



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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COMMITTEE ON THE ELIMINATION OF  
DISCRIMINATION AGAINST WOMEN  
(CEDAW)

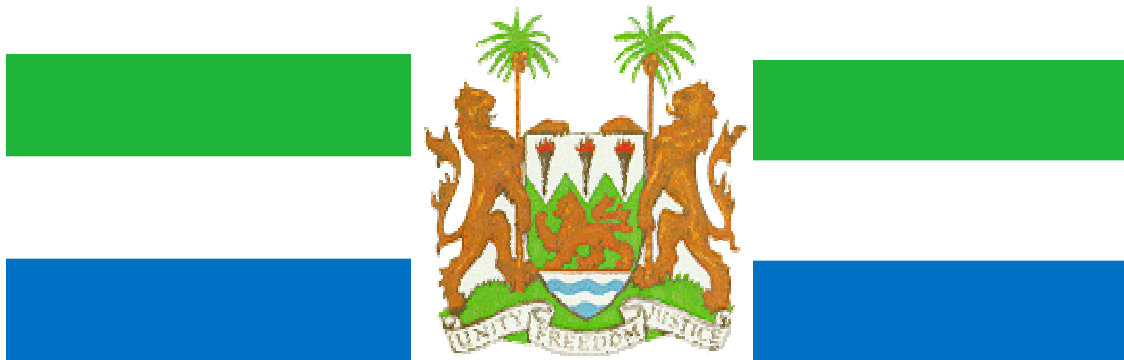
CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER  
ARTICLE 18 OF THE CONVENTION ON THE ELIMINATION OF ALL  
FORMS OF DISCRIMINATION AGAINST WOMEN

Combined initial, second, third, fourth and fifth periodic report of States Parties

**SIERRA LEONE\***

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\* The initial, second, third, fourth and fifth periodic report of Sierra Leone was received by the Secretariat on 14 December 2006.



Government of the Republic of Sierra Leone



**Combined Initial, 2<sup>nd</sup> – 5<sup>th</sup> Periodic Country Report on the  
Convention on the Elimination of All Forms of Discrimination  
Against Women (CEDAW)**

*Produced by the*

*Ministry of Social Welfare, Gender and Children Affairs*

**Freetown, Sierra Leone**

**November, 2006**

## **Preface**

Sierra Leone is emerging from an 11-year civil war that destroyed most of the country's social, economic and physical infrastructure resulting in a breakdown of civil and political authority. This has had a devastating impact on the social and economic fabric of the nation. Rebuilding the country's economic and social infrastructure to provide security and livelihood while guaranteeing the promotion and protection of rights for its citizens is a daunting challenge.

With the end of the war, government renewed its commitment to pursue sustainable and gender equitable development by engaging different sectors of government and civil society in the rehabilitation and reconstruction efforts. Sectoral policies including the twin policies on Gender Mainstreaming and the Advancement of Women were adopted to provide the guiding framework for partners and set clear development goals for the country. The revitalization of the Law Reform Commission to coordinate legal reforms essential for social justice and peace, and other regulatory organs were additional steps to stimulate speedy return to democracy and help nurture good governance ideals. The commitment of government to fulfill its international legal obligations especially to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is demonstrated in the resolve to prepare an all-embracing initial, 2<sup>nd</sup> - 5<sup>th</sup> CEDAW Country report. This report is prepared in the spirit of the Poverty Reduction Strategy Paper (PRSP) and Vision 2025 document as a status report on progress achieved over the Eighteen year period that ensued since the signing of the convention treaty in 1988.

This CEDAW report highlights the legal, social, institutional, cultural and other barriers to the promotion of gender equality across priority sectors of concern as identified in CEDAW. It is a clear illustration of the partnership between government, development partners and civil society including women's groups in the advancement of women for national development. Government recognizes the linkages between gender equality and the achievement of national and global development targets particularly the PRSP and Millennium Development Goals (MDGs). It is hoped that the report will provide useful indicators for development actors on priority issues and entry points for effectively harnessing the human resource potentials of both women and men, in

the pursuit of development ideals. It is therefore anticipated that partnership with critical stakeholders, both government and non-government will utilize the report for future programming to complement efforts geared towards bridging perceived gaps.



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Freetown, Sierra-Leone

November, 2006

# List of Acronyms

ACP	- African/Caribbean/Pacific
ADB	- African Development Bank
AFRC	- Arm Forces Revolutionary Council
APC	- All People's Congress
ARD	- Association for Rural Development
AU	- African Union
BDEC	- Bo District Education Committee
BECE	- Basic Education Certificate Examination
CBOs	- Community Based Organizations
CEC	- Community Education Centre
CEDAW	- Convention on the Elimination of All Forms of Discrimination Against Women
CKC	- Christ the King College
CSOs	- Civil Society Organizations
CSW	- Commission on the Status of Women
CONT EDUC-	Continuing Education
CREPS	- Complementary Rapid Education Programme for Primary Schools
CTA	- Community Teacher Association
DFID	- Department of International Development
ECA	- Economic Commission for Africa
ECOWAS	- Economic Community of West African States
ECOMOG	- ECOWAS Monitoring Group
EFA	- Education for All
EU	- European Union
FAWE	- Forum for African Women Educationalists
FGD	- Focus Group Discussion
FGM	- Female Genital Mutilation

FOMWASAL	-	The Federation of Muslim Women in Sierra Leone
FSU	-	Family Support Unit
GBV	-	Gender Based Violence
GER	-	Gross Enrolment Rates
GNP	-	Gross National Product
GOSL	-	Government of Sierra Leone
HDI	-	Human Development Index
GTZ	-	German Technical Cooperation
ILO	-	International Labour Organization
IMC	-	International Medical Corps
IMR	-	Infant Mortality Rate
INEC	-	Interim National Electoral Commission
IRC	-	International Rescue Committee
JSS	-	Junior Secondary School
LAWYERS	-	Lawyers Centre for Legal Assistance
MARWOPNET (SL)	-	Mano River Women's Peace Network (Sierra Leone)
MEST	-	Ministry of Education, Science and Technology
MYS	-	Ministry of Youth and Sports
MMCET	-	Milton Margai College of Education and Technology
MDGs	-	Millennium Development Goals
MODEP	-	Ministry of Development and Economic Planning
MOH	-	Ministry of Health and Sanitation
MSWGCA	-	Ministry of Social Welfare, Gender and Children's Affairs
MMR	-	Maternal Mortality Rate
NaCSA	-	National Commission for Social Action
NAS	-	National AIDS Secretariat
NASSIT	-	National Social Security Insurance Trust
NAP	-	National Action Plan
NCD	-	National Commission for Democracy
NCDHR	-	National Commission of Democracy and Human Rights

