmental Panel on Climate Change
ITCZ	Inter-Tropical Conversion Zone
MDAs	Ministries, Departments and Agencies
MLCP	Ministry of Lands and Country Planning
MoECC	Ministry of Environment and Climate Change
MTCA	Ministry of Tourism and Cultural Affairs
NaCSA	National Commission for Social Action
NAP	National Action Plan
NCCP	National Climate Change Policy
NDC	Nationally Determined Contribution
NDMA	National Disaster Management Agency
NDPRP	National Disaster Preparedness and Response Plan
NE	North-East
NGOs	Non-Governmental Organization
NW	North-West
NWR	North-West Region
ONS	Office of National Security
PSSNYE	Productive Social Safety Nets and Youth Employment
SDG	Sustainable Development Goals
SLEPA	Sierra Leone Investment & Export Promotion Agency
SLMA	Sierra Leone Meteorological Agency
SRSP	Shock-Responsive Social Protection
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNDP	The United Nations Development Programme
UNFCCC	United Nations Framework Convention on Climate Change
UNICEF	United Nations International Children's Emergency Fund

UN OHCHR	United Nations Office of the High Commissioner for Human Rights
USAID	United States Agency for International Development
WA	Western Area
WAPNaP	Western Area Peninsula National Park



Showing Dwazack, Freetown local farmers' crops washed away by heavy rainfall, HRCSL media

## EXECUTIVE SUMMARY

Sierra Leone is one of the most vulnerable countries in the world to the impacts of global climate change. Despite the country's minimal contribution to global warming (resulting from high levels of greenhouse gas emissions), Sierra Leone is already heavily impacted by increasingly extreme weather, hot temperatures, sea level rise, increasing frequency and severity of coastal flooding, coastal erosion, and increased frequency and intensity of heavy precipitation events leading to flooding. The impacts are not evenly distributed: women, children, persons with disabilities, rural farmers, fishing communities, and low-income urban residents are disproportionately affected. These impacts are well documented by the Intergovernmental Panel on Climate Change (IPCC) and predictions show that the situation will worsen as the world is heading for increased global warming due to continued high levels of green-house gas emissions globally.

Climate change has been recognised globally as one of the greatest existential threats for people and the planet. Its harmful effects undermine the full enjoyment and realization of all human rights. This analysis by the Human Rights Commission of Sierra Leone documents how climate change is already impacting the right to life, and the enjoyment of the rights to food, water, housing, health and cultural rights in Sierra Leone. It also shows that if the response to the climate crisis is not following a human rights-based approach, it can lead to human rights violations. This calls for attention to aligning the climate response with human rights standards including processes of relocating communities and responding to climate change-related disasters.

The assessment draws on a national and right holders assessment tool<sup>1</sup>, which was developed by the Danish Institute for Human Rights (DIHR) in collaboration with the HRCSL and other partners and is based on the United Nations Office of the High Commissioner for Human Rights' methodology for developing human rights indicators. This method implies identifying the relevant human rights and related state obligations to be monitored and documented. The analysis applies a human rights lens to evaluate whether climate action in Sierra Leone meets the country's human rights obligations.

The HRCSL conducted an extensive review of climate-change related laws and policies supplemented by interviews with relevant government authorities and representatives of civil society organisations. The HRCSL research team conducted visits to twenty-seven (27) communities across the Western Area, the North and North-West, the South and the Eastern regions and interviewed a total of 434 (308 male and 126 female) rights holders. The selection of communities was informed by information about disaster vulnerability and occurrence based on information in the Sierra Leone National Disaster Management Agency (NDMA) monthly Disaster Database, and the Sierra Leone Hazard Profile Assessment (HARPIS-SL) website. Hence, the analysis presents both the views of the Commission on laws and policies and their implementation and the perspectives of rights holders on climate change impacts and climate change measures.

### **Key findings include:**

**Climate change adaptation** (general obligation to prevent harms to human rights): Sierra Leone has a National Adaptation Plan well aligned with human rights and climate change obligations. Yet, the current plan does not include an analysis of how groups in the country are differently affected and vulnerable to the impacts of climate change making it more difficult to design targeted measures for those most vulnerable.

**Disaster Risk Reduction** (related to the protection of the right to life): Sierra Leone has disaster management, preparedness and response policies and plans in line with the Sendai Framework for Disaster Risk Reduction and has set up relevant institutions and structures to improve its management of disaster risks. However, the rights-holder assessment revealed severe gaps in the delivery of disaster support to all groups. Vulnerable groups, such as women, children, older persons and persons with disabilities, do not appear to be sufficiently prioritized in accessing government support in the aftermath of disasters.

**Right to the highest attainable standard of health:** The State has taken important steps to enact relevant Acts and set up funds including the public health emergency trust fund, a National Public Health Agency and a climate health unit to help the health sector withstand and respond to climate health risks. Nevertheless, public health financing remains relatively low and donor dependent with risks to sustainability and impact. Most of the communities visited experienced a high prevalence of diseases and health disorders which are worsened by adverse climate conditions.

**Right to water:** Access to clean water remains a significant challenge in Sierra Leone and the realization of the right to water is further challenged by the impacts of climate change (flooding destroying water infrastructure and contaminating water and the drying up of water sources in the dry season). HRCSL noted that there are public initiatives and programmes which address adequacy and sustainability of water availability and access in the context of climate change. Yet 85% of the communities visited had experienced water shortage and the groups that experience disproportionate impacts are women, children, physically challenged and older persons.

**Right to adequate food:** Food insecurity is already a serious human rights issue in Sierra Leone and high dependence on rain fed agriculture worsens the country's vulnerability to climate change. Initiatives such as the Feed Salone Programme is intended to address these challenges. Nonetheless, all of the 27 communities visited have experienced food shortage with disproportionately impacts on vulnerable women, lactating mothers, children and older people. The reasons given for food shortage were attributed to reduction in crop yields as a result of either extreme temperatures or extreme rainfall leading to flooding and destruction of crops. In coastal communities, small-scale fishers report depleted fish stocks, saltwater intrusion and some islands such as Yelebuya, Turtle and Plantain Islands are submerging under water.

**Right to adequate housing and land rights:** Legal security of tenure and the right to protection against dispossession are core aspects of the right to housing. Among the 27 communities visited, 5 had experienced relocation as a result of either an impact of climate change or measures to prevent against expected harms to housing due to climate change. 4 of the relocated communities reported that the new places did not comply with human rights standards in terms of access to employment options, health-care services, schools, childcare centres and other facilities. The assessment also reveals gaps in the consultation process related to relocation in terms of free prior and informed consent and meaningful consultation with all those affected. Importantly, the assessment also documents an instance where only a small percentage of flood victims received the promised housing support and where only those with connections to public officials in charge benefited. This is a clear example of non-compliance with State human rights obligations.

Despite progressive land laws, the majority of communities interviewed have no effective and documented rights to their lands and other natural resources. In the event of climate change or other measures involving relocation or restrictions on access to land and natural resources, these communities are very likely to lose their lands without compensation.

**Cultural rights:** The assessment found negative impacts on cultural, spiritual and traditional practices from floods and storms destroying places of worship in 13 out of 27 communities. Also, in some instances conservation measures have prevented communities from hunting or performing rituals restricting the exercise of their cultural rights.

**Right to participation and access to information:** These procedural rights concern the ability of the people of Sierra Leone to meaningfully contribute to and benefit from climate change initiatives and understand challenges and opportunities in this regard. Despite laws such as the Right to Access Information Act and good intentions in climate plans and policies, the HRCSL found gaps in terms of meaningful participation and access to public information from a rights-holder perspective. If chiefs or community group heads, for instance, have no access to public information or if they do not disseminate the information, the entire community is kept in darkness about any programmes, initiatives, agreements or events that might affect them.

**Access to justice and remedy:** The right to remedy is universal and also concerns violations occurring in the process of responding to the climate crisis. The assessment found that communities face many challenges in accessing justice and appealing government decisions, and those barriers include: lack of knowledge and awareness of rights, no financial resources, limited access to legal aid, difficulties in identifying responsible party or where to appeal, long distance to reach to any relevant public institution or office, and limited access to information and evidence necessary for the appeal. When it comes to access to justice and reparations for harms caused by climate change, this is a complex legal question potentially involving reparations from other states that have failed to take action to protect the climate system.

## Recommendations

### Climate adaptation:

1. The National Disaster Management Agency (NDMA) in collaboration with the Ministry of Environment and Climate Change (MoECC) should conduct a vulnerability assessment on how specific groups are affected by the impact of climate change and climate change measures.
2. Government, through the Ministry of Finance, should increase budgetary allocation to climate change adaptation initiatives and programmes that would meet the basic needs of climate change-related disaster victims and communities vulnerable to predicted impacts.
3. Government MDAs should integrate a human rights-based approach to the implementation of adaptation initiatives and projects to ensure equal access to these programmes by all right holders.
4. The MoECC in collaboration with other MDAs should map out clearly defined roles and entrench climate considerations into public initiatives and investment decisions.

### Disaster risk reduction

1. Government through NDMA and MoECC, should set up a steering committee or advisory board that would include HRCSL and ACC to oversee the implementation of initiatives, compensations and programmes geared towards addressing climate disaster-related risks and impacts for groups in vulnerable situation. This is to ensure improved accountability, transparency and non-discrimination in government and development partners' humanitarian interventions.
2. The Ministry of lands and country planning (MLCL) should work in consultation with NDMA and MoECC in granting building permit in areas identified as disaster-prone areas and urban forest protected areas.

### Right to health

1. The Ministry of Finance should increase budgetary allocation to the Ministry of Health and Sanitation to enable it to operationalise and regionalise the newly inaugurated climate health unit.
2. The Ministry of Health and Sanitation should strengthen community health centres with the requisite health equipment to address health hazards and diseases affecting communities, which is being worsened by the impacts of climate change.
3. The Ministry of Health and Sanitation should also initiate community mobile clinics for hard-to-reach communities where health centres are non-existent.

### Right to water

1. Government through the Ministry of Water Resources should invest maximum available resource locally and through donor funds in improving water infrastructure to ensure availability, quality and accessibility in line with human rights standards.
2. Government, through the Ministry of Mines and Mineral Resources should take strict punitive measures to regulate and enforce regulations on companies to abstain from polluting the water sources and reducing the availability of clean water for host communities in rural areas through mining activities.

### **Right to adequate food**

1. Government should mobilize more resources from domestic sources and from international cooperation to invest maximum resources in the agricultural sector and ensure that its flagship Feed Salone programme is fully implemented across the country to ensure that the right to food is realised for all.
2. The Ministry of Fisheries and Marine resources should protect the interest of small-scale fishers and coastal communities by applying a human rights-based approach to fisheries governance and coastal conservation.
3. Government and its development partners should continue to climate-proof rural infrastructure by extending the Agricultural Value Chain Development Project in order to boost the rehabilitation of feeder roads and warehouses for storage capacity.

### **Right to adequate housing**

1. Government should strengthen NDMA through increased budget allocation for the full implementation of the national development induced-resettlement Act of 2023, which provides for affected individuals or communities to be properly compensated and supported in rebuilding their lives and livelihoods.
2. In undertaking relocation programmes, the line government MDAs (MoECC, MLCP, NDMA) should apply a human rights-based approach and follow due process through prior consultation and prompt and adequate compensation without discrimination.
3. Government, through the MLCP and in collaboration with MoECC, SLEPA and Councils, should take adequate measures to prevent harms to housing from climate change through sound urban and rural planning, building regulations, and investments in climate proof infrastructure.

### **Land rights**

1. The Ministry of Lands and country planning should implement the full provisions of the new customary land rights, and Land Commission Acts that will guarantee the rights to land for all community members in the advent of climate-induced relocation or compensation.
2. Government through the MLCP and District Councils, should with urgency, implement Part IV of the Customary Land Rights Act<sup>2</sup> and Part VI of the national Land Commission Act<sup>3</sup>, which provide for the establishment of the Chiefdom Council Committee and Family Land Title to have oversight responsibility over land in the respective chiefdoms in the provinces, and ensure equal control over land irrespective of their gender, domicile, marital or other status.

### **Cultural rights**

1. Government should make sure that the right of individuals' cultural heritage is respected and protected in the event of climate-induced relocation or resettlement measures.
2. Government through the Ministry of Tourism and cultural Affairs(MTCA) should establish an Inter-ministerial Task Force on Culture & Climate change (which should comprise of MTCA, MoECC, MLCP, Ministry Local Government & Rural development, Education Ministry; Mines; Justice; HRCSL; MRC; CSOs, and Traditional Authorities), to coordinate cultural policy and joint enforcement, and avoid infringing on the enjoyment

of cultural rights by not arbitrarily preventing access to cultural sites in conservation programmes; and should take steps to try to protect cultural heritage from predictable destruction by climate change.

#### **Right to participation**

1. Government, through the MoECC should enact a climate change law that integrates a human rights-based approach to climate-related disaster risk response, conservation and adaptation measures.
2. SLEPA, NDMA and MoECC should increase community participation through robust advocacy and town hall meetings on impact assessments and in the formulation and implementation of climate-related initiatives, policies and programmes.
3. SLEPA and MoECC should practically implement the establishment of Ward and Chiefdom environment committees as provided in Section 68 of the Environment Protection Agency Act, 2022, with the purpose of enhancing a healthy, safe, secured and sustainable environment. The functioning of these committees should serve as a mechanism for rights holders, particular from rural communities, to meaningfully participate in climate and environment-related initiatives and programmes.
4. Government line MDAs should always ensure respect for the customary land rights Act provision to ensure the obtainment of FPIC ahead of all initiatives and ensure that the consultation process lives up to human rights standards for meaningful participation.

#### **Right to information**

1. Government through MoECC and SLEPA should fulfil its Commitments under the Right to Access Information Act, to ensure equal access to environmental information through promoting education, training and public awareness related to climate change and environment for right holders at all levels, and encourage the widest participation in this process, including that of non-governmental organizations.
2. The MoECC, SLEPA and Sierra Leone Metrological agency (SLMA) should always popularise and make available climate-related policies, measures, impacts, weather forecast and reports; and provide easy means for right holders from rural communities to access them.

#### **Access to remedy**

1. Government through the MoECC and EPA should create a unit within their operations to serve as alternative non-judicial means for right holders, particularly from vulnerable communities, to easily access for addressing appeals or petitions against government decisions regarding climate change-related policies or projects that may have a direct impact on their livelihood.
2. Government should consider the incorporation of the Human Rights Commission of Sierra Leone to serve in the EPA Board in order to integrate human rights-based approach to Board's responsibility of providing policy guidance and advice for the efficient overall performance of the Agency.
3. The MoECC, EPA and NaCSA should work in collaboration with HRCSL and ACC in implementing programmes geared towards addressing adequate redress, restitution and compensation of lands and territories which have been confiscated, taken, occupied, lost or damaged due to climate changes measures. This is to ensure accountability, transparency and a human rights-based approach to programme implementation.

# CHAPTER ONE

## INTRODUCTION AND NATIONAL CONTEXT

### INTRODUCTION

Sierra Leone is ranked as one of the 10 most vulnerable countries in the world to the impacts of global climate change<sup>4</sup>. This is a wakeup call, a cause for concern and requires a holistic approach towards addressing the impacts of climate change in the country.

Climate change refers to long-term changes in temperature and weather. While this can occur naturally, in recent history, the main cause of climate change is pollution from human actions like burning coal, oil and gas. These actions release gases (like carbon dioxide) that trap heat in the atmosphere making Earth warmer. Climate change is a global process, so pollution from one place, contributes to climate change impacts all over the world. Sierra Leone has contributed minimally to the global problem but is heavily affected.

The IPCC has reported that impacts in Africa already include increased mean and hot temperatures, sea level rise (at a higher rate than the global mean) increasing frequency and severity of coastal flooding in low-lying areas and coastal erosion along sandy coasts, and increased frequency and intensity of heavy precipitation events leading to flooding<sup>5</sup>. These impacts are already observed in Sierra Leone and are expected to worsen. This directly harms human rights, including the right to life, and makes it more difficult to realize rights such as the right to food, health, water and housing.

Sierra Leone is a signatory to several United Nations (UN) human rights and climate change treaties and conventions<sup>6</sup>, which are legally binding on States that have signed them. These require States to prevent foreseeable harms caused by climate change by reducing emissions and adapting to climate change. There is international recognition that countries that have polluted more (“high emitters”) must cut their emissions more to stop further climate change. This is referred to as the principle of “Common But Differentiated Responsibilities”. In addition to reducing emissions, all States are required to take measures to facilitate adequate adaptation to prevent harms to human rights. Specific obligations pertaining to adaptation are contained in Article 7, paragraph 9, of the Paris Agreement, which provides that “each Party shall, as appropriate, engage in adaptation planning processes and the implementation of actions, including the development or enhancement of relevant plans, policies and/or contributions”.

