



UPR Pre-session on Sierra Leone

Statement of the Human Rights Commission of Sierra Leone (HRCSL)

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(Vice Chairperson)

The Institution (HRCSL)

The Human Rights Commission of Sierra Leone (hereinafter referred to as the Commission/HRCSL) was established by an Act of Parliament known as, the Human Rights of Sierra Leone Act, 2004, following a recommendation of the Truth and Reconciliation Commission Report, 2003 at the end of the civil war in 2002.

It has the functional mandate to protect and promote the human rights of all in Sierra Leone while serving as a quasi-judicial body for addressing human rights violations. HRCSL has participated in the UPR since the inception of this mechanism, leading to the submission of the Commission's first UPR Alternate Report in 2011.

National consultations for the drafting of the National Report and the Alternate Report

The Secretariat of the National Reporting Mechanism at the Ministry of Foreign Affairs and International Cooperation (MoFAIC) spearheaded inter-ministerial consultations in the

development of Sierra Leone's National Report in which different stakeholders were invited to form part of the consultations including Civil Society Organisations (CSOs), Ministries, Departments and Agencies (MDAs) and the Human Rights Commission of Sierra Leone (HRCSL).

In a similar vein, HRCSL did nationwide consultations in the development of its alternative/shadow report. These consultations were done at the regional level, giving opportunity to representatives of far-to-reach communities to be able to have their say on the implementation of the UPR recommendations. Local leaders, district human rights committee members, CSOs and religious leaders were mostly the participants drawn from all five regions of the country for the consultations in 2024 and 2025.

Structure of the Statement

This Statement will look at the implementation of some of the recommendations for Sierra Leone during previous UPR cycles and then move on to address the human rights situation in the country since the last cycle with specific focus on women and children's rights. Each of the thematic areas will proffer recommendations for the attention of the State

The Statement:

1. Implementation of International Human Rights Norms

A. Follow-up to the first two reviews

During the 2011, 2016 and 2021 UPR Cycles of Sierra Leone, member states recommended the ratification of some Optional Protocols including

- a. the Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the Abolition of the Death Penalty,
- b. the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and
- c. the Optional Protocol to the Convention on Persons with Disabilities, among others.

Even though the Government of Sierra Leone (GoSL) has ratified the substantive Conventions, it is yet to give effect to the ratification of their Optional Protocols. On CAT, apart from the Constitution which prohibits torture, there is no statute that specifically deals with torture by way of definition, establishment of structures and prescription of punishment.

There has however been some progress on death penalty and disability issues since 2011.

B. New developments since the first two reviews

Government has abolished the death penalty from the lawbooks with the enactment of the Abolition of the Death Penalty Act, 2021 replacing death penalty with life imprisonment. However, it is yet to ratify the optional protocol on death penalty. The Commission expresses fears that this may trigger a review of the law to restore the death penalty where a change of leadership in government takes place.

In 2011 the Persons with Disabilities Act was enacted in an attempt to give persons with disability a voice in government. The Act makes tertiary education free for those compatriots although at some point realization of it was impossible until HRCSL intervened and ensured that the spirit of the law was actualized. HRCSL however notes that successive political control over the administration of the Disability Commission has been seriously undermining the purport of its creation.

C. Recommendations

While we note the progress made, we however believe that so much more can be done to better the situation. Government is therefore urged to:

- a. Enact a law that specifically prohibits and prescribes punishment for torture.
- b. Ratify the optional protocols, particularly the second optional protocol of the ICCPR, aimed at abolishing the death penalty.
- c. Depoliticize the operations of the Commission on Disabilities.

2. The rights of women and girls and the protection from the practice of Female Genital Mutilation (FGM)

A. Follow-up to the last review

Women form more than half of the population of Sierra Leone, yet history records how they have been vulnerable and marginalized whether in the political sphere or in government and in times of war and climate-related disasters. Children are even more vulnerable in a poor country like ours.