NCOMO	-	National Council of Muslim Women Organization
NCSLW	-	National Congress of Sierra Leone Women
NDI	-	National Democratic Institute
NEC	-	National Electoral Commission
NEP	-	New Education Policy
NEWMAP	-	Network of Women Ministers and Parliamentarians
NFPE	-	Non-Formal Primary Education
NFPP	-	National Family Planning Programme
NHRC	-	National Human Rights Commission
NGOs	-	Non-Governmental Organizations
NOW (SL)	-	National Organization for Women (Sierra Leone)
NPSE	-	National Primary School Examinations
NPRC	-	National Provisional Ruling Council
OAU	-	Organization of African Union
PADECO	-	Partners in Adult Education Coordinating Office
PAWA	-	Pan Africa Women's Association
PCMH	-	Princess Christian Maternity Hospital
PEA	-	Peoples Education Association
PHC	-	Primary Health Care
PLWHA	-	People Living With HIV and AIDS
POLYS	-	Polytechnic
POP/FLE	-	Population and Family Life Education
PPASL	-	Planned Parenthood Association in Sierra Leone
PROF INS	-	Professional Institutions
PRSP	-	Poverty Reduction Strategy Paper
QRS	-	Queen of the Holy Rosary
REBEP	-	Rehabilitation of Basic Education Project
SABABU	-	Opportunity (local parlance)
SDA	-	Seventh Day Adventists
SHARP	-	Sierra Leone HIV/AIDS Response Programme

SLAUW	-	Sierra Leone Association of University Women
SLEGEN	-	Sierra Leone Girls Education Network
SLPP	-	Sierra Leone People's Party
SLTU	-	Sierra Leone Teachers' Union
SLWM	-	Sierra Leone Women's Movement
SSS	-	Senior Secondary School
STI's	-	Sexually Transmitted Infections
TAFWIP	-	Taskforce for Women in Politics
TBAs	-	Traditional Birth Attendants
ToRs	-	Terms of Reference
TRC	-	Truth and Reconciliation Commission
UBC	-	United Brethren in Christ
UMC	-	United Methodist Church
UNMO	-	United Methodists Women's Organization
UN	-	United Nations
UNDP	-	United Nations Development Programme
UNESCO	-	United Nations Educational, Scientific and Cultural Organization
UNFPA	-	United Nations Population Fund
UNHCR	-	United Nations High Commission for Refugees
UNICEF	-	United Nations Children's Fund
UNIFEM	-	United Nations Development Fund for Women (UNIFEM)
UNWO	-	United Methodists Women's Organization
VVF	-	Visco Vaginal Fistula
WASSCE	-	West African Senior Secondary School Certificate Examination
WB	-	World Bank
WFP	-	World Food Programme
WHO	-	World Health Organization
YWCA	-	Young Women's Christian Association



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Finally the Ministry appreciates the on-going partnership and collaboration of the United Nations System and other development partners, Women's NGOs and Community

Based Organizations (CBOs) in the strive towards the advancement of women. In particular the role of the Women's Forum is highly appreciated.

Thank you.

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## **PART I**

### **SECTION 1: INTRODUCTION**

#### **1 General Introduction**

**1.1** Sierra Leone, a former British Crown colony and Protectorate achieved independence on the 27<sup>th</sup> of April, 1961 under the Sierra Leone People's Party (SLPP). It subsequently became the 100<sup>th</sup> member of the United Nations, and over the years a committed and fully participating member of other global, regional and sub regional bodies including the Commonwealth, the Organization of African Unity (OAU) now the Africa Union (AU), the Non-aligned Movement, the European Union-Africa/Caribbean/Pacific (ACP) Convention and the Economic Community of West African States (ECOWAS).

**1.1.2** The country's independence was effected through the Sierra Leone (Constitution) Order in Council, also designated the Sierra Leone Independence Act 1961. Sierra Leone's Independence Act 1961 was tailored on the Westminster model of Parliamentary democracy. It was nearly a replica of the unwritten British Constitution in the form of a codified written document. Many of its clauses were entrenched in order to safeguard the fundamental rights and democratic liberties of the citizens, Parliament, public institutions and public servants.

**1.1.3** Also incorporated in the independent Constitution were certain basic principles of British constitutional convention namely, the majority principle, the two (2) party political system, the Cabinet system of government based on individual and collective responsibility, and the independence of the judiciary.

**1.2** Due to political wrangling over the authenticity of the results of the March 1967 elections the unitary state of Sierra Leone experienced a constitutional breakdown. The political manouvres of that year led to a series of coups and counter coups until March

1968 when the country returned to civilian rule under the All People's Congress (APC) led by Dr. Siaka Stevens.

**1.2.1** On the 19<sup>th</sup> of April 1971, under the Stevens leadership Sierra Leone adopted a Republican Constitution, which was swiftly amended so that he can be sworn in as the first Executive President of the Republic on 21 April 1971.

**1.2.2** A turning point in Sierra Leone's form of parliamentary democracy was the adoption in 1978 of a one-party republican constitution. This form of government was overturned by the multiparty Constitution (Act No.6 of 1991) which itself was in turn partly put in abeyance when the military seized power on April 29, 1992.

**1.2.3** After some forty years Sierra Leone's multiparty Parliamentary and Presidential elections, held in February, 1996, in spite of a raging rebel war, resulted in victory for the Sierra Leone People's Party (SLPP). In May 1997 the newly elected SLPP government was ousted by the Armed Forces Revolutionary Council (AFRC) coup.

**1.2.4** In February 1998, ECOMOG forces under Nigerian command dislodged the AFRC forces and the SLPP government was re-instated. In 1999 rebel soldiers again re-entered Freetown attempting to force the Government out of power and civil strife and unrest ensued. Following an ECOWAS brokered peace accord in Lomé in 1999,<sup>1</sup> uneasy peace returned to Sierra Leone.