The Paris Agreement also underlines that “Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights”. States must analyse and address different vulnerabilities of women, children, older persons, persons with disabilities, and other groups in vulnerable situations in line with a human rights-based approach. Practically, a human rights-based approach leads to more sustainable and effective climate action and climate policies.

### **A human rights-based approach to climate action:**

- Aligning climate policies and programmes with human rights standards
- Meaningful and inclusive participation of rights-holders in decision-making processes
- Non-discrimination and equality with attention to groups most at risk
- Accountability and access to justice
- Transparency and access to information

Guidance on how to interpret State obligations under international law in the context of climate change can be found in the recent Advisory Opinion by the International Court of Justice on the obligations of states in the context of climate change<sup>7</sup>. UN Human Rights Treaty Bodies have likewise elaborated on these obligations under human rights law including the Committee on the Rights of the Child (CRC) in General Comment 26, Committee on Economic, Social and Cultural Rights (CESCR) in General Comment 15 and 26, Committee on the Elimination of Discrimination against Women (CEDAW) in General Recommendation 37 and the Human Rights Committee (HRC) in General Comment 36. In addition to these sources, the analysis also draws on the Principles and Guidelines on the Implementation of Economic, Social and Cultural Rights in the African Charter on Human and People's rights and in the General Comments on economic, social and cultural rights by especially the Committee on Economic Social and Cultural Rights.

### **HRCSL'S MANDATE AND CLIMATE CHANGE**

The Global Alliance of National Human Rights Institutions (GANHRI) acknowledges that climate change and its impacts are among the greatest challenges, directly and indirectly impacting on the full enjoyment of human rights, including social, economic and cultural rights as well as civil and political rights, the right to development and the right to a healthy environment. GANHRI also stated that a human rights-based approach leads to more sustainable and effective climate action and climate policies; and urged states to ratify and implement international and regional human rights treaties, taking into account the recommendations and guidance from the UN Human Rights Council, UN Special Procedures and UN Treaty Bodies<sup>8</sup>.

The Human Rights Commission of Sierra Leone (HRCSL) was established by an Act of Parliament (Act no.9 of 2004), with the mandate to “*protect and promote human rights in Sierra Leone and to provide for other related matters.*”<sup>9</sup> As part of its functions of “*effective co-operation with non-governmental organisations and other public-interest bodies engaged in the field of human rights*” pursuance of Section 7 (2) (b) (iv) of the Human Rights Commission of Sierra Leone Act, 2004<sup>10</sup>, the Commission went into dialogue with the Danish Institute for Human Rights (DIHR) to develop a partnership with respect to developing and testing a framework for analysing climate change-related laws and policies and documenting impacts on rights holders of climate change and climate change measures in Sierra Leone.

The cooperation with the DIHR started with capacity building training on climate change and human rights for Commissioners and staff of HRCSL on

18th and 19th June, 2024, which was in alignment with outcome 3 & 5 of the Commission's strategic plan 2020 to 2025 both expressing capacity building of Commissioners and staff in helping to effectively deliver its mandate in protecting and promoting human rights. The training for Commissioners and staffs was very timely as the Commission recently enlarged its scope by creating spaces within the structure to respond to emerging human rights issues such as Business and Human Rights, Migration and Human Trafficking, the monitoring and implementation of Sustainable Development Goals under the Gender and Children's Affairs directorate, Treaty Bodies directorate and directorate of Climate Change and Information Services.

This training has consequently equipped HRCSL staff to undertake this national assessment of climate change-related laws, policies and plans from a human rights perspective, and documenting climate change-related impacts, and impact of climate change measures on rights holders in Sierra Leone.

## **COUNTRY BACKGROUND**

### **Geography**

Sierra Leone is situated on the west coast of Africa with an area of 71,740 square kilometres (km<sup>2</sup>). The Country is bordered by the Atlantic Ocean in the southwest, Liberia in the southeast, and Guinea in the north and northeast. The country has four distinct geographical regions: coastal Guinean mangroves, the wooded hill country, an upland plateau, and the north-eastern mountains. It has a relatively high urbanization rate of about 43 percent and a population of 7.6 million, of which 50.6 percent are female. The country has a young population, with 40 percent comprised of children under the age of 14 years<sup>11</sup>.

### **Current Climate**

The climate of Sierra Leone is tropical; although it could be classified as a tropical monsoon climate, it could also be described as a climate that is transitional between a continually wet tropical rainforest climate and a tropical savannah climate<sup>12</sup>. There are two seasons: the rainy season from May to November, and a dry season from December to May, which includes harmattan, when cool, dry winds blow in off the Sahara Desert.

### **Temperatures**

The temperatures are consistently high throughout the country, roughly averaging about 28 degrees Celsius (°C). The amplitude of the average annual mean temperature of Sierra Leone is about 30°C. Maximum temperature shows larger amplitude (about 50°C) while minimum temperature has an amplitude of about 20°C. Highest temperatures are recorded in March and resonate between February and April while lowest temperatures are recorded in July and August. The low temperatures in July and August are mainly due to almost continuous cloudiness and rain during these months. The average temperature is 26°C and varies from around 26°C to 36°C during the year<sup>13</sup>. Mean annual temperature has increased by 0.80C since 1960, an average rate of 0.18 °C per decade. During the dry season, the harmattan (dry dusty cool air) causes average temperature of about 32 °C daytime (around 13000Hrs) and 15°C at night (0600 Hrs). However, the harmattan period in recent times has been warmer than usual.

## Precipitation

The climate of Sierra Leone is basically divided into two seasons: the rainy and drier seasons. The rainy or monsoon season runs from July to September with a country average rainfall of about 2,746 millimetres (mm) and varies from 3,659 mm in Bonthe in the South, 2,979 mm in Lungi (Freetown) in the West and 2618 mm at Kabala and Bo in the north and central parts of the country. Average rainfall is highest at the coast, 3,000–5,000 mm per year; moving inland rainfall decreases and at the eastern border of the country, the average rainfall is 2000-2500mm (Hughes and Hughes, 1,992). This rainfall season is largely controlled by the movement of the tropical rain belt (also known as the Inter-Tropical Conversion Zone, ITCZ), which oscillates between the northern and southern tropics over the course of a year.

The precipitation regime has become more erratic in the last 50 years and recently, delays in the start of rains and associated water shortages have been witnessed particularly in Freetown. Heavy rainfall following such dry spells often results in extensive flooding throughout the country. The effects of these unusual temperature and rainfall patterns on agriculture, water supply and sanitation are evident in various parts of Sierra Leone. It has also been observed that the pre-monsoon period which runs from April to June is now associated with stronger winds and more frequent rain/storms causing loss of lives and damage to property. Calmer and dryer weather now appears to be associated with the September to November period which was usually characterized by frequent thunder and lightning and short but heavy rainfall<sup>14</sup>. It is during this period many coastal communities are affected by sea erosion and flooding, and submerging of Islands such as Banana Island, Yelebuya, Turtle and Plantain Islands due to sea level rise.



Showing the impact of heavy rainfall in the Eastern part of Freetown,  
HRCSL media

## CHAPTER TWO

### METHODOLOGY AND PROCESSES

#### METHODOLOGY

The assessment draws on a national and rights holders' assessment tool<sup>15</sup>, which was developed by DIHR in collaboration with the HRCSL and other partners and is based on the United Nations Office of the High Commissioner for Human Rights methodology for developing human rights indicators<sup>16</sup>. This method implies identifying the relevant human rights and state obligations to be monitored and documented. In rolling out this climate change assessment tool, the Commission in collaboration with DIHR took the following steps:

- Capacity training for HRCSL Commissioners and Staff on human rights and climate change, and on the human rights-based approach to data collection.
- Conduct national assessment of climate change-related laws, policies and plans from a human rights perspective.
- Develop criteria for selection of geographical /locality and right holders to be engaged and interviewed.
- Engage in community outreach and awareness raising sessions prior to data collection exercise using the rights-holders assessment questionnaire. This also included explaining the rationale for the data collection, and clearly state who the data collectors are, and the mandate of the Human Rights Commission of Sierra Leone
- Translation of questions and simplify language – and paraphrasing to explain key concepts of climate change and human rights in a way that rights-holders can easily understand.

#### National Assessment

The National Assessment framework looks at whether climate change-related laws, policies and plans are compliant with State human rights obligations. Human rights obligations come primarily from international and regional human rights treaties that Sierra Leone has voluntarily ratified, and other sources of legal obligations include the national constitution. These obligations are implemented through national legal frameworks, policies, plans and programmes. Therefore, in the national assessment, a key focus was to analyse climate change-related laws, policies and plans, and their compliance with State human rights obligations. While the rights-holder assessment investigates the outcomes for rights holders in terms of human rights enjoyment under specific climate themes and human rights indicators.

Information was gathered through analysis of the relevant laws and policies, plans and programme mainly through desk research and analysis. In some instances, the information was complemented by interviews with relevant government authorities and representatives of civil society organisations. After identifying relevant human rights, such as the right to life, key obligations in the context of climate change are identified based mainly on General Comments and Recommendations from Treaty Bodies and Special

Rapporteurs - for example the obligation to ensure equal access to initiatives and programmes for disaster risk reduction. The assessment of whether the State is living up to this particular obligation is then assessed through structure, process and outcome indicators and related questions as in the example below:

Structure indicators	Process indicators	Outcome indicators
Structural indicators help capture the acceptance, intent and <b>commitment</b> of the State to undertake measures in keeping with its human rights obligations.	Process indicators help assess a state's <b>efforts</b> , through its <b>implementation</b> of policy measures and programmes, to transform its human rights commitments into the desired results.	Outcome indicators help assess the <b>results of State efforts</b> in furthering the <b>enjoyment of human rights</b>
For example, Existence of a national disaster risk reduction strategy.	For example, Implementation of initiatives and programmes to address climate disaster-related risks and impacts for groups in vulnerable situations.	For example, <ul style="list-style-type: none"> <li>Number of deaths, missing and directly affected persons attributed to climate-related disasters.</li> <li>Equal access to initiatives and programmes for disaster risk reduction</li> </ul>

### Right Holders Assessment

The right holders' assessment tool was used to assess and document **climate change impacts on human rights enjoyment and impacts of climate change measures** (mitigation and adaptation related) on rights enjoyment. This assessment process requires **interviews** with rights holders – as individuals or in focus groups. In piloting the rights-holders assessment in Sierra Leone, twenty-seven (27) communities were engaged in focus group discussion. These communities comprised of thirteen communities in the Western Area, seven in the North and North-West, two in the South and five in the Eastern regions.

The rights holders' questionnaire consists exclusively of outcome indicators, as it is intended to capture outcomes in terms of rights realisation in practice. Hence, the structural and process indicators is found in the national assessment.

### Criteria Considered for Rights-Based Approach to Data Collection

The following human rights-based approach to data collection was ensured:

- **Participation:** There was meaningful participation of various group of right-holders in data collection. Data collectors pay special attention to power imbalances, security concerns, language/interpretation needs,

accessibility and timing of the focus group discussion. They also pay extra attention to hear the voices of women, persons with disabilities, the elderly and other minority groups.

- **Disaggregation:** In some communities, participants were divided into various group discussion according to gender, title and age to capture the situation for different rights holders understanding intersecting forms of marginalisation.
- **Self-identification:** Rights-holders/respondents were provided with the option to disclose or withhold information about their personal characteristics.
- **Do no harm:** Data collectors were orientated in how to avoid inadvertently contributing to harm such as stigmatization, tension, conflict or retaliation through the data collection exercise.
- **Transparency:** Before the focus group engagement, participants were told clearly who the data collectors are and the mandate of institution they worked for, the purposes of the data collection and how data would be used.
- **Privacy:** Data collectors also assured participants that their privacy is protected, and data collected are confidential, and that individual identity would not be exposed.
- **Accountability:** Participants were informed that the data collected would be used to hold duty bearers accountable for their human rights obligations and support rights-holders/respondents to use the data for their own purposes.

#### **Selection of Locations/ Community Criteria and Rationale**

- **Selection of locations:** The selection of communities was guided by the Sierra Leone National Disaster Management Agency (NDMA) monthly Disaster Database, and on the Sierra Leone Hazard Profile Assessment (HARPIS-SL) website. Sample of communities were selected in each region and the Western Area of Sierra Leone based on reported incidences of disasters, many of which are made worse due to climate change causing extreme rain, flooding or sea level rise.
- **Western Area (WA):** - This host the Western Area Peninsula National Park (WAPNaP), which consist of the Western Urban and Western Rural district with Freetown and Waterloo as its municipalities respectively. The Western Area is known for regular disaster exacerbated by the impact of climate change causing severe loss of lives, properties, and hardship almost every year as a result of flooding and mudslides during the raining seasons. There is also acute shortage of water supply during the dry season due to human activities in deforesting the water catchment areas of WAPNaP. It is also observed that there is a great biodiversity lost around the WAPNaP areas as a results of land grabbing and concentration of rural- urban migration for better standard of living particularly after the

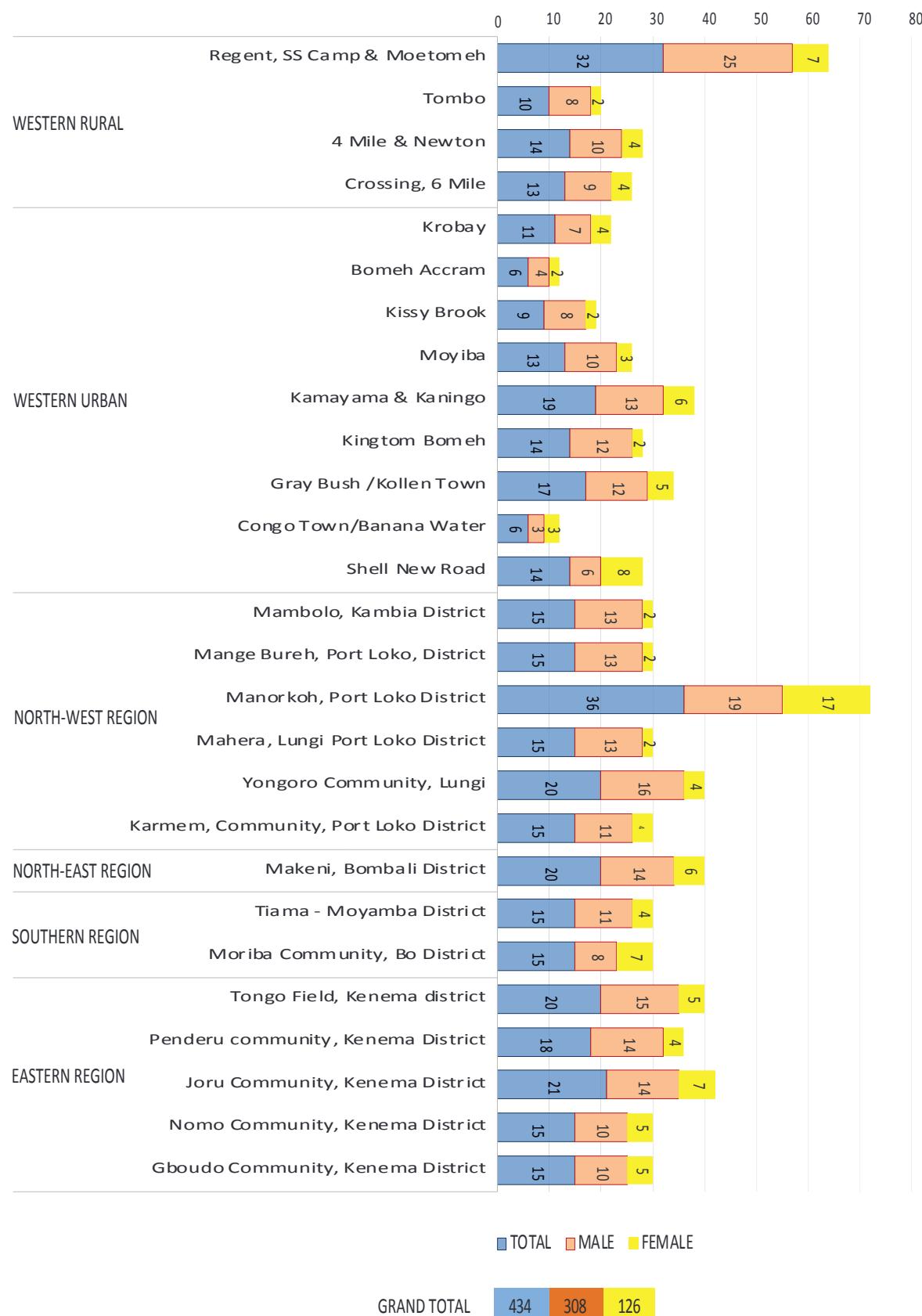
end of the 11 years rebel war. The communities reached are in the most disaster-prone areas where vulnerable groups disproportionately have been affected by climate change related impacts and incidences.

