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country summary

## Sierra Leone

Throughout 2010 the government of President Ernest Bai Koroma made meaningful progress in addressing endemic corruption and improving access to justice and key economic rights, notably health care and education. Endemic public and private corruption has for decades undermined development, and was one of the major factors underpinning the 11-year armed conflict that ended in 2002.

High levels of unemployment, persistent weaknesses in the performance of the police and judiciary, and increased political tension in advance of the 2012 elections slowed the consolidation of the rule of law. Through the efforts of the United Nations-backed Special Court for Sierra Leone, however, progress continued in achieving accountability for war crimes committed during the armed conflict.

The discovery of a major offshore oil deposit, and the ratification by parliament of major resource exploitation contracts, notably those involving a large iron ore deposit, raised hopes that Sierra Leone would be better able to address chronic unemployment, improve access to basic economic rights, and minimize donor dependency. It also illuminated the continued importance of focusing on deficits in economic governance and anti-corruption efforts.

### Corruption

In 2010 the Anti-Corruption Commission (ACC) secured convictions against several high-level public officials, including the minister of health and sanitation, the minister of fisheries and marine resources, the head of the school feeding program in the Ministry of Education, a judge, and the director of procurement at the Ministry of Defense. At year's end a further five cases and some 90 investigations were ongoing. While President Koroma repeatedly admonished government officials to desist from corrupt practices, the May resignation of ACC Commissioner Abdul Tejan-Cole, reportedly over security concerns and government interference, and the ACC's subsequent failure to investigate or indict several ruling party politicians, raised concerns that recent gains would be reversed. In March President Koroma released the country's first Extractive Industries Transparency Initiative report.

## **Rule of Law**

Serious deficiencies in the judicial system persist, including extortion and bribe-taking by officials; insufficient numbers of judges, magistrates, and prosecuting attorneys; unprofessional conduct and absenteeism by court personnel; and inadequate remuneration for judiciary personnel.

Overcrowding and inadequate food, sanitation, and health care in prisons remain serious concerns. The population of the country's largest detention facility—designed for 324 detainees—stands at over 1,300. In 2010 some 65 percent of prisoners in Sierra Leone were held in prolonged pretrial detention.

However, concerted efforts by the UN, the United Kingdom (through its Justice Sector Development Programme), aid agencies, and the government have led to meaningful improvements in access to legal representation. The Pilot National Legal Aid program (PNLA) supports lawyers in providing legal aid to hundreds of people detained within police stations and prisons in Freetown, the capital. By the end of August 2010 the cases of over 1,000 individuals had been processed, of which 506 were discharged. A UN Development Program (UNDP) funded project also helped clear the backlog of cases throughout the country by supporting lawyers from the Bar Association in representing indigent detainees, establishing a few new permanent court houses and temporary special tribunals, and deploying itinerant judges. A donor-funded program that deployed tens of paralegals, backed by lawyers, to some 30 locations throughout Sierra Leone helped bridge the gap between the customary and formal legal systems.

## **Police and Army Conduct**

The police in Sierra Leone continue to engage in unprofessional and at times criminal behavior. There were persistent allegations of crime victims being required to pay for investigations and of police involvement in extortion, solicitation of bribes, and other criminal acts. In late 2009 the Sierra Leonean army stepped in to help the police address a spike in armed robberies.

The UK-led International Military Advisory and Training Team has been working since 1999 to reform the Republic of Sierra Leone Armed Forces (RSLAF). In 2010 some 40 mostly British military officers were deployed to Sierra Leone. Over the last several years the army has been downsized from 17,000 to its goal of 8,500 personnel. The Military Court Martial Board within the RSLAF, established in 2009, encouraged discipline by adjudicating the cases of several soldiers implicated in misconduct, misappropriation, and criminality. A milestone

was achieved in early 2010 when the first-ever contingent of RSLAF troops was deployed as peacekeepers, to Sudan.

### **Sexual and Gender-Based Violence and Treatment of Children**

Incidents of sexual and gender-based violence against girls and women remained high; in 2009, the latest year for which figures exist, victims reported 927 cases of rape and other forms of sexual assault and 1,543 of domestic violence. While Family Support Units within police stations led to increased reporting, fear of stigma and weaknesses within the judiciary resulted in very few prosecutions. Child labor within artisanal diamond mining areas continued to be a major cause of concern. However, the completion of construction of remand facilities for juvenile offenders successfully kept children from entering adult prisons, as was previously the practice.