**1.2.5** A Truth and Reconciliation Commission (TRC) was set up in 2002 "to create an impartial historical record of violations and abuses of Human Rights an international humanitarian law related to the armed conflict in Sierra Leone, from the beginning of the

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<sup>1</sup> The Lomé Peace Agreement was ratified by Parliament by Act No. 3 of 1999, Lomé Peace Agreement (Ratification) Act, found at <http://www.sierra-leone.org/Laws/1999-3.pdf>

conflict in 1991 to the signing of the Lome Peace Agreement; to address impunity, to respond to the needs of victims, to promote healing and reconciliation and to prevent a repetition of the violations and abuses suffered.”<sup>2</sup> Also in 2002 the Government as a result of an agreement with the United Nations set up a Special Court to “prosecute persons who bear the greatest responsibility for the commission of serious violations of international humanitarian law and crimes committed under Sierra Leonean law”.<sup>3</sup> The war was officially declared over in 2002.

**1.3** As an outcome of government’s participation and commitment to the Nairobi Forward Looking Strategies, Sierra Leone signed and ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) without reservations in 1988. The government thus committed itself to implement the provisions of the Convention by amending its laws and policies accordingly and to submit periodic reports on the implementation of the provisions of the Convention in accordance with Article 18. This Article specifically requires that State Parties submit an initial report a year after ratification and subsequent reports every four years thereafter.

**1.4** The civil war, social unrest and unstable government led to disruptions in the social and economic life of the country. Over 20,000 people lost their lives and about two million were displaced in addition to over half a million who fled to neighboring states as refugees<sup>4</sup>. Consequently government activities were not fully functional and the capacity to fulfill international reporting obligations such as CEDAW was weakened. However, conscious of its global commitment and responsibility, the government established the gender focal machinery in 1996 and in 2000 the country acceded to the Optional CEDAW Protocol. The preparation of the CEDAW report was constrained and efforts to

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<sup>2</sup> Section 6(1) of the TRC Act, found at <http://www.sierra-leone.org/Laws/2000-4.pdf>

<sup>3</sup> The Special Court Agreement Act, Act No. 9 of 2002, section 47 found at <http://www.sierra-leone.org/Laws/2002-pdf>



meet this outstanding obligation were given consideration in 2003. This Combined Initial, Second to Fifth (2<sup>nd</sup> – 5<sup>th</sup>) report is to provide the CEDAW Committee with an overview of the status of women in Sierra Leone within the period under review outlining progressive measures adopted by successive governments in Sierra Leone to uphold the provisions of the Convention by promoting and protecting the rights of women.

## **2 Geographical and Demographic Context**

**2.1.** Sierra Leone is located on the West Coast of Africa bounded on the North- East by the Republic of Guinea and on the South by Liberia. On the Western side is the Atlantic Ocean with which it has a coastline of approximately 340km or about 213 miles.

The land area measures approximately 71,740 sq km (about 45, 000 sq mls). There is a low—lying coastal plain about 80 km deep with the exception of the Freetown Peninsula, which is dominated by hills. From the coastal plain the land rises to a plateau in the north and hilly terrain in the south, with small mountain ranges to a maximum height of 1948 metres located near the northern and eastern borders. There are a number of short rivers only navigable in the wet season. Sierra Leone has a population of Four million Nine hundred and Seventy-six thousand eight hundred and seventy one (4,976,871) inhabitants, of whom 51.0 percent are women and 49 percent are male. Sixty-one percent (61%) of the population lives in the rural areas and 39 percent in urban areas (2004 National Population Census)<sup>5</sup>.

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<sup>4</sup>Government of Sierra Leone Poverty Reduction Strategy Paper, 2005 – 2007, (2005) *The Civil War and its Aftermath*, p.2

<sup>5</sup><http://www.statistics.sl/2004percent20CENSUSpercent20FINALpercent20percent20RESULTSpercent20FINAL.htm>

**Figure 1: Map of Sierra Leone**



**2.2** Current estimate of crude birth rate is 42/1000 population. In 2002 life expectancy at birth was 36 years for women and 33 years for men. Sierra Leone has a Crude death rate of about 19/1000 with an under five mortality of 284/1000, infant mortality rates of 165/1000 and maternal mortality rates of 1,800/100,000 live births respectively<sup>6</sup>, the highest in Sub-Saharan Africa. The 2006 estimate of infant mortality rates records 160.39 deaths/1,000 live births; male accounting for 177.47 deaths/1,000 live births and female 142.8 deaths/1,000 live births. The 2006 population estimate stands at six million and five thousand, two hundred and fifty thousand (6,005,250) people with the following break down; 0-14 years: 44.8 percent (male 1,321,563/female 1,370,721), 15-64 years: 52 percent (male 1,494,502/female 1,625,733), 65 years and over: 3.2 percent (male 90,958/female 101,773). (<https://cia.gov/cia/publications/factbook/geos/sl.html>).

**2.3 There are seventeen ethnic groups; the largest group, the Mende, is found in the South Eastern province. The Temne, the second largest followed by the Limba are dominant in the Northern Province. Other groups are the Kono and Kissi in the East, the Koranko, Mandingo, Loko, Susu, Fullah and Yalunka are in the North. The Sherbro, Vai, Gola and Krim are in parts of the South and East. The Creoles are found mainly in the Western**

<sup>6</sup> Sierra Leone Poverty Reduction Strategy Paper 2005 – 2007 (March 2005), p. 37 (compiled from various sources)

**Area. There is culturally a high political tension based on ethnicity in the Northern and Eastern Provinces of the country. For instance whatever the potentials a woman might have cannot move in another ethnic setting to vie for a political position.**

**2.4 Sierra Leone has two major religions: Christianity and Islam which are recognized by the state and their rites observed at national and civic functions.**

### 3. Economic Situation

**3.1** In 1983, Sierra Leone was reclassified by the United Nations as a least developed country because of its deteriorating economic performance. By 1991, the country became one of the poorest countries in the world with a per capita GNP of US \$210 (MODEP, 1995). An annual economic growth of 4.0 percent in its first decade of independence, declined to about 3.0 percent in the early 70s as a result of high prices in the international oil market, and to about 1.5 percent in the 1975-80 period, mainly as a result of declines in diamond output.

**3.1.1** The annual growth rate declined to 1.4 percent during the 1980-90 periods (GOSL, 1996) but by 1991-1997, it reached negative 4.0 percent (ADB, 1998). Both domestic and external factors have had a role in the economic decline.

### **3.2 Impact of Domestic Factors**

**3.2.1** Within the country, long periods of bad governance, weak economic planning and management, the lack of political will to implement sound macro-economic policy reform measures, and the short sighted inclination to substitute them with inappropriate macro-economic, and more specifically, fiscal policies, all translated into falling revenue and extremely high inflation rates of about 62.9 percent.

**3.2.2** In addition, the absence of transparency and accountability in the public sector led to a major constraint on national development activities. The concentration of economic

activities in the capital and other urban areas, and the neglect of the rural sector, marginalized the majority of the population in on-going efforts to improve national social welfare.