- **North-West (NW) and North-East (NE) Regions:** In the NWR, Mambolo, Mange Bureh, Manorkoh -, Marampa chiefdoms, Mahera, Karmem and were selected because these communities have been victims of flooding caused by heavy rains fall, sea erosion and sea level rise worsened by sand mining activities in the coastal communities, and transboundary river overflow from neighbouring country, Guinea, causing demolition of houses and destruction of agricultural crops along the Great and Little Scarcies Rivers. In some areas, Manorkoh and surrounding villages in the Marampa chiefdom for instance, mining activities are the prime cause of flooding and environmental harms worsen the impact of climate change on rural communities. In the NER, flash flooding occurs every year in most of the districts particularly in Makeni City, Bombali district, affecting dwelling houses, roads, agriculture and access to clean water.
- **South and East Regions:** The environmental impacts of climate change in the Southern and Eastern regions of Sierra Leone share a similar commonality and are far reaching and pose a significant challenge for the country's development and wellbeing of its people. Changing rainfall and weather patterns are affecting agricultural productivity as farmers struggled to adapt to new crop varieties and growing seasons. The mining activities in Kenema district, particularly Tongo community, the spread of water borne diseases due to water contamination by mining companies has made the situation worse. The Gola Rainforest is found in the South & Eastern Regions, and it sits within seven (7) chiefdoms with 122 communities living directly adjacent. Reports reaching the Commission indicate that these communities have been deprived of freely using their lands for farming due to government restrictions for preserving the Gola Rainforest for carbon sequestering with no alternative livelihoods for forest edge communities.

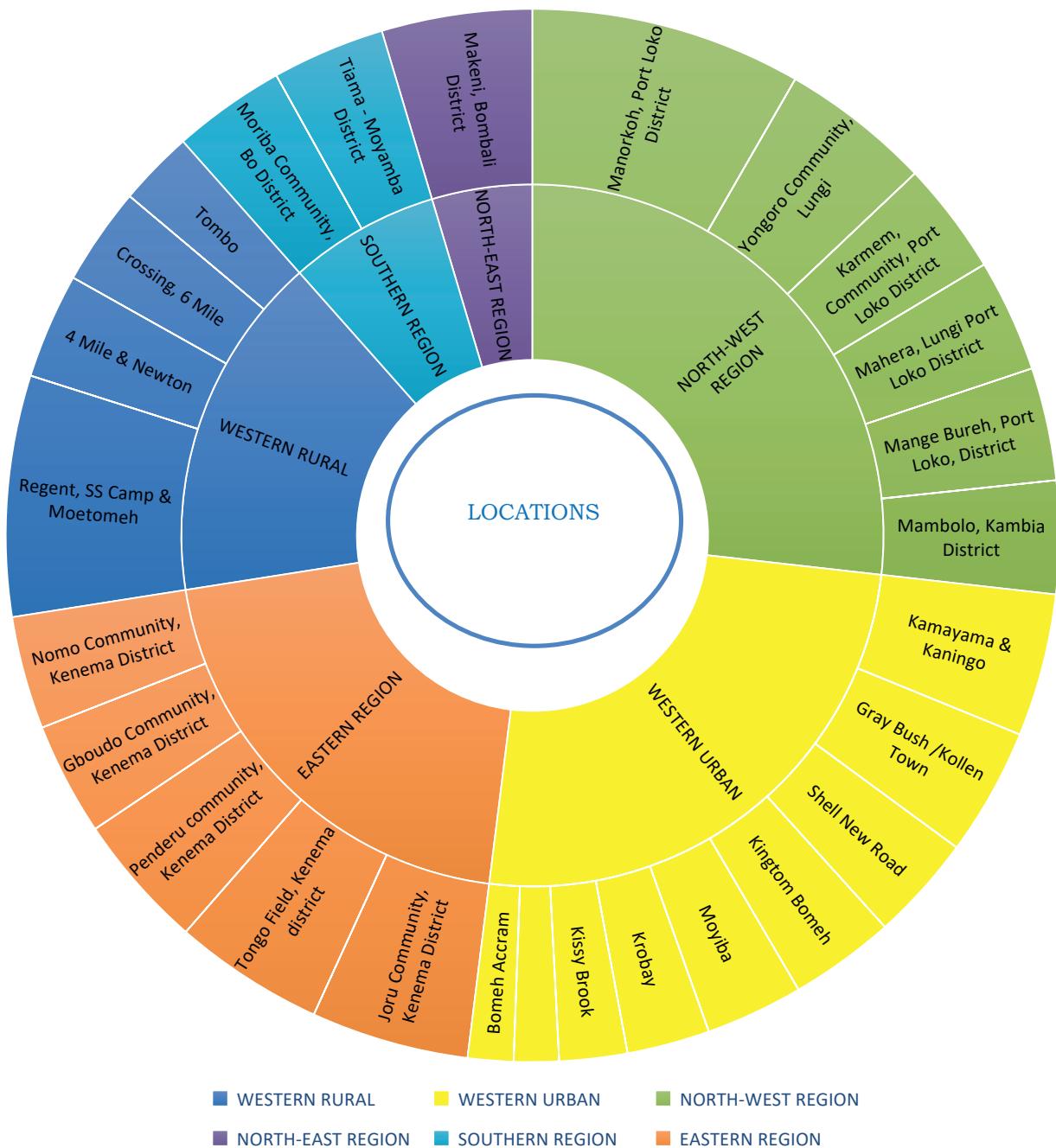
#### **Selecting Participants for Focus Group Discussion:**

Participants were purposefully selected due to their various roles and groups they represent in their communities. They included: community leaders (Headmen or Chairmen/ Chairladies for the Western Area, and Paramount Chiefs, Chiefdom Speakers/ Section Chiefs in the region), Youth Leaders, Mammy Queens, prominent community elders, land/property/ house owners' rep, persons with disability representatives, local or forest security representatives, Harbour Masters in coastal or fishing communities, Fishermen Unions rep, farmers' association representatives, district human rights committees, community health workers, local councillors, community school heads representatives, and religious leaders (Muslim & Christian representatives).

## Gender Analysis



## SELECTED COMMUNITIES



### **Data analysis, visualisation and use of data**

The data analysis takes into consideration responses by various communities to questions about different rights affected by climate change impacts and measures. The rights-holder assessment investigates the outcomes for rights holders in terms of human rights enjoyment. The responses from rights holders are analysed in relation to the findings from the national assessment under the same or similar headings or human rights indicators and climate themes.

Therefore, in rating the level of compliance with the specific human rights obligation assessed in the indicator, for example the obligation to ensure equal access to initiatives and programmes for disaster risk reduction, the legal and structural provisions were analysed through desk review of laws, policies and plans are reviewed, and compared to the data collected from the rights holders' assessment, demonstrating practical implementation and outcomes of the existing policies and programmes. Graphic illustration using Excel is used to analyse respondents' answers from the rights holder's assessment for each human rights indicator.



Showing aftermath of flooding at One mile, Kabala town, Koinadugu District, HRCSL media

## **CHAPTER THREE**

### **FINDINGS ON GENERAL HUMAN RIGHTS OBLIGATIONS**

General Human Rights Obligations in this assessment refer to the legal and moral duties that States have to take measures to respect, protect, and fulfil the human rights of individuals in the context of climate change. While the State is the primary duty bearer with a responsibility to respect, protect and fulfil rights, other actors (including private sector actors and NGOs) also have obligations to respect rights. The sources of these general obligations include the provisions of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights for States to take steps to achieve the full realization of rights by all appropriate means. The obligation to progressively move towards the full realisation of economic, social and cultural rights has been implied into the African Charter article 61 and 62<sup>17</sup>. Such steps include legislative, administrative, financial and other measures, and mobilisation of maximum available resources, while ensuring non-discrimination. Funded measures to ensure climate change adaptation with a focus on the most vulnerable groups are necessary to prevent foreseeable harms to the human rights of the people of Sierra Leone.

#### **CLIMATE THEME: ADAPTATION**

##### **Indicators:**

- Existence of adaptation plans based on a vulnerability assessment (structure)
- Implementation of initiatives and programmes for climate change adaptation targeted groups in vulnerable situations (process)
- Equal access to initiatives and programmes for climate change adaptation (outcome)

All countries have obligations to protect the climate system and prevent human rights harms caused by climate change as clarified by the International Court of Justice in its Advisory Opinion on the obligations of States in respect of climate change. This means reducing greenhouse gas emissions and adapting to climate change. Countries that have polluted more are obliged to reduce their emissions more in line with the principle of “Common But Differentiated Responsibilities and Respective Capabilities”.

As Sierra Leone is one of the poorest countries in the world with minimal contributions to global climate change, the key focus in this assessment is on adaptation obligations rather than mitigation obligations to reduce emissions. This does not mean that the State can disregard the question of emissions reductions (especially as pertains to future extraction of fossil fuels), but to avoid placing an unfair expectation to reduce emissions on a “least-developed

country" that has very low per capita emissions, is yet to deliver electricity to its entire population and have acute human development needs to be addressed. Also, some mitigation measures can challenge the realization of human rights if not implemented in a human right's compliant manner. For example, forest conservation for carbon sequestration may result in violation of economic, social and cultural rights if it involves restricting access to key livelihood resources without providing alternatives.

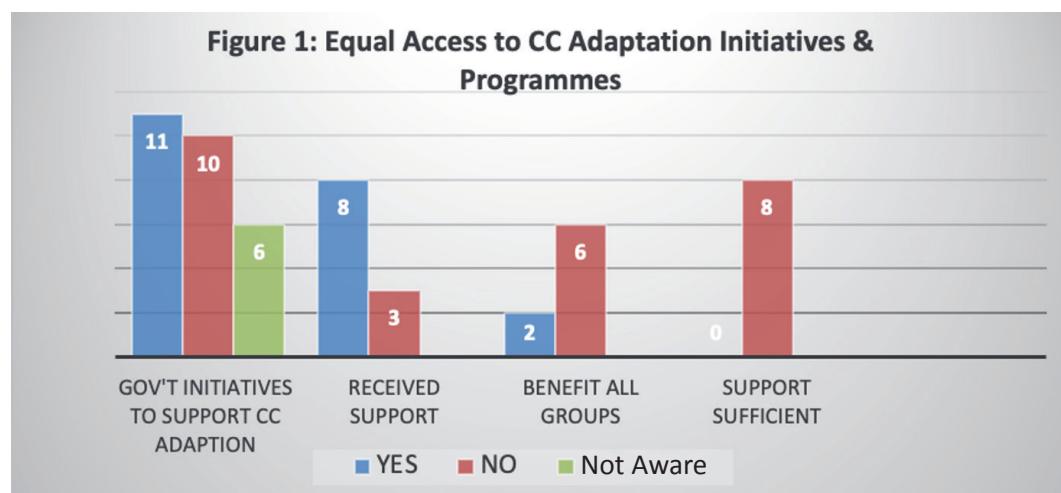
The Paris Agreement requires all State parties to implement adequate adaptation measures taking into account their human rights obligations. To do this effectively requires a human rights-based approach to analysing and addressing different vulnerabilities of women, children, older persons, persons with disabilities, and other groups in vulnerable situations.

### **Findings**

Sierra Leone submitted its National Adaptation Plan (NAP) to the UNFCCC in 2021. The State has also formulated the climate change communications strategy under the National Adaptation Plan in 2020. These actions demonstrate alignment with international adaptation obligations and Sierra Leone's commitment to achieving the Global Goal on Adaptation by reducing vulnerability through integrating adaptation considerations into all relevant plans, policies and strategies. The country last revised its Nationally Determined Contribution (NDC) in 2021, which updates and strengthens the first NDC for both mitigation and adaptation contributions, informed by improved data collection, in-depth technical analysis and extensive stakeholders' engagement<sup>18</sup>. The Sierra Leone Freetown's Climate Action Strategy 2022 – 2030 is the city's first attempt toward delivering on its commitment to the Paris Agreement and presents innovative, evidence-based solutions to help the city adapt to climate risks, such as flooding, coastal erosion and landslides.

However, effective implementation of these laws, policies, and plans remains the great gap either due to lack of funds or weakly equipped State institutions. The current NAP also does not include an analysis of how groups in the country are differently affected and vulnerable to the impacts of climate change, which is a serious gap. However, the NAP includes an analysis of the current and potential climate sectoral vulnerabilities and impacts for all the priority sectors identified by the government, which include agriculture, water resources, human health and coastal zones.

The results from the right-holders assessment, as shown in figure 1 below indicate that only 11 (41%) communities are aware of government initiatives and programmes that support people or communities to adapt to changes in the climate. Out of the 11 communities, 8 have received support of which only 2 received support that benefited all groups. All communities reported that the support is insufficient.



The findings demonstrated above clearly point to the fact that Sierra has good policies when it comes to climate change adaptation, but implementation and outcomes are weak.

**Recommendation:**

1. The National Disaster Management Agency (NDMA) in collaboration with the Ministry of Environment and Climate Change (MoECC) should conduct a vulnerability assessment on how specific groups are affected by the impact of climate change and climate change measures.
2. Government, through the Ministry of Finance, should increase budgetary allocation to climate change adaptation initiatives and programmes that would meet the basic needs of climate change-related disaster victims and communities vulnerable to predicted impacts.
3. Government MDAs should integrate a human rights-based approach to the implementation of adaptation initiatives and projects in order to ensure equal access to these programmes by all right holders.
4. The MoECC in collaboration with other MDAs should map out clearly defined roles and entrench climate considerations into public initiatives and investment decisions.



Showing Dundas street, Freetown impacted by flooding, HRCSL media

## CHAPTER FOUR

# FINDINGS ON SUBSTANTIVE HUMAN RIGHTS OBLIGATIONS

### CLIMATE THEME: DISASTER RISK REDUCTION

The substantive obligations are State duties to ensure that rights holders impacted by climate change enjoy their specific rights, including the right to life itself. The State should have a clear focus on what human rights standards must be upheld including during and after climate-related disasters. The rights in scope in this assessment include the right to life, to health, water, food, housing, cultural rights and land rights. The findings and analysis of both the national and the rights-holders assessment in each of category of right and related indicators are integrated and presented below.

#### RIGHT TO LIFE

##### Indicators:

- Existence of a national disaster risk reduction strategy in line with the Sendai Framework for Disaster Risk Reduction 2015–2030 (SDG indicators 1.5.3., 11.b.1 and 13.1.2.) (structure)
- Implementation of initiatives and programmes to address climate disaster-related risks and impacts for groups in vulnerable situations (process)
- Number of deaths, missing and directly affected persons attributed to climate-related disasters per 100,000 population (SDG Indicator 1.5.1. and 11.5.1 and 13.1.1) (outcome)
- Equal access to initiatives and programmes for disaster risk reduction on the right to life (outcome)

#### State Obligations Related to the Right to Life

The Human Rights Committee General Comment No. 36 on article 6 of the International Covenant on Civil and Political Rights (ICCPR), on 'the right to life' specifies that the state duty to protect life involves that "[...] States parties should also develop, when necessary, contingency plans and disaster management plans designed to increase preparedness and address natural and man-made disasters, which may adversely affect enjoyment of the right to life [...]"<sup>19</sup>. Other UN treaty bodies have likewise emphasised the need for States to adopt emergency response plans such as measures to provide inclusive early warning systems, humanitarian assistance, and access to food, water and sanitation for all. Article 4 of ACHPR also guarantee the Right to Life, Integrity and Security of the Person at all times.

The Sendai Framework for Disaster Risk Reduction 2015-2030 and the 2030 Agenda for Sustainable Development contain goals and targets for reducing disaster risk and increasing resilience. The global targets aim to reduce global disaster mortality, number of affected people, economic loss and damage to infrastructure and basic services, and increase availability of early warning systems among others.