During the last UPR cycle, many countries recommended that Sierra Leone takes steps to combat all forms of gender-based discrimination, accelerate the enactment of the Bill on gender equality and take steps to increase women's participation in parliament. It was also recommended to harmonize laws to prevent and eliminate child marriage, criminalize FGM and ensure pregnant girls do not drop out of school.

B. New developments since the last review

There has been a huge improvement in the legal framework since the last cycle. Laws have been enacted to empower women and increase female representation in the House of Parliament. With the passing of the Gender Equality and Women's Empowerment Act (GEWE) 2022, women have now been given a safe quota of 30% in all elective and appointive positions in government. In Parliament the percentage of women is 30.4% from 15% in 2018 and are about 28% in Cabinet. Women now have the same right as men to own property and be entitled to inheritance in the provinces under the Customary Land Rights Act of 2022.

While this legislative reform has brought prominence to women particularly educated women, HRCSL is deeply concerned over the snail's pace implementation of the GEWE Act with specific reference to rural women whom this law also empowers to access finance to set up businesses or promote their existing business. This sect of women who are in the majority are the ones who are mostly the bread-winners of their families. Nonetheless, they are yet to fully benefit from the law.

Children have also been considered in the legislative reform with the passing of the Prohibition of Child Marriage Act 2024 and the Child Rights Act 2025. Both these laws

are geared towards protecting the growth and welfare of the child. However, HRCSL is gravely concerned that the Child Rights Act fails to unequivocally criminalize FGM against children under the age of majority. The cultural practice of FGM against girls undermines their rights to health, education, dignity and life.

C. Recommendations

Despite the legislative reforms, implementation remains a challenge. Laws are nothing if not implemented. The Commission therefore urges government to:

- a. through the Ministry of Finance and the Bank of Sierra Leone, accelerate steps to ensuring rural women have access to finance to set up or boost their businesses as envisaged by the law
- b. immediately amend the Child Rights Act 2025 particularly section 19 and clearly prohibit the practice of FGM against underage girls.

3. Adequate support to HRCSL

A. Follow-up to the last review

The Paris Principles puts a huge obligation on governments to provide adequate support to NHRIs. HRCSL is an independent government-established institution which holds government accountable on its human rights obligations. It is a huge task to cover the length and breadth of the country to serve the people. During the last review about 12 countries called on GoSL for adequate financial and logistical support to do its work effectively.

B. New developments since the last review

Since the last review and following those recommendations, the government has progressively increased its budgetary support to the Commission. Government remains the biggest funder of the Commission providing 91% of funds for the Commission. The Commission has recruited 54 staff since 2022 so that we now have a total staff strength of 117 (77 males and 40 females).

However, this progression is still not where the Commission would like to be. In fact, there is an inordinate delay in the disbursement of funds, making it difficult to promptly respond

to human interest-based stories. Additionally, the Commission has still not benefited from the government with vehicles since its establishment in 2004, except for one, which was allocated to the Commission in 2022. Logistical challenge remains a critical factor hindering its work.

C. Recommendations

It is no secret that government has competing interests and yet it has also increased its budgetary allocation to the Commission but much more can be done to enhance effective service delivery. We therefore recommend as follows:

- a. That the government allocate/buy vehicles for commissioners and the Executive Secretary (6) and all regional offices (5) to enhance field work.
- b. To address the issue of the perennial delays in the disbursement of funds, the government/cabinet should approve the Commission's proposal for a one-of payment of its approved budget at the beginning of the first month of every year, as it appears in its proposed Amendment of its enabling law.

4. Conclusion

As Sierra Leone comes up for review in May this year, we call on the government to strongly and favourably consider our recommendations contained in our Shadow Report and in this Statement in order to enhance the enjoyment of human rights in our country. We particularly urge the government to complete the review/repeal of the Human Rights Commission of Sierra Leone Act, 2004, a review of which commenced since 2021.

END!!!

I thank you all for your kind attention.