### **3.3 Impact of External Factors**

**3.3.1** A number of external factors which contributed to the country's decline included:

- Unfavourable terms of trade for export products, particularly agricultural commodities;
- Huge increasing balance of payment deficit on the country's current account;
- High level of indebtedness to the country's creditors.

**3.3.2** The steady deterioration in the country's economy has had an adverse consequence for social and economic infrastructure. This resulted in a vicious cycle of poor economic performance, leading to decaying infrastructure, which in turn constrained the expansion of economic activity and development of human capital. Underutilization of an ever increasing labour force led to declining levels of labour force participation.

**3.3.3** The combination of poor performance and rapid deterioration in social welfare place Sierra Leone among the lowest in UNDP Human Development Index (HDI) since 1990. In 1990 Sierra Leone was ranked 126 out of 130 countries with Human Development Index of 0.150. Six years later, the country ranked 173 out of 174 with an index of 0.221, retaining the 1995 position.

**3.3.4** Agriculture is second to mining in accounting for the country's export earnings. Agricultural products accounted for 9.6 per cent of foreign exchange earnings from major domestic exports in 1990-91, falling to 4.3 per cent in 1992/93, rising thereafter to reach 12.3 per cent in 1994-1995.

### **3.4 Impact of the Rebel War**

**3.4.1** The rebel war accelerated and aggravated the creeping and social decline of the nation. An already poor and inadequate physical infrastructure was completely destroyed. In the war-affected areas all over the country, many public and private buildings including schools and colleges, offices, health facilities, community centres, markets, stores, roads, bridges and water supply systems were burnt down or thoroughly vandalized.

**3.4.2** The destruction of infrastructural facilities also contributed to further erosion of whatever productive capacity remained in the rural areas in the prewar years. Agricultural production plummeted, small-scale industrial activity dropped significantly, and commercial activities were adversely affected. The massive displacement of the farming population worsened the country's food insecurity. In the urban areas pressure on existing housing, health and educational facilities increased considerably.

## **4. Status of Women**

### **4.1 Women and Education**

**4.1.1** Culture and tradition in Sierra Leone have in the past prevented women, particularly those in the rural provinces, from accessing education. The practice in rural societies within Sierra Leone, where most people live below the poverty line, is usually to favour education of men and boys at the expense of women and girls. Such traditional favouritism of males led to a great disparity existing between men and women in education prior to the war.

**4.1.2** An analytical report on the 1985 census confirmed that in 1985, 91.5 percent of all females in the country aged five (5) years and older were regarded as illiterate. While

the average level of illiteracy in the whole country for females exceeded 90 percent in all the districts, Kambia and Koinadugu were the worst at 97 percent. The illiteracy level for females in the western area was the lowest at 67 percent. The 1985 report also confirmed that out of a total of 1.32 million of females aged five (5) and older, 1.02 million and 0.01 had completed primary and secondary school respectively.

**4.1.3** In the provinces, the establishment and location of schools have been far from the neediest rural communities resulting in long distances to be covered by children from their homes to school. This has discouraged parents and guardians from sending their children and wards to school. Such reluctance appears to have affected the enrolment and attendance of girls more than boys, which has contributed to the particularly low level of women in the provinces.

**4.1.4** Cultural and economic factors are also cited as contributing factors to the low level education of women. The economic crisis that Sierra Leone experienced in the 1980s meant that as resources became scarce and priorities were set, most families chose to educate their males rather than their women and girls. This preference is common in many African societies, where families believe that by educating their men they will support their own kin, whereas educating their women they will benefit the families those women marry into.

**4.1.5** The historical prevalence of early and forced marriage in Sierra Leone has also played a role in the decisions of parents on whether to educate their girl children or withdraw them from school, further compounding the illiteracy level of women. The high illiteracy rate among women in Sierra Leone before the war has greatly disadvantaged them, particularly in the public arena. Women have been greatly unable to participate fully in many sectors of public life and therefore have not mustered enough power to change lives and social status of women.

**4.1.6** High levels of illiteracy have also had implications at a political level, where women and women's issue have generally been relegated to the back burner. There was always a great lack of awareness of the need of women to participate in issues affecting their lives, even among the women themselves. It was therefore relatively easy for successive governments before the war to ignore issues affecting women and girls. The low level of female participation in formal education has had negative consequences in terms of economic viability, politics, health and social welfare level for women.

## **4.2 Women and Health**

**4.2.1** Before the onset of the war, less than half the population had access to basic facilities a fact resulting from the unfavourable economic climate the country was experiencing. The cuts in spending in areas such as health and education due to Structural Adjustment Programmes contributed to the deterioration of the public health systems and negatively impacted disproportionately on women. In the country, privatization of health care systems without appropriate guarantees of universal access to affordable health care further reduced health care availability.

**4.2.2** Women have long experienced unequal access to basic health services as well as unequal opportunities for the protection, promotion and maintenance of health. In the face of this plight, the Pan African Women's Association (PAWA) Sierra Leone used the platform for International Women's Day in 1992, to complain about the hardships women were enduring under the structural Adjustment Programmes. They cited the limited access to health care facilities as well as the exorbitant costs attached to what little health care was available.

**4.2.3** Due to early and forced marriages young girls start child bearing and are exposed to risks and complications arising out of early pregnancy and child birth. Coupled with

high illiteracy these women and girls could not access adequate health care for themselves in such circumstances.

**4.2.4** Traditional practices such as venerating women because of their childbearing capabilities and encouraging them to increase the number of children they bear, tend to put their health at risk while satisfying societal standards. Tradition and culture have also prohibited women from enjoying sexual and reproductive rights.

**4.2.5** A major problem that affects women in Sierra Leone is the high Maternal Mortality which is about 1800/100,000 live births and is about the highest in Sub-Saharan Africa. It is even estimated to be three times higher than the rate in the sub-region.

**4.2.6** As a result of increased understanding of the medical causes of maternal health, attention has been focused on developing strategies to reduce the high levels of maternal mortality. The causes of maternal mortality in Sierra Leone go beyond just a medical problem. It is evidently the interaction of a variety of factors: social, cultural, religious, educational and economic. Women depend on their partners to make decisions affecting their health because men have the economic power in the home. Many women do not earn incomes and cannot afford the basic necessities of life. This leaves them at the mercy of their husbands for decisions- important decisions such as family planning practices, seeking health care in cases of emergencies, and the timing of the marriage of the girl child. Early marriage and child bearing are a serious threat to the health of adolescents and teenagers, including the curtailment of opportunities for young women.