## Findings

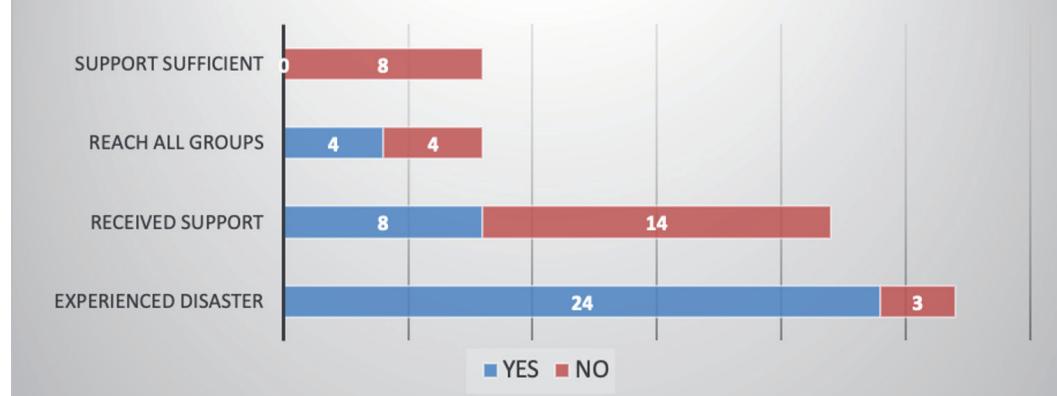
Sierra Leone has the Disaster Risk Financing (DRF) Strategy, which is an integral component of the country's broader risk mitigation and preparedness framework. It is a testament to the state's commitment to multi-sectoral coordination among Ministries, Departments, and Agencies (MDAs). The strategy is designed to ensure prompt availability of financial resources in the aftermath of disasters. This preparedness aims to enhance the efficiency of fund transfers, minimize the opportunity costs associated with such transfers, foster greater fiscal discipline, and improve the management of risk information. Collectively, these measures aim to alleviate the fiscal burden of disasters on the most impoverished and vulnerable Sierra Leoneans.

In line with the Sendai Framework for Disaster Risk Reduction, the government of Sierra Leone has established institutions and structures to improve its management of disaster risks. Fundamental documents, such as the National Disaster Preparedness and Response Plan (2021), the Sierra Leone Disaster Management Policy (2018), and a multi-hazard risk assessment of major urban areas were developed since 2016.

In practice, Sierra Leone leverages a National Emergency Coordination Pillar System during national disasters, which has been noted as a successful approach for the coordination of disaster management in the country. The pillar system meets once a month to coordinate, and more frequently in the event of a disaster. For example, in the aftermath of the 2017 landslide, a national emergency was declared, and the Government of Sierra Leone initiated its emergency response mechanism, under the leadership of the Office National Security (ONS)<sup>20</sup>.

In 2020, the National Disaster Management Agency (NDMA) Act was enacted, which established the Agency to coordinate and implement all aspects of disaster management, including governance, policy, planning, inter-agency coordination, training, and response. With the enactment of the National Disaster Management Act, the Government of Sierra Leone established improved institutional arrangements, as well as operational and financial disaster risk mechanisms to deal with the threatening disaster situations<sup>21</sup>. In spite of these measures, feedback from rights-holders indicate that equal access to government initiatives and programmes continue to be a challenge.

**Figure 2: Equal Access To Initiatives For Disaster Risk Reduction**



The result in Figure 2 from the rights holders focus group discussion in 27 communities selected across the country indicates that 89% of these communities have experienced disasters related to climate change (mainly flooding after extreme rainfall). Out of the 24 (89%) communities that have experienced disaster, only 8 (33%) received support, and this support did not reach to all groups (women, children, elderly and persons with disabilities) in 4 communities out of the eight; and all of them said the support was not sufficient and effective. The result as stated above indicates that vulnerable groups, such as women, children, older persons and persons with disabilities, are not prioritized in accessing government's supports and programmes in the aftermath of disaster.

#### **Case: The Incidents of Mambolo and Mange Bureh Chiefdoms flooding in Kambia and Port Loko Districts**

During the HRCSL team engagement with the two communities on 15th & 16th October 2024, it was revealed that the two chiefdoms suffered from large scale flooding due to heavy down pour of rains and transboundary river overflow from neighbouring country Guinea in September 2024. The flooding disaster destroyed their farmlands, houses and other social amenities. The communities reported that over 9,496 local farmers were affected with 5,014 bushels of rice flooded. The residents of the townships of Mambolo and Mange Bureh lost lots of properties including houses demolished, essential infrastructures like schools, hospitals, and places of worship destroyed, and many roads were inaccessible for quite some time, thereby disrupting local economies. Most of the affected people were homeless and helpless with no support from the State. It was also revealed that some community people suffered from post-traumatic stress disorder. During that time, for example, over sixty affected people were living in one house because there was no relocation arrangement for these affected communities. These communities expressed disappointment over the State neglect to come to their aid at a time of need. That even access to water was a huge challenge, they had to walk up to two miles to fetch water because the bore hole water well where they used to fetch water was flooded.

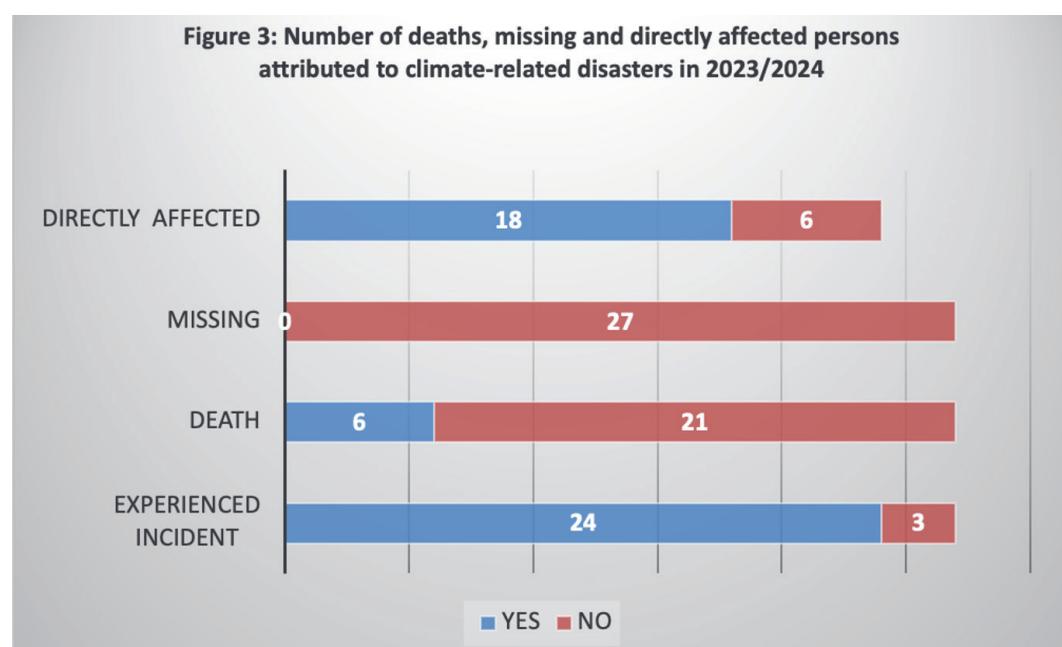
This is in contradiction to the National Climate Change Policy (NCCP) 2021 provision, which emphasized that “women and girls, the aged and the physically challenged are disproportionately affected by climate change and are more vulnerable to its impacts.... As such, social protection and social safety nets to smooth out inequities and building a more cohesive society are vital for climate resilience and national development”<sup>22</sup>.

#### **Deaths, Missing and Directly Affected persons attributed to climate-related disasters**

According to the Sierra Leone Emergency Events Database (EM-DAT) from 2000 to 2022, more than 320,000 people were affected by climate change-related disasters. Floods affected more than 250,000 people and

killed around 200 people. In the same period, epidemics affected around 50,000 and killed more than 5,000 people. Whereas epidemics are the most frequent peril, the impact of floods is more extensive, affecting the highest number of people per incident than any other peril. In 2017, Freetown, the Capital city experience mudslides after a heavy down pour of rains in which 1,100 people lost their lives.

In Figure 3, the result shows that in the 27 communities engaged, 24 (89%) communities experienced disaster incidents of which 18 (75%) communities were directly affected and reported incidences of deaths-related to climate impacts in 6 (25%) communities in 2023/2024.



The incidents that led to death are mostly from flooding counting for 5 deaths (Kissy Brook 1, Bomeh Accram 2, Kaningo & Kamayama 2); and collapsed building after torrential rainfall counting for 30 deaths (Congo town 3, Shell New Road 24, and Regent/SS Kamp 3).

### **Recommendation**

1. Government through NDMA and MoECC, should set up a steering committee or advisory board that would include HRCSL and ACC to oversee the implementation of initiatives, compensations and programmes geared towards addressing climate disaster-related risks and impacts for groups in vulnerable situation. This is to ensure improved accountability, transparency and non-discrimination in government and development partners' humanitarian interventions.
2. The Ministry of lands and country planning (MLCL) should work in consultation with NDMA and MoECC in granting building permit in areas identified as disaster-prone areas and urban forest protected areas.

## RIGHT TO THE HIGHEST ATTAINABLE STANDARD OF HEALTH

### Indicators:

- Existence of climate change-related laws and policies that address foreseeable harms to the right to the highest attainable standard of health
- Implementation of initiatives and programmes to ensure the highest attainable standard of health in the context of climate change
- Prevalence of disease or health disorders with a possible link to changing climate conditions

The right to health, and to the highest attainable standard of physical and mental health is guaranteed by Article 12 (1) of the ICESCR, Article 25 of the UDHR, Article 12 of CEDAW, Article 24 of the CRC, and Article 16 of ACHPR. Climate change negatively impacts the realisation of this right directly and indirectly. For example, storms, droughts, floods, and heat waves may directly harm persons and damage health infrastructure. Changes in the climate may also bring new diseases or increase wildfires leading to air pollution. It is the State obligation to ensure that public health and health-care facilities, goods and services as well as programmes must be available in sufficient quantity, accessible to everyone without discrimination, acceptable and culturally appropriate, and of good quality<sup>23</sup>.

### Findings

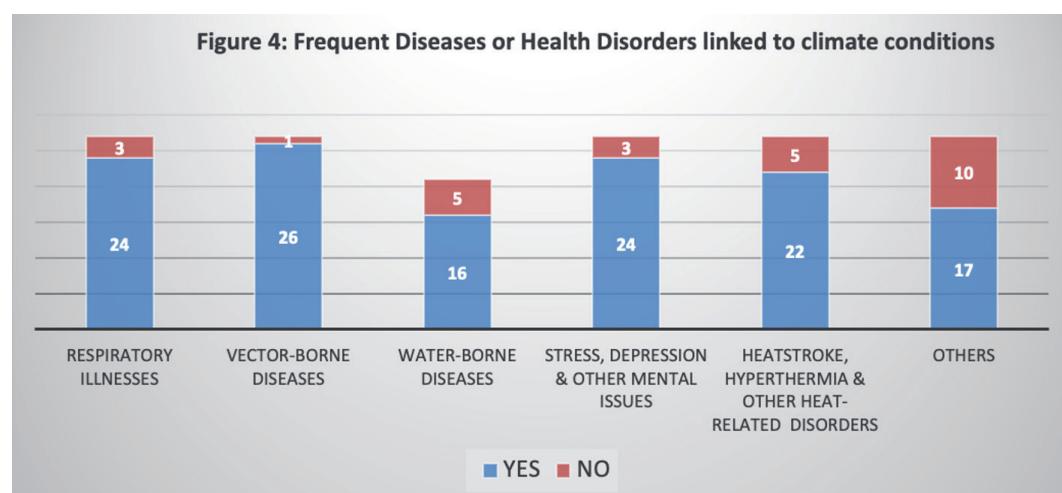
Sierra Leone has enacted the National Disaster Management Act 2020 and the Public Health Act 2022 which provide for the setting up of Disaster Management Fund and Public Health Emergency Trust Fund respectively to address Disaster Risk Management (DRM) and Public Health emergencies. Whilst the Government of Sierra Leone (GoSL) is yet to establish the Disaster Management Fund, there is commitment by the government of Sierra Leone to create an Emergency Trust Fund (ETF) to ring-fence up to \$10 million to be used solely in response to public health emergencies.

On April 4th, 2024, the Ministry of Health and Sanitation, inaugurated Sierra Leone's first climate health unit and also launched the climate vulnerability assessment report. The new unit aims to help the health sector withstand and respond to climate health risks. Prior to the launch of this unit, in 2023, the President, Julius Maada Bio also launched Sierra Leone's National Public Health Agency, an institution charged with the responsibility to prevent, prepare for, and respond to potential public health emergencies.

In spite of the aforementioned commitments especially through statutory provisions, DRM and Public health financing remains relatively low and at best ad hoc. Major sources of funding for DRM and public health emergency programmes come from donor support and development partners such as UNDP, Goal, UNICEF and the World Bank, and very little from the government consolidated funds. Moreover, the research shows that there is no gender parity in relation to women's participation and representation especially at field levels. There is no evidence of gender responsive budgeting in the DRM and public health emergency sector as gender responsive budgeting

is a fairly new initiative that the government is gradually rolling out through the mandatory establishment of gender units in MDAs in line with the Gender Equality and Women Empowerment (GEWE) Act<sup>24</sup>.

The result from the rights-holder's assessment in Figure 4, shows the prevalence of diseases or health disorder which can be linked to adverse climate conditions such as changes in vector-borne diseases or heat-related disorders in the communities visited. When further investigated in the area accessing health services for their various health disorder, most of them responded that they rely on buying cheap drugs from peddlers or native herbal medication for their treatment. For some communities, they stated that the government health facilities are far away from their villages, and that even when available, the resources are not there to seek medication.



### Recommendations

1. The Ministry of Finance should increase budgetary allocation to the Ministry of Health and Sanitation to enable it to operationalise and regionalise the newly inaugurated climate health unit.
2. The Ministry of Health and Sanitation should strengthen community health centres with the requisite health equipment to address health hazards and diseases affecting communities, which is being worsened by the impacts of climate change.
3. The Ministry of Health and Sanitation should also initiate community mobile clinics for hard-to-reach communities where health centres are non-existent.

### RIGHT TO WATER

#### Indicators

- Existence of climate change-related laws and policies that address foreseeable harms to the right to water
- Implementation of initiatives and programmes to ensure the accessibility, quality, and affordability of safe and clean drinking water
- Enjoyment of the right to water in the context of climate change

The UN General Assembly (resolution 64/292) and the Human Rights Council (resolution 15/9) recognized the human right to water as an integral part of the right to an adequate standard of living. Right to water is also protected under article 25 of the UDHR, and article 11 of ICESCR. While the African Charter does not directly protect the right to water and sanitation, it is implied in the protections of a number of rights including but not limited to the right to life, dignity, work, food, health, economic and social development and to a satisfactory environment<sup>25</sup>. Climate change impacts the right to water in different ways resulting in water scarcity or deteriorated water quality.

As outlined in CESCR General Comment 15, the right to water contains both freedoms and entitlements. The freedoms include the right to maintain access to existing water supplies necessary for the right to water, and the right to be free from interference, such as the right to be free from arbitrary disconnections or contamination of water supplies. By contrast, the entitlements include the right to a system of water supply and management that provides equality of opportunity for people to enjoy the right to water.

The elements of the right to water must be adequate for human dignity, life and health. While the adequacy of water required for the right to water may vary according to different conditions, the following factors apply in all circumstances:

Availability (i.e. must be sufficient and continuous for personal and domestic uses), Quality (i.e. must be safe and of an acceptable colour, odour and taste for each personal or domestic use); Accessibility (i.e. Water facilities and services have to be accessible to everyone without discrimination which implies both physical and economic accessibility as well as information accessibility without discrimination)<sup>26</sup>.

### **Findings**

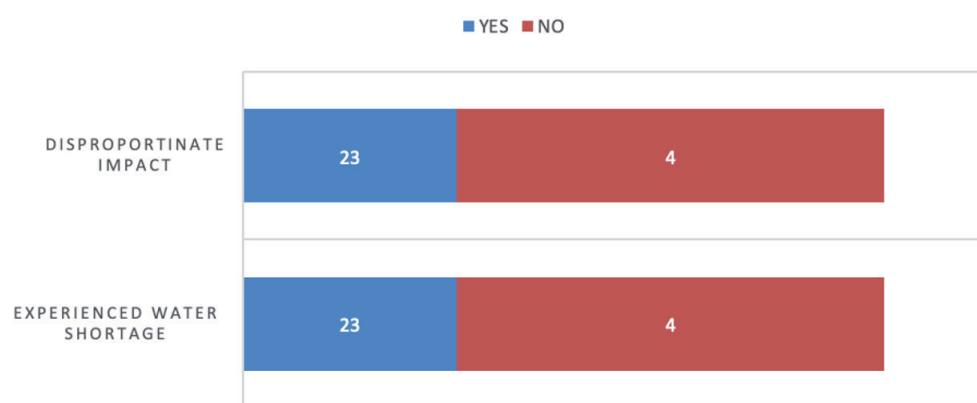
Major water uses in Sierra Leone include domestic (drinking, cooking, hygiene), agriculture (irrigation), industrial (beer, spirits, soft drink, cooling and waste disposal), and hydroelectric power production. It is observed that rural migration to Freetown and other cities, during and since the civil conflict has increased pressure on urban water resources. Reliable and clean access water is essential for these multiple uses and populations with implications for social vulnerability and poverty. According to UNICEF, 58 per cent of the population still have no access to basic water services in Sierra Leone despite some progress in recent years<sup>27</sup>.