### **Accountability for Past Abuses**

Between 2004 and 2009, eight individuals associated with the three main warring factions were tried and convicted by the Special Court for Sierra Leone for rape, murder, mutilation, enslavement, recruitment of child soldiers, forced marriage, and attacks against UN peacekeepers. All eight were transferred in October 2009 to Rwanda to serve out their sentences.

During 2010 the trial of former Liberian president Charles Taylor—charged with 11 counts of war crimes and crimes against humanity for his role in supporting Sierra Leonean rebel groups during the conflict—made notable progress. The defense, which closed its case in November, brought forward 21 witnesses, including Charles Taylor. Earlier, 94 witnesses testified for the prosecution. Closing arguments are scheduled for February 2011 and a judgment is expected later in the year. Taylor is the first sitting African head of state to be indicted and face trial before an international or hybrid tribunal. Due to security concerns, his trial is taking place in The Hague, Netherlands, instead of in Freetown.

Meanwhile, the Special Court began closing down operations in Freetown. In May the Special Court handed over control of its detention facility to the Sierra Leone prison service. It also reached an agreement with the government on residual functions of the court, which include witness protection, court archives, supervision of sentences, and the trial of the last person indicted, Johnny Paul Koroma, who remains at large. The Special Court—whose largest donors include the United States, the United Kingdom, the Netherlands, and Canada—continues to lack the resources to complete its work. The Special Court relies solely on voluntary contributions from the international community.

Reparations programs for war victims, as recommended by the Truth and Reconciliation Commission, provided financial and medical assistance and skills training to some 20,000 victims with support from the UN Peacebuilding Fund and UN Development Fund for Women.

## **Economic and Social Rights**

In 2010 the government launched a free healthcare plan for pregnant women, breast-feeding mothers, and children under five years old; raised the salaries of health workers; and announced plans to increase the number of midwives trained each year from 30 to 150, representing a significant step toward improving access to basic health care. To improve access to education, the government increased the number of teachers, awarded grants to girls and the disabled attending secondary school and university, and investigated and prosecuted Education Ministry personnel engaged in corrupt practices.

According to the 2009 UN Human Development report, Sierra Leone ranked 180<sup>th</sup> out of 182 countries for overall development. A 2009 report of the UN Department of Economic and Social Affairs found that Sierra Leone had the world's worst indicators for infant mortality (123 deaths per 1,000 live births) and maternal mortality (the lifetime risk of maternal death is 1 in 8).

## **National Human Rights Commission and Legislative Developments**

The National Human Rights Commission carried out its mandate to investigate and report on human rights abuses and generally operated without government interference. In January a revised Mines and Minerals Act envisioned to improve Sierra Leone's benefits from its vast natural resources was signed into law. In November the Right to Access Information Bill was introduced into parliament. However, the government has yet to act on the report of the Constitutional Review Committee, submitted in 2008, or conduct a promised review of the Criminal Libel Law.

## **Key International Actors**

In 2010 UN Secretary-General Ban Ki-moon and World Bank President Robert Zoellick visited Sierra Leone. The UN and the UK government continued to take the lead in helping to reform and support Sierra Leone's rule of law sectors. The UK remained Sierra Leone's largest donor, providing some £50 million (US\$80 million) in the last fiscal year, including support for the health sector, anti-corruption efforts, security sector reform, and access to justice.

In July the World Bank gave \$20 million to be used over three years to address high unemployment by supporting skills training and cash-for-work programs. The EU gave €52.5 million (\$73.7 million) to support infrastructure, agriculture, and governance.

In September the UN Security Council extended the mandate of the UN Integrated Peacebuilding Office in Sierra Leone (UNIPSIL) for one year and lifted an arms embargo and travel ban on former rebel leaders that had been imposed in 1997. UNIPSIL plays a largely advisory role in strengthening democratic institutions and addressing organized crime, drug trafficking, and youth unemployment.

The UN Peacebuilding Fund has approved more than \$35 million since 2007 to support justice, security, youth employment, and good governance in Sierra Leone.