**4.2.7** The persistently high Maternal Mortality rate is due also to the low percentage of births attended to by skilled personnel, the lack of policies to guide the delivery of obstetric care and the absence of a reproductive policy. There are very few well-



equipped Maternity Units and blood banks in the country which most pregnant women cannot afford. Other contributing problems include paucity of trained staff, poor conditions of service and the high exodus of qualified practitioners

**4.2.8** Despite the inadequacies in the Sierra Leone Constitution in addressing the health of women per se, the government and its partners have, over the years, embarked upon a number of efforts to provide women with necessary health services with varying success.

**4.2.9** Government's key concerns are currently outlined in the National Health Policy formulated in 2002. The Policy notes that government recognizes the need to treat its citizens with particular vulnerability resulting from gender, poverty, conflict and specific health problems. Among the national priority health problems identified in the policy are: unsatisfactory reproductive health, especially Maternal Mortality and other health concerns including Sexually-Transmitted Infections (STIs), HIV/AIDS and nutrition-related diseases.

**4.2.10** At the moment the situation is very supportive of maternal health and welfare issues. There is a strong political commitment supported by substantial bi-lateral and multi-lateral donor assistance. A "reduction of Maternal Mortality Association" comprising medical professionals and a "Maternal and Child Health Project" are in place.

### **4.3 Economic Situation of Women**

**4.3.1** Before the war women constituted the majority of the rural labour force. They made vital contributions to the economy. They have always played a substantial role in the subsistence of the family. Women provided more than 60 percent of farm labour for food production. While men had greater access to ownership and control of cash crop

production, women were engaged in subsistence farming and provided the labour force for cash crop production.

**4.3.2** Women have traditionally engaged in low-income activities such as petty trading. A labour force Survey conducted in 1988 and 1989 revealed that 69 percent of petty traders were women, whereas 86 percent and 67 percent of men were service personnel and professional/technical workers respectively. While many worked as traders, women did not record substantial growth in their economic activities as a result of inadequate skills, low educational status, low economic power and access to substantial credit facilities and property. The disparity between the economic status of women and men has often resulted in economic dependency by women. Women became overly reliant on men for provision of their needs. In many instances, men exploit this dependency to consolidate control over women, thus further perpetuating their poverty.

#### **4.4 Women and Political Participation**

**4.4.1** Before independence women of Creole origin made their voices heard in the political arena and as early as 1938 a woman stood for political office in Freetown. In 1951 the Sierra Leone Women's Movement (SLWM) was established with the goal of improving the status of all Sierra Leonean women, whether born in the colony or the protectorate and seeking female representation on government bodies concerned with education, social welfare and the economy. The SLWM had a broad base of membership, with about 2,000 members in the colony and about 3,000 from the protectorate. The movement has been described as the only mass-based organization in the 1950s that actively worked to unite all ethnic groups within its structure and to inculcate a common national identity among Sierra Leoneans.

**4.4.2** Women's progress in the political arena resulted in some of them holding political office in the 1950s. Some women became members of the municipal council while in

1960 one woman, was elected Deputy Mayor of Freetown and another was elected Mende Headman in Freetown.

**4.4.3** Despite the exclusion of the majority, a few women continued to make their voices heard on political issues in Freetown through the time of Independence. In the 1957 election two women won seats under the SLPP though they failed to take up their seats in parliament due to petitions brought against them. Nevertheless in the same elections saw the first and eventually the only woman, to become a Member of Parliament. A Paramount chief, she also became a Minister without portfolio.

**4.4.4** As a result of a petition organized by the SLWM two (2) women were made delegates to the constitutional talks that resulted in Sierra Leone's Independence.

**4.4.5** Upon achieving Independence, men failed to share positions of power with women equitably. In spite of this kind of resistance a woman became the first black African woman to govern a capital city on the continent in 1961. Other political leaders in this era were women.

**4.4.6** After Independence and during the reign of the APC government another Women's Organization, the National Congress of Sierra Leone Women (NCSLW), headed by a woman, enjoyed some measure of success but lost relevance as the APC became more and more distanced from the population. The NCSLW succeeded in raising the level of women's political consciousness and encouraged the appointment of women to high office. This resulted in five (5) women gaining office in the Freetown City Council in 1975. In 1977 a woman, again became mayor of Freetown; also a woman Paramount Chief, represented Moyamba District in Parliament.

**4.4.7** During the APC rule under President Siaka Stevens, no woman held a ministerial position although women were members of the party's central Committee. This situation improved slightly during President J.S Momoh's tenure with three (3) women holding positions as Deputy Ministers.

**4.4.8** While Creole women especially became deeply involved in politics quite early on in the post Independence period, it was later that women in the provinces were able to join the band wagon. The exposure of Creole women led to their clear understanding of the need for women to be involved in the political process. Their links internationally meant that they were also exposed to the growing debates in the world on issues such as suffrage of women, the rise of nationalism and the struggle for Independence.

**4.4.9** Their counterparts in the provinces had access to only one (1) secondary school. They were mostly uneducated and affected by poverty, lacked awareness of their political rights and did not participate in any political activities. In short, women in the colony enjoyed a head start than women in the provinces in terms of both education and politics. Tradition and culture also played significant roles in inhibiting women from playing a role in politics. While women could become Paramount chiefs, their accession only took place on hereditary basis. The prevailing system did not create any awareness for women to participate in the political affairs of the day. It was therefore much more difficult for them to break down traditional barriers to access political power.

**4.4.10** Because of the patriarchal nature of politics in Sierra Leone as elsewhere, the participation of women on a large scale, in pre-war times, was largely limited to the provision of moral support, the raising and collecting of party funds, voluntary labour and the organization of catering or entertainment in their various political parties. Women leaders were often given the somewhat patronizing sobriquet "Mammy Queen", indicating their aptitude in stereotypically "maternal" roles.

**4.4.11** In the mid 1990s the call for multiparty politics started with the establishment of the Women's Forum acting as an umbrella Organization for all women's Organizations in the country. This group later became a formidable group which rallied women from every political, religious and other groups to seek women's interests. Women's groups like the Sierra Leone Market Women, Cookery Sellers, National Council of Muslim Women (NCOMO), the Federation of Muslim Women in Sierra Leone (FOMWASAL), National Organization for Women (NOW-SL) and the United Methodist Women's Organization (UMWO) all played key roles in improving the lot of women. These women belonged to different political parties but rallied together to have a stake in National political life.