Findings from the national assessment indicates that there are some public initiatives and programmes being implemented which address adequacy and sustainability of water availability and access in the context of climate change impacts. For example, in support of the Government of Sierra Leone, UNDP designed a country-led intervention that focuses on building adaptive capacity to catalyse active public and private sector participation to manage the exposure and sensitivity of water supply services to climate change (Water and Climate Change Project). This project comprised of two key components: Integrating climate change considerations into water policies; and strengthening the resilience of water supply systems to anticipated climate change risks with an outcome of providing water supply infrastructure

in Freetown and Puhéjun, Kambia and Kono districts made resilient against climate change induced risks.<sup>28</sup>

Irrespective of these initiatives from government and partners, issues of availability, quality and accessibility of water remain a challenge and is worsened by the impact of climate change. In the 27 communities visited, as shown in Figure 5, 23 (85%) communities have experienced water shortage and that the same communities were disproportionately impacted by climate change. The groups that experience disproportionate impacts are women, children, physically challenged and older persons.

**FIGURE 5: ENJOYMENT OF THE RIGHT TO WATER IN THE CONTEXT OF CLIMATE CHANGE**



This result confirms USAID findings that shifting rainfall patterns have created water supply problems. This has led to decreasing access to water and reduced stream flow of rivers and streams. Stream flow has decreased as there has been a decrease in rainfall since the 1970s. For example, the stream flow of the Mano River fell by 30 percent between 1971 and 1989. This has large impacts on access to water since about 80 percent of the rural population receives water from surface sources, including many streams and ponds. These streams dry up during severe droughts which is likely to become more common. There are also seasonal variations where 40 percent of the protected water points suffer water shortages in the dry season<sup>29</sup>, demonstrating that existing vulnerability is already acute.<sup>30</sup>

### **Recommendations**

1. Government through the Ministry of Water Resources should invest maximum available resource locally and through donor funds in improving water infrastructure to ensure availability, quality and accessibility in line with human rights standards.
2. Government, through the Ministry of Mines and Mineral Resources should take strict punitive measures to regulate and enforce regulations on companies to abstain from polluting the water sources through mining activities that have pollute and reduce availability of clean water for host communities in rural areas.

## RIGHT TO ADEQUATE FOOD

### Indicators

- Existence of climate change-related laws and policies that address foreseeable harms to the right to food
- Implementation of initiatives and programmes to ensure adequacy and sustainability of food availability and access in the context of climate change
- Enjoyment of the right to adequate food in the context of climate change

The right to adequate food is a universal human right enshrined in the legally binding International Covenant on Economic Social and Cultural Rights ratified by Sierra Leone (ICESCR Art 11). Although the African Charter does not expressly protect the right to food, the African Commission has found that the right to food is inherent in the Charter's protection of the right to life, health and the right to economic social and cultural development (articles 4, 16 and 22)<sup>31</sup>. Climate change affects all aspects of the right to food from availability, quantity, quality to sustainability.

The UN Committee on Economic Social and Cultural Rights (CESCR) has clarified that the core content of the right to adequate food implies: The availability of food in a quantity and quality sufficient to satisfy the dietary needs of individuals, free from adverse substances, and acceptable within a given culture; The accessibility of such food in ways that are sustainable and that do not interfere with the enjoyment of other human rights<sup>32</sup>. Detailed guidance is likewise found in the Principles and Guidelines on the Implementation of Economic Social and Cultural Rights in the African Charter on Human and People's rights.

The right imposes three types or levels of obligations on States parties: 'the obligations to respect (not interfere with the enjoyment of the right), to protect (Prevent others for example companies from interfering with the enjoyment of the right) and to fulfil (adopt appropriate measures to realize the right). The obligation to fulfil incorporates both an obligation to facilitate and an obligation to provide food in case of disasters when an individual or group for reasons beyond their control is unable to feed themselves<sup>33</sup>.

### Findings

Sierra Leone's high dependence on agriculture and poor infrastructure worsens the country's vulnerability to climate change. The agricultural sector employs 54 percent of total population. The high poverty headcount ratio at national level amplifies the impacts of climate change, especially through deterioration in food security<sup>34</sup>. According to the WFP, 77% of people are already food insecure in Sierra Leone as of now and 26.2% of children are stunted<sup>35</sup>.

The Sierra Leone Nationally Determined Contribution (NDC), 2021, stated that extreme weather events are expected to increase. Warm spells will increase crop water requirements and constrain crop and livestock production in

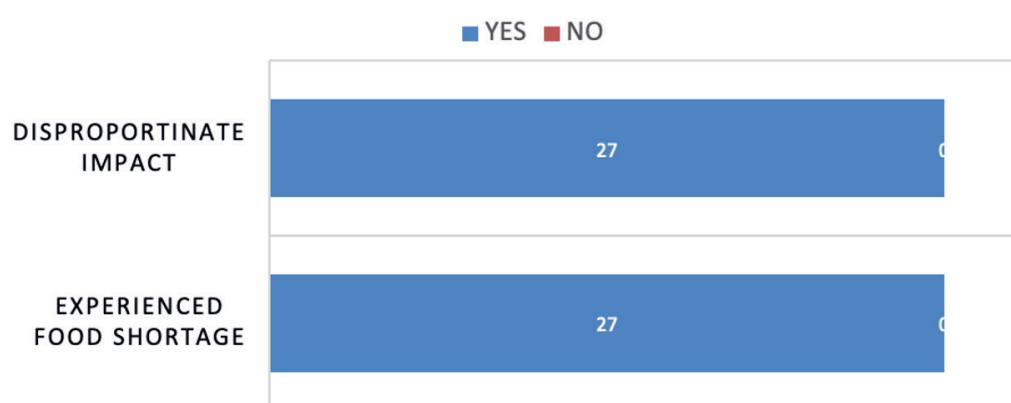
water-limited areas of the country. Rain-fed agriculture, which dominates in the country, faces risk of crop and livestock losses that could significantly worsen already low levels of food security.<sup>36</sup>

The national assessment noted the following implemented and ongoing public initiatives and programmes which aimed at addressing adequacy and sustainability of food availability and access in the context of climate change impacts:

- **“Feed Salone” Programme** (strategy runs from 2023-2028) is currently the government flagship aimed at boosting agriculture productivity to fuel inclusive growth, increase local food production and reduce country’s dependence on food import, reduce hunger, increase export earnings, create jobs, and improve climate resilience mainly through climate-smart agriculture techniques.
- **Agricultural Value Chain Development Project 2018 -2025** the objective is to climate-proof rural infrastructure through the rehabilitation of feeder roads and warehouses to improve product drying and storage capacity. It will also build the capacity of smallholder farmers through farmer field schools and provide them with credit for their investments on farms, implemented by Ministry of Agriculture and Forestry.
- **Rural Finance and Community Improvement Programme, phase 2 (2013 -2022)** key objective was to strengthen and expand the rural finance system, and support gender mainstreaming, women’s empowerment and youth engagement.
- **Smallholder Commercialization Programme (2011-2019)** to empower the rural poor to increase their food security and income on a sustainable basis.

In spite of these initiatives and programmes, a disturbing gap still exists between the progress made on paper and the prevailing situation in the country on the right to food particular by people impacted by climate-related disaster events. The result in figure 6, clearly shows that all of the 27 communities engaged have experienced food shortage. The impacts disproportionately affect mostly vulnerable women, lactating mothers, children and older people.

**FIGURE 6: ENJOYMENT OF THE RIGHT TO ADEQUATE FOOD IN THE CONTEXT OF CLIMATE CHANGE**



The reasons given for food shortage were attributed to reduction in crop yields as a result of either extreme temperatures or extreme rainfall leading to flooding and destruction of crops. In coastal communities, particularly for small-scale fishers, they report of depletion of fish stocks, salt water intrusion from sea level, some islands such as Yelebuya, Turtle and Plantain Islands are submerging under water, and lack of access to land and marine territories due to government restriction or industrial mining activities.

### **Recommendations**

1. Government should mobilize more resources from domestic sources and from international cooperation to invest maximum resources in the agricultural sector and ensure that its flagship Feed Salone programme is fully implemented across the country to ensure that the right to food is realised for all.
2. The Ministry of Fisheries and Marine resources should protect the interest of small-scale fishers and coastal communities by applying a human rights-based approach to fisheries governance and coastal conservation.
3. Government and its development partners should continue to strengthen climate-proof rural infrastructure by extending the Agricultural Value Chain Development Project in order to boost the rehabilitation of feeder roads and warehouses for storage capacity.

## **RIGHT TO ADEQUATE HOUSING**

### **Indicators:**

- Existence of climate change-related laws and policies that address foreseeable harms to the right to adequate housing
- Implementation of initiatives and programmes to protect the right to housing of those affected by climate change
- Enjoyment of the right to adequate housing in the context of adverse climate change impacts
- Consultation with rights-holders prior to evictions, relocation and resettlement

### **Obligations related to the right to housing**

The right to adequate housing is recognized as part of the right to an adequate standard of living in the UDHR<sup>37</sup>, and the legally binding ICESCR<sup>38</sup> and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol)<sup>39</sup>. The African Commission holds that housing rights are protected through the combination of provisions protecting the right to property (article 14), the right to enjoy the best attainable standard of mental and physical health (article 16), and the protection accorded to the family (article 18 (1)<sup>40</sup>).

The notion of adequate housing entails: legal security of tenure (all types) and legal protection against eviction; availability of services, materials, facilities and infrastructure (essential for health, security, comfort and nutrition); affordability and habitability (i.e. adequate space and protection from cold, damp, heat, rain, wind or other threats to health, structural hazards, and disease vectors); and accessibility<sup>41</sup>.

The Committee on Economic Social and Cultural rights has clarified that right to housing should not be interpreted in a narrow or restrictive sense which equates it with, for example, the shelter provided by merely having a roof over one's head. Rather it should be seen as the right to live somewhere in security, peace and dignity<sup>42</sup>.

### **Protection against eviction and compensation**

Legal Security of tenure is a core aspect of the right to housing, and access to land and natural resources plays an essential role in the realization of a range of rights under the International Covenant on Economic, Social and Cultural Rights. Secure and equitable access to, use of and control over land for individuals and communities can be essential to eradicate hunger and poverty and to guarantee the right to an adequate standard of living.<sup>43</sup> The African Charter on Human and People's rights states clearly that "all peoples shall freely dispose of their wealth and natural resources; and that this right shall be exercised in the exclusive interest of the people. In no case shall a people be deprived of it."<sup>44</sup> In case of spoliation the dispossessed people shall have the right to the lawful recovery of its property as well as to an adequate compensation.<sup>45</sup>

#### **Summary of State obligations: Due process in case of evictions**

- Refrain from and protect against forced evictions
- Explore alternatives to avoid or minimize the need for eviction in consultation with affected persons
- Genuine consultation prior, during, after
- In cases of expropriation, clearly define the concept of "public purpose" in law, in order to allow for judicial review
- Ensure that evictions do not result in individuals being rendered homeless are vulnerable to the violation of other human rights.
- Ensure sufficient alternative accommodation or restitution when feasible immediately upon the eviction
- Ensuring that all resettlement measures are consistent with internationally recognised human rights principles
- Special measures to protect and ensure non-discrimination of women, children, youth, older persons, indigenous peoples, ethnic and other minorities
- Transparent and participatory planning
- Identify and inform anyone likely to be affected (with reasonable notice) and ensure effective dissemination of relevant information in advance
- Provision of opportunity to challenge the eviction decision and order present alternative proposals, access to remedy and legal aid
- Prompt, adequate, fair and just compensation for any material or other losses (also non-monetary) irrespective of whether they hold title to the property

*Source: CECSR General comment 7 on the right to adequate housing and evictions and Principles and Guidelines on the Implementation of Economic, Social and Cultural Rights in the African Charter on Human and Peoples' rights*

Sierra Leone is a party to most of the major International Human Rights Treaties within the United Nations' system and the Africa regional human rights system, which have declared forced evictions to be "gross violations of human rights". It has been clarified that in order to respect the right to housing, governments must refrain from evictions and explore alternatives to avoid or minimize the need for eviction in consultation with affected persons<sup>46</sup>. Where eviction is inevitable, prior consultation and meaningful participation by rights holders in all decisions regarding eviction, relocation, resettlement, restitution and return is a central procedural requirement<sup>47</sup>. In land governance and the implementing of land policies, human rights standards must be upheld. Among other international instruments, the Agenda 21 adopted by the United Nations Conference on Environment and Development in 1992 directly addresses the issue of forced evictions. It states: "All countries should adopt and/or strengthen national shelter strategies, with targets based, as appropriate, on the principles and recommendations contained in the Global Strategy for Shelter ... and people should be protected by law against unfair eviction from their homes or land."<sup>48</sup>

The Commission on Human Settlement has also urged all States to cease any practices which result, or could result, to infringements of the human right to adequate housing, in particular the practice of forced mass evictions and any form of discrimination in the housing sphere.

### **Findings**

Sierra Leone has a National Development-Induced Resettlement Act, passed in 2023, to guide the planning, implementation, and monitoring of resettlement activities related to development projects. The Act aims to ensure affected individuals are properly compensated and supported in rebuilding their lives and livelihoods. The Act defines 'compensation' to include cash payment, deferred payment, a bond, an insurance policy, stipend, grant of alternative land, business, trade or commercial facilities, allowance, payments in kind such as goods or services provided as payment instead of cash, rendition of service, grant of privileges, entitlement to special treatment, social or cultural amenities that may be due or extended to affected persons<sup>49</sup>. Prior to the Act, there was the resettlement policy framework, and one of the objectives of that policy is to improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure<sup>50</sup>.

Despite these progressive laws and policies, the meaningful implementation of these frameworks remains a huge gap as illustrated in Figure 7 below. The results from the rights holder's assessment indicate that among the 27 communities visited, 5 had experienced relocations as a result of either an impact of climate change or measure to prevent against expected harms to housing due to climate change. The result further revealed that 4 of the relocated communities were not satisfied with the new places which did not comply with the human rights standards in terms of access to employment options, health-care services, schools, childcare centres, culturally appropriate and other social facilities.

**Figure 7: Enjoyment Of The Right To Adequate Housing In The Context Of Adverse Climate Change Impacts**

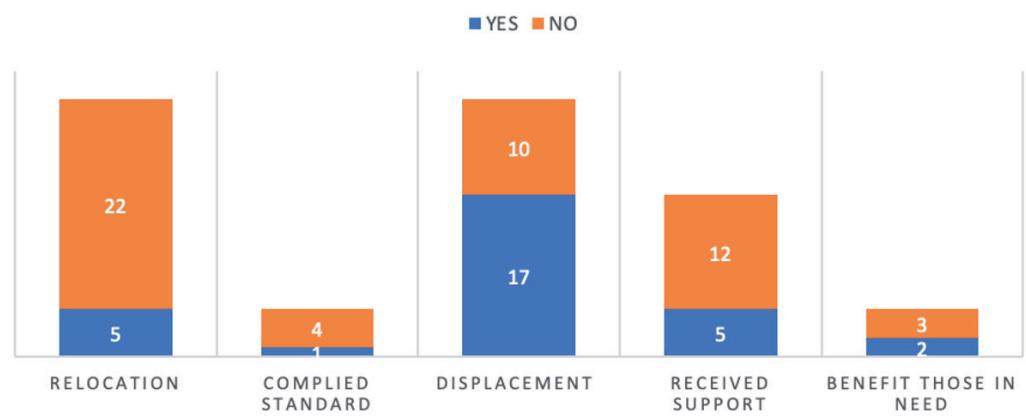


Figure 7 above also shows that 17 communities have experienced displacement from land and property due to heavy rainfall, flooding and rising water levels. Example of Communities that were displaced as a result of flooding include: Mambolo, Mange, Manokoh, Makeni, Tiama, Moriba community in Bo, 4 Mile & Newton, Tongo Field, Kroobay and Moyiba. Others were as a result of collapsed buildings after heavy downpour of rains and sea erosion. Among the 17 affected communities, 5 reported that they received support from either government Agency directly or from humanitarian NGOs like Red Cross and Restless Development – Sierra Leone. The support mainly consisted of foodstuff, household items, school items, temporary shelter and roofing items to repair houses or returned. However, in the 5 communities that received supports, only 40% (2) reported that the support reached and benefitted all those in need who required assistance in the affected communities.