**4.4.12** Women were very instrumental in the transition phase from military rule to a democratic civilian rule in what was known as Bintumani I, II and III with the theme "Peace before elections or elections before peace". This all important meeting, chaired by an eminent woman, which led to the conduct of the Presidential and Parliamentary elections in 1996 and subsequent handing over of power to the democratically elected government by the military in the same year.

**4.4.13** Women played a significant role in the peace negotiation process that culminated in the signing of the Lome Accord in 1999 which paved the way for peace. In 2000, although the RUF led by Foday Sankoh was part of the government, it was learnt that the RUF was planning to overthrow the government. As tension mounted, the Women's Forum mobilized its membership and on the 6<sup>th</sup> of May, marched to Foday Sankoh's residence to appeal to him to allow the peace process to move on. Because of an unsatisfactory response from the RUF leader there was another larger civil society demonstration on the 8<sup>th</sup> of May in which twenty-six people were killed but which led to the flight and subsequent arrest of Foday Sankoh and his removal from the political scene for good.

**4.4.14** In 2000 the 50/50 Group was established with the support of the British Council, Sierra Leone. Its mission is to increase the level of female participation in government and to ensure gender parity in all walks of life. It has been involved in the training of both old and new budding women politicians. Many beneficiaries of such training have gone to run for political offices for local government elections of 2004. The group is also involved in lobbying government and political parties for the adoption of conditions that would enable women to participate in politics. To this effect they advocated for the “zipper system” in the 2000 elections. They also lobbied the political parties for the reservation of a certain percentage of political seats for women during the 2004 local government elections.

#### **4.5 Women’s Legal Status**

**4.5.1** Throughout the history of Sierra Leone, including the post independence period before the war, women have not enjoyed equal status with men. To a large extent the laws of Sierra Leone are discriminatory against women. While the country is governed by a Constitution that prohibits the promulgation of discriminatory laws, women are not protected in the areas that affect them most, such as marriage, divorce and inheritance. Examples of discriminatory laws include the Matrimonial Act of 1960, which covers divorce and maintenance for married women. The Administration of Estates Act, which governs inheritance and the Citizen’s Act of 1973, which allows a Sierra Leonean husband to confer Sierra Leonean citizenship on his foreign wife, children and grandchildren but does not permit a Sierra Leonean wife to do likewise. These laws, which were originally adopted from English law have long since been repealed in England and persist only in the Sierra Leone legal system to the detriment of the country’s women.

**4.5.2** Customary law, which is largely unwritten and applies to the majority of the population, also discriminates against women, precluding them from enjoying equal status and rights with men. In the area of inheritance, traditional customary law regards

women as “chattels” to be inherited. In other areas women are regarded as minors in need of guardianship from a male family member. While the law provides that the application of customary law should not offend the principles of equity, natural justice or fairness, its application and impact on women is usually unfair.

**4.5.3** In the sphere of marriage, women have been denied equal rights with their spouses. Women’s subordination does not change on termination of marriage. Unequal power relations between spouses characterized marital relationships to the detriment of women. The contributions women made towards family were scarcely taken into account during marriage or at its termination.

**4.5.4** Although women have provided the bulk of the agricultural labour force, they have never owned land and whatever user rights they had under the land tenure system were lost upon the death of their husbands. Land ownership is a necessary means of generating wealth for women since land can act as collateral when seeking loans from commercial banks. Women’s lack of economic power contributes to their vulnerability and to the “feminization” of poverty.

#### **4.6 Women and the War**

**4.6.1** The conflict in Sierra Leone which lasted from 1991 to 2002 was particularly horrific because of the scope and severity of the atrocities targeted at civilians. The conflict was essentially self-destructive in nature: towns and villages were ravaged; crops and economic installations were destroyed; and a whole generation of Sierra Leoneans was displaced, brutalized and traumatized.

**4.6.2** Women and girls became particular targets of malice and violence during the conflict. They suffered abduction and exploitation at the hands of the various perpetrator factions. Their vulnerability was deliberately exploited in order to dehumanize them and

perpetrate against them the grossest violations. They were raped, forced into sexual slavery and endured acts of great sexual violence. They suffered mutilations, torture and a host of cruel and inhuman acts. They were taken from their homes and villages by force. Refusal to comply with the demands of their captors met with death. For those who were lucky enough to escape there followed displacement and separation from families. While some went into exile, many were housed in camps in Sierra Leone and in neighbouring countries. Humanitarian workers meant to offer them respite and protection also violated their rights.

**4.6.3** Women and girls were compelled to barter their bodies for survival and access aid to which they were rightfully entitled as mentioned in the TRC hearings.

**4.6.4** Statistics pertaining to the number of women affected by the conflict in Sierra Leone remain a huge concern. In 2003, Human Rights Watch published a report in which they stated that as many as 275,000 women and girls may have been sexually violated during the War.

**4.6.5** While peace has returned to the country, many of the wounds still remain open. Women and girls still bear the scars, both physically and psychologically. Many have borne children from their horrific experiences. These children are a daily reminder of their pain and suffering. Many women are shunned and punished by members of a society who refuse to acknowledge that it is their failures that led to this conflict and their failure to protect women and girls that has led to the plight in which they find themselves today. Women who were violated throughout the conflict are ostracized from society for giving birth to children of “rebels.” It is the price they continue to pay, even today.

## **5 General Political Structure**



**5.1** The country is divided into four administrative areas: Western Area, Eastern Province, Southern Province and Northern Province. The Provinces are divided into Twelve (12) districts. There are two (2) additional districts in the Western area, and One hundred and Forty-Nine (149) chiefdoms.

**5.2** Sierra Leone is a Republic with an elected President as Head of State that performs both Ceremonial and Executive functions. The Head of State is elected for a five (5) year period and can serve a maximum of two (2) terms. The three (3) bodies of government are clearly separated and their powers defined by law. Legislative power is in Parliament, Executive in the Cabinet and Judicial in the Judiciary. Members of Parliament are elected and members of the Cabinet are appointed by the President. The current Parliament has a membership of one hundred and twenty four (124) members including twelve (12) Paramount chief members. There are eighteen (18) women in Parliament. The cabinet has a membership of twenty one (21) with only three (3) women.

**5.3** The Local Government Act of 2004 provided the legal framework for Sierra Leone to return to decentralized government (after almost 30 years of centralized government). Local Councils were set up in the fourteen (14) districts in the country including the Western Area. In all, there are nineteen (19) Councils headed by Chairpersons, with a Mayor in the Freetown Municipality. Eighteen (18) of the Chairpersons are male and there is one (1) female Chairperson. Four Hundred and Twenty-Five (425) Councilors were elected in the 2004 Local Government elections and fifty two (52) are women. The 2004 Local Government Act also established Ward Development Committees in the respective District/towns with a 50-50 gender balance in its composition. The aforementioned position is non remunerative but serves an important function of informing communities of their civic responsibilities and as liaison with the Councils in identifying community development needs and identifying and raising funds for self help projects.

**5.4** Also at the local level are the Paramount chiefs who are the traditional leaders. Their positions are now mainly ceremonial, although they act as custodians for customary laws and norms. Paramount chieftaincy positions are elective. However, the claimant must have chieftaincy rights to the throne to which he/she seeks election. In the North and some parts of the East (Kailahun and Kono District) women cannot assume this position. In the North women are barred by their exclusion from the customary rites that go with inauguration of paramount chiefs whereas in the Kailahun District they are excluded by stereotypical roles for traditional leadership that preclude women. Out of a total of one hundred and forty nine (149) paramount chiefs nation -wide, only eleven (11) are women.

## **6 Jurisdictional Framework for Human Rights Protection**

**6.1 Protection of Human Rights is among the government of Sierra Leone's explicit policy aims. In pursuance of the above, institutions of administrative jurisdiction were created to prevent violations of all forms of Human Rights. These juridical institutions include:**

### **6.2 The Judiciary**

**6.2.1** This organ is the judicial power in the state established to interpret the laws and administer justice. The Chief Justice is the head of the Judiciary. The judiciary has jurisdiction in all matters civil and criminal including matters relating to the Constitution, and other matters in respect of which Parliament may under an Act of Parliament confer jurisdiction on the Judiciary.

**6.2.2** The Judicature of Sierra Leone consists of the Supreme Court, the Court of Appeal, the High Court and the Magistrate Courts. The Appeal and Supreme Courts are the superior courts of appeal and have jurisdiction over the whole territory of Sierra Leone. The magistrate courts belong to the inferior or lower courts. These courts have the duty to

rule on all lawsuits, including administrative ones, in accordance with established jurisdiction and legal procedures.

**6.2.3** There are Local or Customary Courts presided over by Court Chairmen who are not trained legal personnel but administer justice in certain fields in the Provinces. Barristers and Solicitors do not have audience in these courts. These courts do not form part of the judiciary but are under the administration of the Ministry of Local Government with a Customary Law Officer (under the Attorney General's Office) having authority to review decisions. The courts have jurisdiction over mainly civil matters like boundary disputes, land cases, and matters relating to matrimonial offences, inheritance and devolution of property of persons under customary law.

### **6.3 The National Commission for Democracy (NCD)**

**6.3.1** The National Commission for Democracy and Human Rights (NCDHR) was established in 1994. The NCDHR was instrumental in maintaining Human Rights principles into key government processes, example holding of free and fair elections, transparency in government institutions, and the inclusion of women in key processes. However in 2006, a separate Human Rights Commission was set up by an Act of Parliament to ensure that specific attention is given to matters of Human Rights violations as recommended by the Truth and Reconciliation Commission. The NCD however maintains its responsibility to ensure democracy.

### **6.4 The National Human Rights Commission (NHRC)**

**6.4.1** The National Human Rights Commission was established in August 2004 by an Act of Parliament. The mandates of the Commission include:

- To investigate or inquire into on its own or on complaint by any person any allegations of human rights violations and to report there on in writing;

- To Promote respect for Human Rights, through: public awareness and education programmes aimed at creating a culture of Human Rights in Sierra Leone; providing Human Rights information, including locating within the Commission the national Human Rights resource and documentation centre; publishing guidelines, manuals and other materials explaining the obligations of public officials in the protection of Human Rights; effective co-operation with Non Governmental Organizations (NGOs) and other public-interest bodies engaged in the field of Human Rights.
- To review existing legislation and advise the government concerning compliance by such legislation with the obligations of Sierra Leone under international treaties or agreements.
- To advise the government concerning draft legislation, which may affect Human Rights.
- To advise government concerning preparation of periodic reports required by international human rights treaties or agreements to which Sierra Leone is a party.
- To monitor and document violations of human rights in Sierra Leone.
- To publish an annual report on the state of human rights in Sierra Leone.

## **6.5 The Parliamentary Human Rights Committee**

**6.5.1** The Parliamentary Committee on Human Rights oversees matters relating to the promotion and protection of Human Rights in Parliament. It is currently working on the “domestication” of CEDAW. In this regard, government and partners undertook a series of sensitization activities on gender discriminatory laws at national and local levels. Three draft Bills on Registration of Customary Marriages and Divorce, Domestic Violence and Devolution of Estates are in Parliament waiting to be passed. A child rights bill has been drafted to be passed in Parliament on the 9<sup>th</sup> November 2006.

## **6.6 The office of the Ombudsman**

**6.6.1** This office is expected to work on complaints of the citizens who allege that their rights have been violated by individuals or state institutions. The office of the ombudsman is also expected to undertake numerous sensitization campaigns to create awareness on such issues that are of national interests.

## **6.7 The Law Reform Commission**

**6.7.1** The Law Reform Commission was established under the Law Reform Commission Decree 1994 as amended in 1996. The main function of the Commission is to keep under review the laws, both statutory and others, of Sierra Leone with a view to their reform, development, consolidation or codification. The Commission was also given the mandate to take other initiatives and propose the enactment of new laws in appropriate circumstances. They have concurrently been working with the Parliamentary Committee on Human Rights on gender discriminatory laws.

## **6.8 The Family Support Unit**

**6.8.1** The Family support Unit (FSU) of the Sierra Leone Police was set up in 2003 to specifically handle cases of rape, other sexual offences and domestic violence. They are specially trained in the collection of the necessary evidence for the prosecution of such crimes and the handling of victims of such abuses. Branches of this unit have been opened in all police stations in the headquarter towns.

## **7 Milestones in the Preparation of the Initial, 2<sup>nd</sup>- 5<sup>th</sup> Periodic**

### **CEDAW Country Report:**

**7.1** Since the CEDAW was ratified by the GoSL in 1988, no report highlighting measures undertaken to fulfill government obligations under the Convention has been prepared or submitted. The preparation of the report covering the 18 years under the review period

was a daunting task which the government was set to carry out, notwithstanding the challenges.