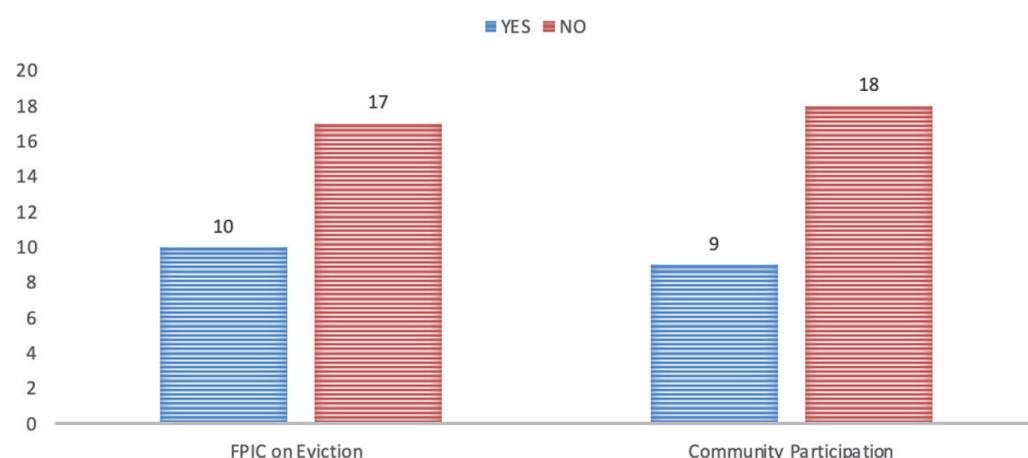
The communities at Kamayama and Moetomeh explained the discriminatory approach of State functionaries when those communities suffered or were affected by the mudslide incident in 2017. It was reported that over 600 people lost their lives in that community and 19,826 people were directly affected and registered for relocation to Six Miles in the Western Rural District. Unfortunately, only 64 households benefited from the housing provided for the relocation. They alleged that most of the 64 household beneficiaries were those who had connections to the public officials in charge. The community provided a video in which one of the government Ministers assured the remaining affected survivors that government will soon provide them with housing accommodation, but it never happened. The survivors of the mudslide said they were abandoned in a temporary camp within the community and some members including children who lost their parents have nowhere to go or even start life with their families. The community had to mobilize resources from philanthropists and started community schools for the child survivors. The school initially was supported by one of the NGOs working on children's education and was later handed over to the Ministry of Education to continue funding the child survivors. The ministry only supported them for two years and then stopped. Consequently, most of the children have dropped out of school and the few remaining ones have been supported by goodwill individuals.

### Consultation with rights holders prior to relocation and resettlement

The result from the Rights holders' assessment indicates that climate induced displacement is a common phenomenon and a constant threat to urban dwellers in Sierra Leone. Freetown, the capital city counted for the highest frequency and threat of climate-related displacements for communities living in slums and coastline areas frequently affected by flooding and sea erosion. This assessment also notes that communities faced force eviction as a result of activities-relating to mining companies and blue economy investors.

In Figure 10, among the communities who had experienced climate induced displacements, eviction, relocation or resettlement either because of impacts of climate change or government measures related to climate mitigation or mining-related activities, only 10 (37%) reported that they were consulted prior to the process of eviction. Nine (9) of them confirmed that they fully participated in the planning process through representation that included community heads, representatives from women, youth, lands owners and the elderly.

**FIGURE 10: CONSULTATION WITH RIGHTS-HOLDERS PRIOR TO RELOCATION AND RESETTLEMENT**



### Recommendations

1. Government should strengthen NDMA through increased budget allocation for the full implementation of the national development induced-resettlement Act of 2023, which provides for affected individuals or communities to be properly compensated and supported in rebuilding their lives and livelihoods.
2. In undertaking relocation programme, the line government MDAs (MoECC, MLCP, NDMA) should apply a human rights-based approach and follow due process through prior consultation and prompt and adequate compensation without discrimination.
3. Government, through the MLCP and in collaboration with MoECC, SLEPA and Councils, should take adequate measures to prevent harms to housing from climate change through sound urban and rural planning, building regulations, and investments in climate proof infrastructure.

## RIGHTS TO LAND AND NATURAL RESOURCES FOR RIGHTS HOLDERS LIVING IN RURAL AREAS

### Indicators

- Recognition of rights to land and natural resources in climate change-related policies and laws
- Effective control over lands, territories and resources

Rural communities are custodians of large areas of land, including forests, wetlands, and oceans areas functioning as carbon sinks. Their land and natural resource rights are also at high risk in connection with large-scale energy projects, extraction of critical minerals and conservation when such projects fail to comply with human rights standards. Their collective right to the lands, territories, waters and coastal seas and other resources are key provisions of the UN Declaration on the Rights of Peasants and Other People Living in Rural Areas and implied in provisions of the African Charter on Human and People's rights.

### Findings

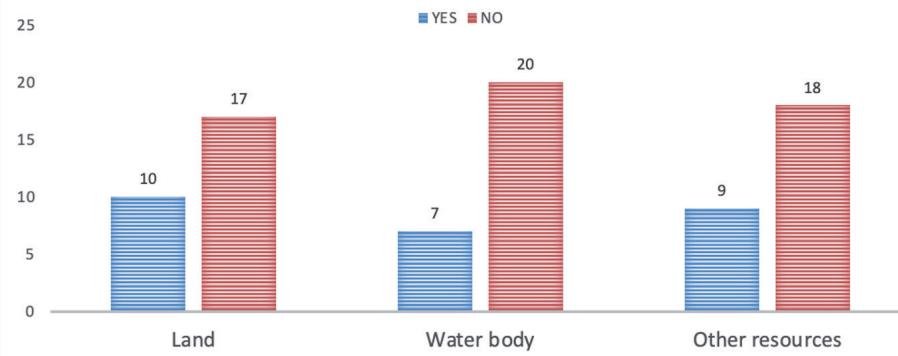
The national assessment shows that Sierra Leone's customary land law is unwritten, differs across chiefdoms and has progressively developed over the long run. The legal system for the organization of land rights inside the territories is given by the Provincial Land Act of 1961 which radiated from the Protectorate Ordinance of 1927 and along these lines the Tribal Authorities Ordinance of 1938<sup>51</sup>. This land tenure system is characterized by male domination of land ownership and land use. The customary tenure administrative system is dominated by powerful autocratic traditional authorities, and it is an impediment to land access for the less privileged, women and immigrants or non-indigene. Since the laws and practice did not guarantee women and men equal access to land, in the event of climate-induced resettlement and compensation, women are adversely discriminated, and their voices are not considered.

However, the country has recently made progressive laws by enacting two new laws in August 2022: the Customary Land Rights and the National Lands Commission Acts. These laws provide rights to local communities, previously left out of negotiations. The new laws also provide protective rights to all landowning and land-using communities, including guaranteed Free Prior and Informed Consent for all groups including women<sup>52</sup>. In the events of climate change measures that would require dispossession of lands from communities, the new land laws would provide protection and ensure effective relocation and compensation to all family and community members.

Irrespective of these new laws, the result as presented in Figure 11, shows that majority of communities have no effective collective and individual rights and access to and control over land (63%), waterbody (74%) and other resources (67%). In the events of climate change policy measures, these communities are very likely to lose the lands they currently occupied or claimed to be their lands. This is attributed to the fact that even though these lands might have been passed to them by their ancestors, they do not have legal documents

to secure their tenure rights. Land ownership is subject to the administration of the local authorities who are the custodians of lands and tradition of their people.

**FIGURE 11:EFFECTIVE CONTROL OVER LAND**



In most instances, the lack of financial opportunity for most community members to obtain legal documents for the lands they occupied put them in a vulnerable situation and victims of climate-induced relocation or forced eviction without appropriate compensation.

### **Recommendations**

1. The Ministry of Lands and country planning should implement the full provisions of the new customary land rights, and land Commission Acts that will guarantee the rights to land for all community members in the advent of climate-induced relocation or compensation.
2. Government through the MLCP and District Councils, should with urgency, implement Part IV of the Customary Land Rights Act<sup>53</sup> and Part VI of the national Land Commission Act<sup>54</sup>, which provide for the establishment of the Chiefdom Council Committee and Family Land Title to have oversight responsibility over land in the respective chiefdoms in the provinces, and ensure equal control over land irrespective of their gender, domicile, marital or other status.

## CULTURAL RIGHTS

### Indicators:

- Protection of cultural heritage from the adverse impacts of climate change
- Changes in the practice of cultural, spiritual and religious traditions, customs and ceremonies in the context of climate change-related impacts

Cultural rights are enshrined in multiple binding instruments including ICESCR Article 15, ICCPR Article 27 and ACHPR Article 17(2). The declaration on the rights of peasants and other people working in rural areas also elaborate on the specific cultural rights of these groups<sup>55</sup>. ‘Cultural rights are an integral part of human rights and, like other rights, are universal, indivisible and interdependent’<sup>56</sup>. Climate change impacts the enjoyment of cultural rights in diverse ways including on the threats to cultural heritage, which encompasses traditions and practices. The UN Special Rapporteur in the field of cultural rights has referred to cultural heritage as “tangible heritage (e.g. sites, structures and remains of archaeological, historical, religious, cultural or aesthetic value), intangible heritage (e.g. traditions, customs and practices, aesthetic and spiritual beliefs; vernacular or other languages; artistic expressions, folklore) and natural heritage (e.g. protected natural reserves; other protected biologically diverse areas; historic parks and gardens and cultural landscapes). The African Commission has likewise elaborated on how states should protect the right to take part in cultural life including promotion and preservation of their culture, heritage institutions through implementing measures for safeguarding, protecting and building awareness of tangible and intangible cultural heritage<sup>57</sup>.

### Findings

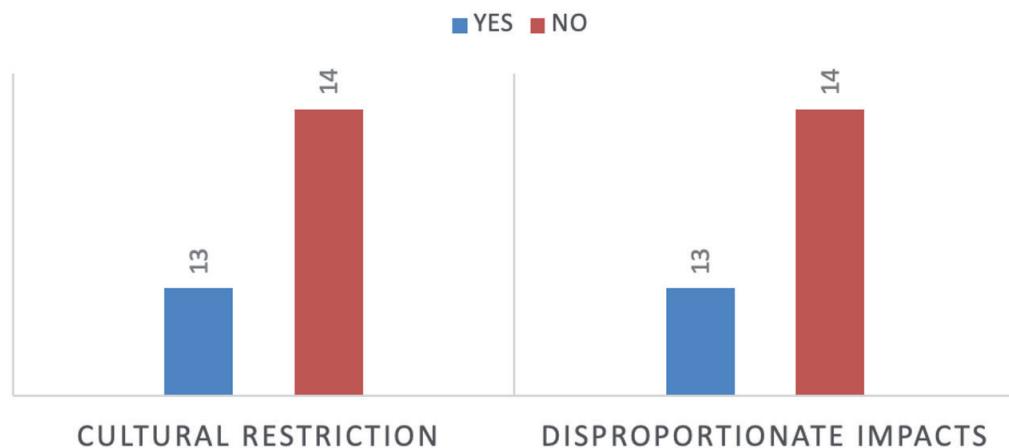
The Monuments and Relics Ordinance<sup>58</sup>, establishes the Monuments & Relics Commission (MRC) as the official body tasked with preserving monuments, relics, and objects of archaeological, historical, or scientific significance. The MRC also oversees the National Museum; and it remains the main institutional framework for tangible heritage protection.

During the rights holder assessment, it was established that climate-related policy measures restricted a few communities’ cultural rights-related to natural heritage. Examples of these include forest protected area reserves where communities used to hunt and perform secret society rituals; and marine protected areas, which restricted small-scale fishers to fish in their usual fishing sites. The results also show that climate change impacts directly affect tangible and intangible cultural heritage of community peoples. Figure 12 shows that 13 communities out of the 27 experienced harms to the enjoyment of their cultural rights as a result of climate-related impacts.

The climate change-related impacts that caused restrictions on cultural, spiritual and religious traditions were mainly from heavy rainfall and /or floods and storms. In Mambolo and Mange, communities’ places of worships were flooded and destroyed as a result of the September rains in 2024. This

is also true for slum communities such Kroo Bay, Shell New Road, Moyiba, Kissy Brook and Gray Bush/Kolleh town in the western urban; and 4 mile in the western rural district.

**FIGURE 12: CHANGES IN THE PRACTICE OF CULTURAL, SPIRITUAL AND RELIGIOUS TRADITIONS, CUSTOMS AND CEREMONIES IN THE CONTEXT OF CLIMATE CHANGE-RELATED MEASURES AND IMPACTS**



The impacts disproportionately affecting mostly older persons, persons with disabilities, and women. There was no report of compensation for the affected communities.

### **Recommendations**

1. Government should make sure that the right of individuals' cultural heritage is respected and protected in the event of climate-induced relocation or resettlement measures.
2. Government through the Ministry of Tourism and cultural Affairs(MTCA) should establish an Inter-ministerial Task Force on Culture & Climate change (which should comprise of MTCA, MoECC, MLCP, Ministry Local Government & Rural development, Education Ministry; Mines; Justice; HRCSL; MRC; CSOs, and Traditional Authorities), to coordinate cultural policy and joint enforcement, and avoid infringing on the enjoyment of cultural rights by not arbitrarily preventing access to cultural sites in conservation programmes; and should take steps to try to protect cultural heritage from predictable destruction by climate change.

## CHAPTER FIVE

# FINDINGS ON PROCEDURAL HUMAN RIGHTS OBLIGATIONS

Procedural rights, such as the right to participation and access to information, are about the enabling environment for the people of Sierra Leone to meaningfully contribute to and benefit from climate change initiatives and understand challenges and opportunities in this regard. It is also about the ability to access justice and remedy if rights are violated in the State response to the climate crisis. The related State obligations therefore include that the State must ensure rights holder's participation in decision making, access to information, and access to effective remedies and due process. The State can fulfil these obligations by enacting laws that protect rights and establishing institutions, setting up courts that are accessible to vulnerable communities, ensuring the participation of rights holders in policy design and implementation, and providing alternative redress mechanisms accessible to all.

### RIGHT TO PARTICIPATION

#### Indicators:

- Procedures or mechanisms for State consultation with rights-holders at national, sub-national and local levels
- Recognition of the state duty to consult with community peoples before adopting or implementing legislative or administrative measures that may affect them and prior to approval of any project that affects their lands, territories and resources in national legislation
- Right-holders participation in impact assessments prior to approval of climate change-related projects
- Meaningful participation of rights-holders in the design, implementation, monitoring of climate change-related laws, policies, plans, and projects
- Free, prior and informed consent of communities before approval of measures that may affect their land and natural resources.

#### International Obligations related to the right to participation

The right to participation in public life is established in article 21 of the Universal Declaration of Human Rights and reaffirmed in article 25 of the International Covenant on Civil and Political Rights. This right and human rights principle is also recognized in other human rights instruments, such as under article 5 (c) of the International Convention on the Elimination of All Forms of Racial Discrimination, article 7 of the Convention on the Elimination of All Forms of Discrimination against Women, and articles 12 and 23 (1) of the Convention on the Rights of the Child. The active and informed participation of everyone in decisions that affect their lives and rights is consistent with the human rights-based approach in public decision-making processes and ensures good governance and social accountability.

The international human rights standards provide guidance as to what meaningful participation and consultation looks like. Some of the key elements include but are not limited to: Prior consultation with legitimate representatives and in a form appropriate to the context, full disclosure of information about both potential positive and negative impacts of the policy measures or project, provision of information in a language and format that can be understood by the concerned rights-holders, they must be conducted in good faith, and provide a genuine opportunity to influence any decisions made, they must be an ongoing process, not a single moment in time, and consultation must be free of pressure or coercion<sup>59</sup>.

### **Findings**

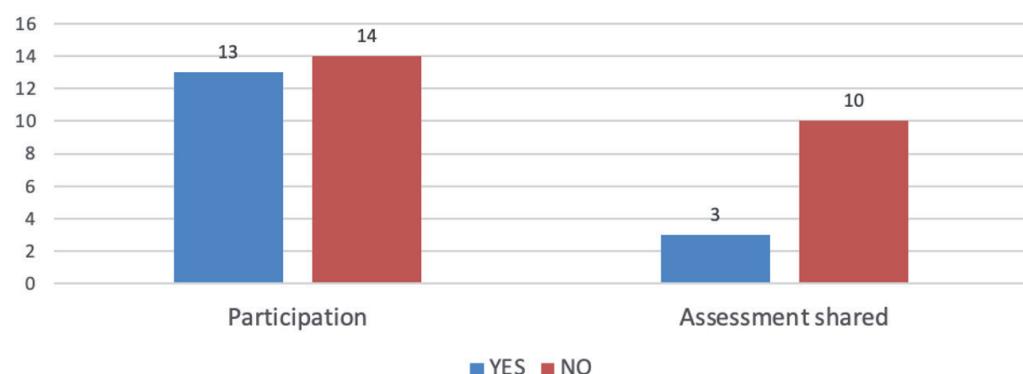
Sierra Leone is yet to enact a climate change law; however, the country's environmental law incorporates the Paris Agreement and the United Nations Framework Convention on Climate Change (both legally binding), dealing with greenhouse gas emissions mitigation, adaptation and financing of climate action and loss and damage<sup>60</sup>. The current principal legislation that governs the entirety of the environmental landscape in Sierra Leone is the Environmental Protection Agency Act No. 15 of 2022 (EPA Act, 2022), which repealed and replaced the Environment Protection Agency Act No. 11 of 2008.

The EPA Act established the body corporate known as the Environment Protection Agency (EPA), the foremost and leading agency for everything concerning environmental protection, regulatory mechanism, preventive practices and safety policies. The EPA Act states that "a person shall not undertake or cause to be undertaken activities...unless he holds valid environmental impact assessment licence issued by the Agency for that purpose".<sup>61</sup> Impacts assessment required the full participation of rights holders from the beginning to the end of the exercise. The Executing project entity is required to identify, map/categorize, engage constructively and maintain a responsive and transparent communication line with rights holders. Although there is no clear State operational procedures or mechanisms for consultation with rights-holders on climate change policies, laws, measures or projects at all levels, the guiding principles of the National Adaptation Plan (NAP) clearly take into consideration:

- Inclusivity to ensure ownership and shared responsibility in its process and implementation, while considering the needs of all stakeholders, in order to foster collaboration, coordination and networking during the NAP process and climate change adaptation initiatives;
- Participation of state and non-state stakeholders including vulnerable groups;
- Ethical citizenship in NAP implementation, with increased public awareness and citizen buy-in; on how individuals conceive their rights and responsibilities and the implications of their assumptions in a changing climate; and
- Integrate gender equality and social inclusion in the NAP objectives and in its prioritized actions. This will promote an inclusive environment by ensuring institutions promote gender equality and equal opportunity for women, children and persons with disabilities.<sup>62</sup>

The result as presented in Figure 14 indicates that only 13 (48%) of the 27 communities were involved in impact assessments prior to approval of climate change-related events/ projects. The assessments outcomes or reports were only shared to 3 (23 %) communities out of the 13 participated in the assessments. In most cases the communities were represented by their chiefs, community chairman and chairlady, youth leader, family heads, religious leaders etc. in the planning of any impact assessment. Some communities stated that most times the outcomes of the planning meetings were not cascaded to them by the representatives.

**Figure 14: Rights holder participation in impact assessments prior to approval of climate change-related projects**

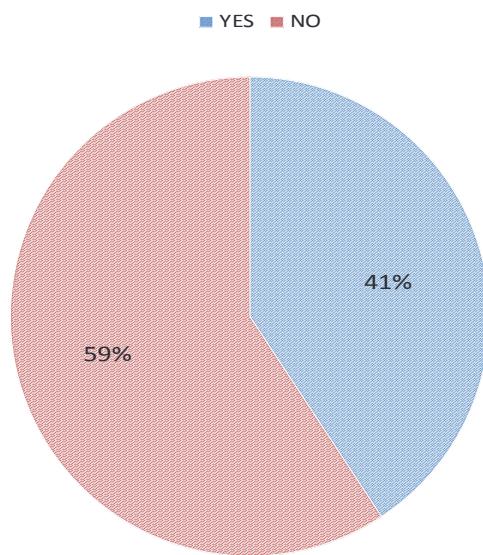


**Meaningful Participation of Right Holders:** The guiding Principle 5 of the Sierra Leone's Climate Change Communications Strategy under the National Adaptation Plan 2020 developed by EPA, emphasized on promoting inclusiveness and involvement. This strategy enhances inclusiveness and involvement among key target groups at all levels (local and international); and it also caters for the relevant information, education and communication requirements of all key audiences<sup>63</sup>.

In spite of the good contents contained in some of these strategies and policies, practically, climate change policies like many other policies, rights-holders are hardly consulted or involved in developing policies or when updating these policies or laws. They are only informed during the implementation or enforcement of those policies or plans. This is one of the reasons why many policies are ineffective because they are not owned by the rights-holders. The response from the right holders' assessment, as shows in Figure 15, only 41% of 27 communities acknowledge involvement in meaningful consultations in the design and implementation of policies.

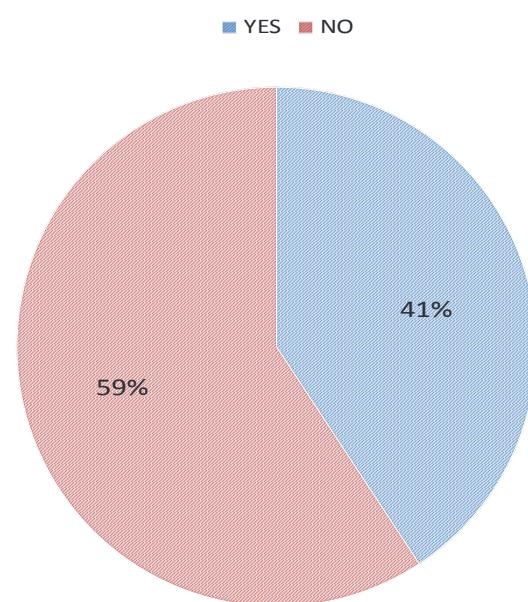
The result vividly corroborates the claims by some right holders that the consultation in developing policies or projects normally stops at civil society activists and senior stakeholders without going down to the grassroots community people.

**Figure 15: Community Participation in design & implementation of policies, Plans or Projects**



**Obtaining Free Prior and Informed Consent from Right Holders:** Findings on the indicator on free, prior and informed consent obtained before approval of measures that may affect communities, indicates that government has recently passed national legislation that recognises the State's duty as well as that of non-state actors to consult with community people in order to obtain their free, prior and informed consent. The Customary Land Rights Act, for example, grants land owning and land using communities the right to Free Prior Informed Consent (FPIC) over all industrial projects on their lands<sup>64</sup>; and The National Land Commission Act establishes local land use committees to secure effective and holistic land administration, and mandates that those committees have at least 30 percent female representation<sup>65</sup>. Also, Sierra Leone enacted the Mines and Minerals Development Act, which requires companies operating to obtain the Free Prior and Informed Consent (FPIC) of local communities before starting mining and those who own land will now have the right to veto any project affecting it<sup>66</sup>.

**Figure 16: Obtained FPIC from Community**



Notwithstanding the progressive legal framework on community land rights as established above, implementation of the provisions of these laws continue to be a huge gap. The result in Figure 16 above shows that 59% of the communities engaged were not normally consulted by local or central government institutions to obtain free, prior and informed consent before approving projects and climate change measures that affect them.

### **Recommendations**

1. Government, through the MoECC should enact a climate change law that integrates a human rights-based approach to climate-related disaster risk response, conservation and adaptation measures.
2. SLEPA, NDMA and MoECC should increase community participation through robust advocacy and town hall meetings on impact assessments and in the formulation and implementation of climate-related initiatives, policies and programmes.
3. SLEPA and MoECC should practically implement the establishment of Ward and Chiefdom environment committees as provided in Section 68 of the Environment Protection Agency Act, 2022, with the purpose of enhancing a healthy, safe, secured and sustainable environment. The functioning of these committees should serve as a mechanism for rights holders, particular from rural communities, to meaningfully participate in climate and environment-related initiatives and programmes.
4. Government line MDAs in implementing climate-induced relocation or other adaptation measures that might affect rights holders should always ensure respect for the customary land rights Act provision to ensure the obtainment of FPIC ahead of all initiatives and ensure that the consultation process lives up to human rights standards for meaningful participation.

## **RIGHTS OF ACCESS TO INFORMATION**

### **Indicators:**

- Equal access to information of public interest
- Availability and accessibility of information on climate laws, policies, measures and impacts

The right to seek, receive and impart information is a fundamental human right (ICCPR Art. 19, ACHPR Art. 9) and a pre-condition for effective participation. The UN Human Rights Committee has indicated that to give effect to the right of access to information, States parties should proactively put in the public domain Government information of public interest, and should make every effort to ensure easy, prompt, effective and practical access to such information. They should also enact the necessary procedures, whereby one may gain access to information, such as by means of freedom of information legislation<sup>67</sup>.

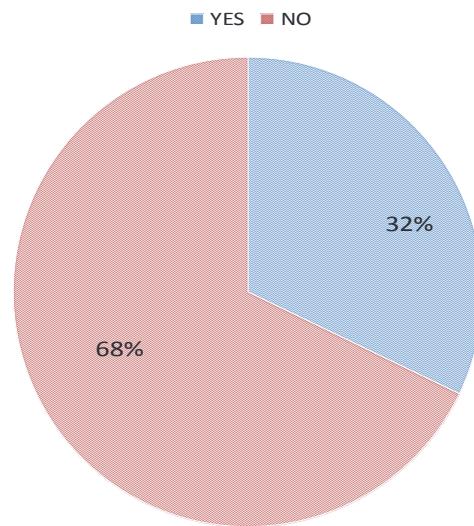
### **Findings**

The Right to Access Information Act, 2013 provides for the disclosure of information held by public authorities or by persons providing services for them and to provide for other related matters<sup>68</sup>. Under this Act, “information” includes any material regardless of its physical form or characteristics, such

as a book, plan, map, drawing, film, microfiche, diagram, pictorial or graphic work, data, photograph, recording, audio or video-tape, machine-readable material or any other information held in electronic form, and also includes any sample, work, model or copy thereof<sup>69</sup>. The Act states that “every person has the right to access information held by or is under the control of a public authority... or is under the control of a private body where that information is necessary for the enforcement or protection of any right”.<sup>70</sup> The Sierra Leone’s Climate Change Communications Strategy under the National Adaptation Plan 2020 also recognises the public right to access environmental information by creating awareness, influencing behaviour change and fostering coordination in tackling climate change. It facilitates an exchange of information among the key stakeholders: within MDAs, the private sector, the public and other stakeholders. The strategy recognizes the diversity in the different sectors and emphasizes that an all-out effort is needed to effectively combat climate change<sup>71</sup>.

During the focus group discussion with right holders, they were asked whether they have tried to seek environmental-related information, and if the information was made available to them.

**Figure 17: Equal Access to environmental Information by rights holders**



In Figure 17 above, only 32% of the 27 communities tried to seek information on climate and environmental agreements, policies or information about applications for permits or administrative measures, plans and programmes affecting or likely to affect the elements of the environment and natural resources, and some of the information was made available to them. 68% of the communities expressed that they don't know where or how to access environmental information pertinent to their interest or where to submit complaints or raise issues when their rights are violated and abused. They, particularly in the provincial areas, mostly rely on information coming from their chiefs or community group heads, and to raise issues with them. Therefore, if these chiefs or community group heads have no access to public information or if they do not manage to disseminate the information, the entire community is kept in darkness about any programmes, initiatives, agreements or events that might affect them.

## Recommendations

1. Government through MoECC and SLEPA should fulfil its Commitments under the Right to Access Information Act, to ensure equal access to environmental information through promoting education, training and public awareness related to climate change and environment for right holders at all levels, and encourage the widest participation in this process, including that of non-governmental organizations.
2. The MoECC, SLEPA and Sierra Leone Metrological agency (SLMA) should always popularise and make available climate-related policies, measures, impacts, weather forecast and reports; and provide easy means for right holders from rural communities to access them.

## ACCESS TO EFFECTIVE REMEDIES

### Indicators:

- Possibility to appeal against government decisions regarding climate change-related policies, plans or projects through administrative and other mechanisms.
- Adequate redress, restitution and compensation for lands, territories and resources which have been confiscated, taken, occupied, used or damaged due to climate change measures.
- Adequate redress, restitution and compensation for deprivation of means of subsistence due to climate change.

Access to effective remedies is a fundamental human right, ensuring that individuals whose rights have been violated can seek redress and receive appropriate reparations. The right is enshrined in the binding International Covenant on Civil and Political Rights (Article 2.3) ratified by Sierra Leone and other legally binding international and regional human rights treaties.

At the national level, States have an obligation to ensure that victims of human rights violations and abuses have equal and effective access to justice; adequate, effective and prompt reparation for harm suffered; and access to relevant information concerning violations and reparation mechanisms. This also concerns violations occurring in the process of responding to the climate crisis, for example forced evictions of people without due process for conservation purposes or due to energy projects or similar.

The UN Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, also known as the UN Basic Guidelines, define substantive redress according to the following typology: restitution, compensation, rehabilitation, satisfaction, and guarantees of non-repetition<sup>72</sup>. Therefore, remedy may include apologies, restitution, rehabilitation, financial or non-financial compensation and punitive sanctions as well as the prevention of harm through, for example, injunctions or guarantees of non-repetition. The provision of remedy should be impartial, protected from corruption and free from political or other attempts to influence the outcome<sup>73</sup>. The African Commission on Human and Peoples' Rights has stressed that 'The rights and freedoms of individuals

enshrined in the [African] Charter can only be fully realized if governments provide structures which enable them to seek redress if they are violated'.<sup>74</sup> Remedy for victims of human rights abuses or harm can only be effective when it entails both access to justice and substantive redress (also known as reparations). The African Commission has further clarified that: "a rigid classification of economic social and cultural rights which puts them, by definition, beyond the reach of the courts would be incompatible with the principle that human rights are indivisible and interdependent<sup>75</sup>".

When it comes to access to justice and reparations for harms caused by climate change, this is a complex legal question and the individual State in which the harm occurs is not necessarily liable for that harm. Liability in a specific situation would depend on whether the State did all it could reasonably be required to do under the circumstances to prevent harm. Human rights bodies acknowledge the significant costs of adaptation to climate change and the limited resources that so-called developing countries have at their disposal and hence the need for significant international cooperation and assistance including through loss and damage mechanisms. The International Court of Justice has addressed these questions and provided guidance on the determination of State responsibility in its advisory opinion. This guidance can assist countries like Sierra Leone in taking legal action against States that have failed to take action to protect the climate system<sup>76</sup>.

### **Findings**

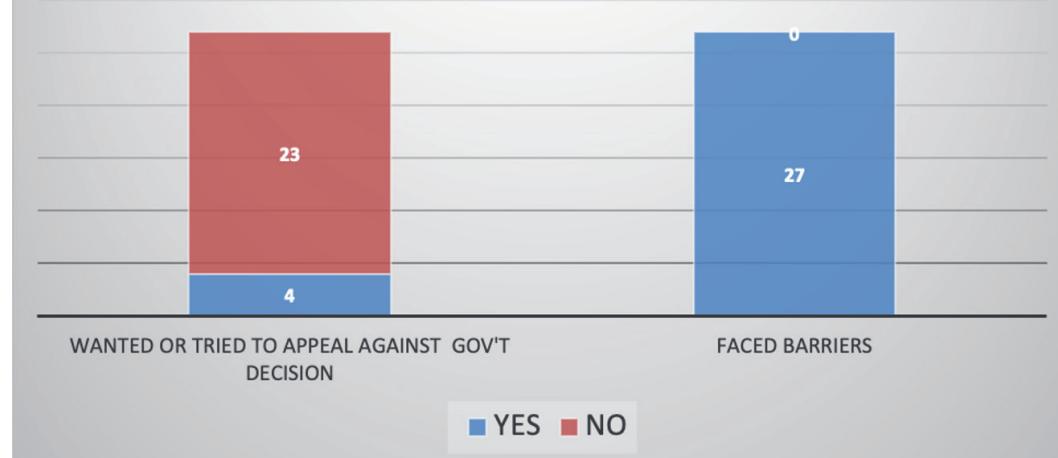
The national assessment indicates no clear legislative framework that provide citizens' right to appeal against government decision on matters related to climate policies or plans through non-legal mechanisms. However, the non-legal mechanism framework that exists as redress mechanism for violation of rights by state and non-state actors, is the Human Rights Commission of Sierra Leone. This institution's intervention is limited to conducting public inquiry / or receiving complaints from diverse victims of human rights violation and resolving them through non-legal means. The institution has a broad mandate to protect and promote the rights of all in Sierra Leone including those affected by climate change actions. The Commission received subvention appropriated by the Ministry of Finance and approved by Parliament to carry out its operational activities although such support proves to be inadequate for the Commission to fully implement its activities, and it therefore has to rely on donor partners to carry out specific projects and programmes.

The Environmental Protection Agency Act of 2022 also provides for a redress mechanism to address environmental issues, and also include issues related to climate change. This framework does not clearly provide for a right to appeal against government decisions regarding climate related policies, plans or projects through non-legal mechanisms. However, right holders and organisations can utilize this framework to challenge government actions they believe are detrimental to the environment or exacerbate climate change impacts.

During the right holders focus group discussion, participants were asked whether they have wanted to /or tried to appeal against a government decision regarding a climate change-related policy, plan, or project through administrative or other (non-judicial) mechanisms. This was to establish their

level of accessibility to effective remedies on matters related to climate change policies or plans. The result, as indicated in Figure 18, shows that only 15% (4) of the 27 communities wanted or tried to appeal against government decision on climate change-related policy or programmes. Most of the decisions discussed by these participants have to do with programmes related to relocations, compensation and restitution. The remaining 85% expressed their uncertainty about any positive outcomes if they appeal against government decisions, and that they have accepted their fate because, for them, government's decisions cannot be challenged. Also, all of the 27 communities stated various barriers that made it impossible to appeal against government decisions.

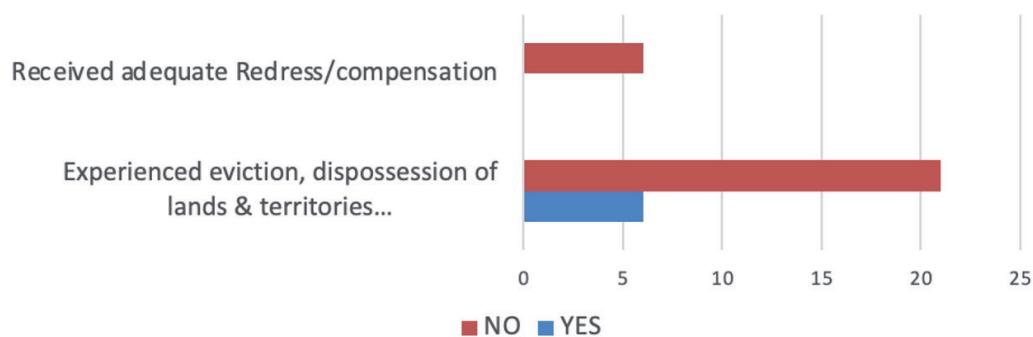
**Figure 18: Possibility to appeal against government decisions regarding climate change-related policies, plans or projects through administrative and other mechanisms**



The barriers listed include: lack of knowledge on how to go about it, lack of awareness about their rights, no financial resources, limited access to legal aid, difficulties in identifying responsible party or where to appeal, long distance to reach to any relevant public institution or office, and limited access to environmental information and scientific evidence necessary for the appeal.

In the context of adequate restitution and compensation for lands and territories confiscated, used or damage due to climate change measures, this assessment tried to establish the rate of government's compliance with its obligations under international law. In Figure 19, the result shows that in the last five (5) years, six (6) out of the 27 communities engaged have experienced either climate-induced relocation, dispossession or displacement due to climate change measures. These communities include Regent, Kaningo, Tombo, Manbolo, Manorko and Gboudo. These communities experienced mainly dispossession of lands and territories by state actors on the yardstick of forest reserves. They did not receive any compensation or replacement for their lands and territories normally used for farming activities.

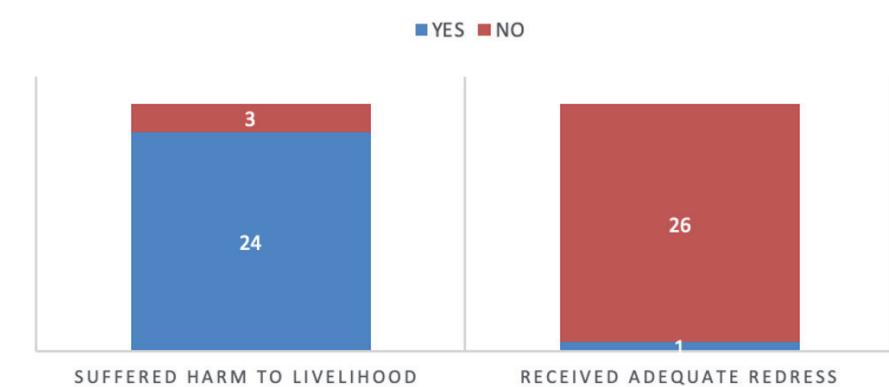
**Figure 19: Adequate redress, restitution and compensation for land, territories and resources taken, used or damaged due to climate change measures**



Although, Government has developed the Disaster Risk Financing Strategy (DRFS) to limit the impact of climate-related crises and shocks on the national budget and reduce human, social, economic, fiscal, and environmental impacts, Figure 20 indicates that 24 (89%) of the 27 communities engaged suffered harm to their livelihood due to climate change-related disasters, and that only one (1) community received adequate support. The most prevalent climate-related impacts that have affected communities' means of subsistence include heavy rainfall and or floods, storms, rising water levels, extreme temperatures, and changes in flora (vegetation, plants).

In view of the state's limited budget, and the increasing frequency and intensity of disasters, the current practice of funding responses to damaging disasters is not sustainable. It was observed that the government currently relies on external assistance and budget reallocations to finance disaster responses. Humanitarian aid can be unpredictable and untimely, whereas budget reallocations divert funds from public services and ongoing projects, which can be very costly.

**FIGURE 20: ADEQUATE REDRESS, RESTITUTION AND COMPENSATION FOR DEPRIVATION OF MEANS OF SUBSISTENCE DUE TO CLIMATE CHANGE**



HRCSL notes that the Global Risk Financing Facility (GRiF) is supporting the development of Shock-Responsive Social Protection (SRSP) systems through a World Bank-funded Productive Social Safety Nets and Youth Employment (PSSNYE) Project. The goal of the project is to strengthen the capacity of the National Commission for Social Action (NACSA) to provide earlier and

a more reliable response and recovery to climate and disaster shocks. One of the main features of Sierra Leone's SRSP is a comprehensive mapping and analysis of household vulnerability to shocks, focusing on flood and landslide risks. The analysis is instrumental for the operation and monitoring of a shock-responsive social protection system, as it informs prioritization and targeting in the event of a shock.

### **Recommendations**

1. Government through the MoECC and EPA should create a unit within their operations to serve as alternative non-judicial means for right holders, particularly from vulnerable communities, to easily access for addressing appeals or petitions against government decisions regarding climate change-related policies or projects that may have a direct impact on their livelihood.
2. Government should consider the incorporation of the Human Rights Commission of Sierra Leone to serve in the EPA Board in order to integrate human rights-based approach to Board's responsibility of providing policy guidance and advice for the efficient overall performance of the Agency.
3. The MoECC, EPA and NaCSA should work in collaboration with HRCSL and ACC in implementing programmes geared towards addressing adequate redress, restitution and compensation of lands and territories which have been confiscated, taken, occupied, lost or damaged due to climate changes measures. This is to ensure accountability, transparency and a human rights-based approach to programme implementation.



Showing flooding impact at PWD - Pademba Road in Freetown,  
HRCSL media

## CHAPTER SIX

### SUMMARY OF FINDINGS AND CONCLUSION

#### SUMMARY OF FINDINGS

State Compliance	Gaps/Challenges
<p><b>1. Climate Change Adaptation (general obligation to prevent harms to human rights):</b> Sierra Leone has a National Adaptation Plan well aligned with human rights and climate change obligations.</p>	<p>The current plan does not include an analysis of how groups in the country are differently affected and vulnerable to the impacts of climate change making it more difficult to design targeted measures for those most vulnerable.</p>
<p><b>2. Disaster Risk Reduction (related to the protection of the right to life):</b> Sierra Leone has disaster management, preparedness and response policies and plans in line with the Sendai Framework for Disaster Risk Reduction and has set up relevant institutions and structures to improve its management of disaster risks.</p>	<p>The rights-holder assessment revealed severe gaps in the delivery of disaster support to all groups. Vulnerable groups, such as women, children, older persons and persons with disabilities, do not appear to be sufficiently prioritized in accessing government support in the aftermath of disasters. There are incidences of discrimination, groups being bypassed, in the support provided.</p>
<p><b>3. Right to the Highest Attainable Standard of Health:</b> The State has taken important steps to enact relevant Acts and set up funds including the public health emergency trust fund, a National Public Health Agency and a climate health unit to help the health sector withstand and respond to climate health risks.</p>	<p>Public health financing remains relatively low and donor dependent with risks to sustainability and impact. Most of the communities visited experienced a high prevalence of diseases and health disorders which are made worse by adverse climate conditions. Access to health facility is a huge challenge for most vulnerable communities and many have to rely on drugs peddlers or traditional medicines.</p>
<p><b>4. Right to Water:</b> HRCSL noted that there are public initiatives and programmes which address adequacy and sustainability of water availability and access in the context of climate change.</p>	<p>Access to clean water remains a significant challenge in Sierra Leone and the realization of the right to water is further challenged by the impacts of climate change (flooding destroying water infrastructure and contaminating water and the drying up of sources in the dry season). 85% of the communities visited had experienced water shortage and the groups that experienced disproportionate impacts are women, children, physically challenged and older persons.</p>
<p><b>5. Right to adequate food:</b> HRCSL noted some initiatives and programmes such as the Feed Salone Programme which is intended to address food insecurity.</p>	<p>Food insecurity is already a serious human rights issue in Sierra Leone and high dependence on rain fed agriculture worsens the country's vulnerability to climate change. All of the 27 communities visited have experienced food shortage with disproportionately impacts on vulnerable women, lactating mothers, children and older people.</p> <p>The reasons given for food shortage were attributed to reduction in crop yields as a result of either extreme temperatures or extreme rainfall leading to flooding and destruction of crops. In coastal communities, small-scale fishers report depleted fish stocks, saltwater intrusion and some islands such as Yelebuya, Turtle and Plantain Islands are submerging under water.</p>

<p><b>6. Right to Adequate Housing and Land Rights:</b></p> <p>In the context of climate change: HRCSL noted progressive laws that protect against dispossession of land which is a core aspect of the right to housing. These laws include the National Development-Induced Resettlement Act, passed in 2023, to guide the planning, implementation, and monitoring of resettlement activities related to development projects. The Act aims to ensure affected individuals are properly compensated and supported in rebuilding their lives and livelihoods; The Customary Land rights, and Land Commission Acts all passed in 2022. All of these Acts guarantee right holders tenure security and 'compensation' to include cash payment, deferred payment, a bond, an insurance policy, stipend, grant of alternative, should dispossession or relocation occur as a result of either climate action or government development projects.</p>	<p>In spite of the progressive land laws, the majority of communities interviewed have no effective and documented rights to their lands and other natural resources. In the event of climate change or other measures involving relocation or restrictions on access, these communities are very likely to lose their lands without compensation.</p> <p>Among the 27 communities visited, 5 had experienced relocation as a result of either an impact of climate change or measure to prevent against expected harms to housing due to climate change. 4 of the relocated communities reported that the new places did not comply with human rights standards in terms of access to employment options, health-care services, schools, childcare centres and other facilities. The assessment also revealed gaps in the consultation process related to relocation in terms of free prior and informed consent and meaningful consultation with all those affected.</p> <p>In communities at Kamayama and Moetomeh, for example, 19,826 people were directly affected by flooding in 2017 and registered for relocation to Six Miles in the Western Rural District. Only 64 households benefited from the housing provided for the relocation and allegedly these beneficiaries were those who had connections to the public officials in charge.</p>
<p><b>7. Cultural rights:</b></p> <p>The Monuments and Relics Ordinance<sup>77</sup>, establishes the Monuments &amp; Relics Commission (MRC) as the official body tasked with preserving monuments, relics, and objects of archaeological, historical, or scientific significance. The MRC also oversees the National Museum; and it remains the main institutional framework for tangible heritage protection.</p>	<p>Cultural rights tied to the customs and traditions are present in the Constitution but are not actively promoted through policy and budgetary commitment. There is complete lack of policy coordination and enforcement between and among government MDAs in terms of culture and climate change.</p> <p>The assessment found negative impacts on cultural, spiritual and traditional practices from floods and storms destroying places of worship in 13 out of 27 communities. Also, in some instances conservation measures have prevented communities from hunting or performing rituals restricting the exercise of their cultural rights</p>
<p><b>8. Right to participation and access to information:</b></p> <p>These procedural rights concern the ability of the people of Sierra Leone to meaningfully contribute to and benefit from climate change initiatives and understand challenges and opportunities in this regard. HRCSL noted positive laws such as the Right to Access Information Act, and good intentions in climate plans and policies, such as the communication climate strategy for the national adaptation plan.</p>	<p>Despite these fine laws and policies, the HRCSL found gaps in terms of meaningful participation and access to public information from a rights-holder perspective. If chiefs or community group heads have no access to public information or if they fail to disseminate the information, the entire community is kept in darkness about any programmes, initiatives, agreements or events that might affect them.</p>
<p><b>9. Access to justice and remedy:</b></p> <p>The right to remedy is universal and also concerns violations occurring in the process of responding to the climate crisis. When it comes to access to justice and reparations for harms caused by climate change, this is a more complex legal question potentially involving reparations from other states that have failed to take action to protect the climate system.</p>	<p>The assessment found that communities face many challenges in accessing justice and appealing government decisions. Barriers include lack of knowledge and awareness of rights, no financial resources, limited access to legal aid, difficulties in identifying responsible party or where to appeal, long distance to reach to any relevant public institution or office, and limited access to information and evidence necessary for the appeal.</p>

## CONCLUSION

This assessment as presented above has underscored that climate change in Sierra Leone is both an environmental crisis and a profound human rights challenge. The impacts (ranging from flooding, sea-level rise, and erratic rainfall to food insecurity and health risks), continue to threaten the rights to life, food, water, housing, health and livelihoods, particularly for the most vulnerable groups. While the government has made some progress through national policies, plans and international commitments, important gaps remain in ensuring that climate action is fully aligned with human rights principles and effectively implemented across sectors and in every affected community.

Moving forward, Government MDAs should seriously consider implementing recommendations embed in this report. The Commission believes that these recommendations are geared towards strengthening the country's legal and policy frameworks, enhance institutional coordination, and ensure that climate action is inclusive, equitable, and accountable. This requires not only strong government leadership but also the meaningful participation of communities, civil society, and the private sector, supported by sustained partnerships with development partners. By integrating human rights into all climate measures, Sierra Leone can build resilience, protect its people, and transform the challenges of climate change into opportunities for justice, equity, and sustainable development for present and future generations.

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- The Paris Agreement
- The Covenant on Economic, Social and Cultural Rights (CESCR)
- The Covenant on Civil and Political Rights (CCPR)
- The Convention of the Rights of the Child (CRC)
- The Convention on the Elimination of Discrimination against Women (CEDAW).
- The African Charter on Human and Peoples rights
- The Maputo Protocol

## **DIRECTORATE OF CLIMATE CHANGE AND INFORMATION SERVICES TEAM**

Victor I. Lansana Esq	-	Oversight Commissioner/ Vice Chairperson
Abu Bakarr Kamara	-	Director DCCIS
Esther Williams	-	Senior Human Rights Officer
Paul Anthony	-	Human Rights Officer
Joseph Moiba	-	Assistant Human Rights Officer
Judith Vandy	-	Assistant Human Rights Officer

## ENDNOTES

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- 2 The Customary Land Rights Act of 2022 (Part iv, Sec 9 &10)
- 3 The National Land Commission Act of 2022 (Sec. 49)
- 4 [Vulnerability rankings | ND-GAIN Index](#)
- 5 IPCC Climate Change 2023 Synthesis Report: Summary for Policymakers [IPCC\\_AR6\\_SYR\\_SPM.pdf](#)
- 6 Climate treaties include the United Nations Framework Convention on Climate Change (UNFCCC) and the Paris Agreement and international human rights treaties signed by Sierra Leone include but are not limited to: the Covenant on Economic, Social and Cultural Rights (CESCR), the Covenant on Civil and Political Rights (CCPR), the Convention of the Rights of the Child (CRC), the Convention on the Elimination of Discrimination against Women (CEDAW). African human rights treaties including the African Charter and the Maputo Protocol are also relevant.
- 7 [Summary of the Advisory Opinion of 23 July 2025](#)
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