**7.2** The Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA), Sierra Leone's gender focal machinery spearheaded the two year process for the preparation of the Initial, 2<sup>nd</sup>- 5<sup>th</sup> periodic country report in close partnership with the United Nations Development Fund for Women (UNIFEM). The entire report production process was guided by the integrated work plan developed and adopted by stakeholders in 2004. Milestones in the sequence of activities that culminated in this report are outlined below:

- I. Proposal and Work plan Development:** To initiate the process, UNIFEM recruited an international consultant to produce a draft proposal document to serve as a road map for the entire process. Following close consultations with the MSWGCA, key line ministries and women NGOs, the proposal reflected the objectives for the report writing, a detailed schedule of activities, role of partners, expected outcomes and budgetary requirements. Work plan was submitted to UN Agencies. Financial support was received from UNDP and UNIFEM and in kind support from WFP. The commitment and support of these agencies to the report production process was reiterated and assured. The plan projected a completion date of March 2005 for the report.
  
- II. Setting up of CEDAW Technical Secretariat:** - To facilitate the coordination of the report writing process, a technical Secretariat was set-up within the Ministry of Social Welfare Gender and Children's Affairs with funding support from UNIFEM. The role of the secretariat was to provide secretarial and logistic support to the process and monitor planned implementation for timeliness, effectiveness and delivery of expected results. The secretariat will serve as the institutional hub and technical core that oversees and monitors on-going

implementation of CEDAW in the country. In 2004, a short term technical support was provided by UNIFEM for 3 months, where in a local consultant was hired to kick start the process, set up the secretariat, launch the report process and initiate the trainings of the Ministry staff.

**III. Situation Analysis on the Status of CEDAW Implementation:** - A team of local consultants were engaged following advertisement in national newspapers. Specific tasks outlined in the Terms of Reference (ToRs) for the 5 Consultancy groups and professional staff from the MSWGCA were to:

- i. Generate appropriate data and statistics to highlight progress, trends and patterns on the various CEDAW Articles within and across sectors.
- ii. Undertake an analysis of findings from a gender/CEDAW perspective and
- iii. Articulate a comprehensive and authentic situational report on progress recorded in the implementation of CEDAW and the extent to which Sierra Leone is fulfilling her obligations as a signatory to the convention.

**IV. Training of focal machinery and critical stakeholders on CEDAW reporting:**

- The Division for the Advancement of Women (DAW) provided training for MSWGCA staff, focal persons in Line Ministries and Civil Society Organizations on: the “Role of National Machineries and Line Ministries on CEDAW Implementation”. The training of fifty (50) participants was held from April 4<sup>th</sup>-9<sup>th</sup> 2005. UNIFEM and Local Consultants also provided training for MSWGCA staff on CEDAW Report Writing in January 2005. In June 2006, DAW in collaboration with MSWGCA organized a three day workshop for Ministry staff, NGOs and

Consultants to identify gaps in the draft report and develop strategies for CEDAW implementation.

**V. Recruitment of Consultant and CEDAW program officer:**

In August 2005, UNIFEM recruited a full time CEDAW Officer as focal point within the agency to facilitate the component activities for the production of the report. The main duty of the officer is to ensure that the report content meets all required CEDAW standards and internal due process mechanisms for a consensus report.

**VI. CEDAW Data Collection and Mini Studies: - In order to bridge the dearth of**

**data and** information, and in line the Terms of References (ToRs), the consultants and Ministry staff embarked on broad-based consultations to generate the required quantitative and qualitative data and popularize the process among partners, stakeholders and rural community members. The data collection exercise was undertaken in the following stages: preparation and formulation of questionnaires; training for data collection; field work (administration of questionnaires, interviews and focus group discussions); collection, collation and harmonization of primary and secondary data). The team was guided by CEDAW indicators in the process for preparation of its report on findings.

**VII. Validation of Findings on CEDAW Articles: - From February – April 2006**

a series of validation meetings were held between the consultants and various Stakeholders from Government Ministries, Gender Desk Officers from Sectoral Ministries, Academia, the UN, Donor Agencies, NGOs and the Private Sector. This exercise availed government the opportunity to verify and corroborate



findings on the various articles. At these sessions, reports on the various articles were presented, analyzed and critiqued by stakeholders and subsequently harmonized into a composite report.

**VIII. Preparation of first draft Combined CEDAW Country Report:** From 11<sup>th</sup> -18<sup>th</sup>

April 2006 UNIFEM engaged at the instance of the MSWGCA, an international Consultant to work with local Consultants and Gender Ministry officials in consolidating the composite report into first national draft report for scrutiny by a technical peer group, preparatory to a national consensus and finalization of the document

**IX. Technical Peer Review and Assessment Meeting:** This activity recognizes the

fact that effective CEDAW implementation and periodic monitoring of progress requires a whole-of-government approach. It is also premised on the understanding that the report is a progress on performance of various government departments and institutions and therefore securing their technical input and ownership to the outcome document was essential. The 1/2 day meeting was to avail concerned government ministries and agencies as well as development partners, Civil Society Organizations (CSOs) and academia to make technical inputs to the documents as it relates to their mandates, programmes and on-going initiatives at high levels. Senior management officials participated to ascertain the role and responsibilities of their institutions in CEDAW implementation and a three week period to allow for formal feed-back from critical partners.

**X. National Stakeholders Finalization and Adoption Workshop**

Sensitization through the media in the Western Area and the Provinces preceded the Regional and National validation of the draft report that were held on 26<sup>th</sup> and 31<sup>st</sup> October 2006 respectively. Stakeholders included government functionaries,

Civil Society Organizations, United Nations Country Team, Women's Groups, Human Rights Organizations, Media and Academia.

**SECTION B: PROGRESS REPORT ON IMPLEMENTATION OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)**

**8 ARTICLE 1: DEFINITION OF DISCRIMINATION AGAINST WOMEN**

**8.1 Sections 27(1&2) of the 1991 Constitution of Sierra Leone** provides that:

Subject to the provisions of subsection (4), (5) and (7), no law shall make any provision which is discriminatory either of itself or in its effect **27(1)**; and no person subject to the provisions of subsections (6), (7) and (8), shall be treated in a discriminatory manner by any person acting by virtue of any law or in the performance of the functions of any public office or any public authority **27(2)**.

**8.1.1** In effect, subsections (1) and (2) of section 27 expressly provide that there shall be no discriminatory laws (i.e. subsection (1) and there shall be no discrimination in practice (i.e. subsection (2) in Sierra Leone on the basic factors including sex.

**8.1.2** Section 27(3) of the Constitution of Sierra Leone , Act No. 6 of 1991 defines the expression "discriminatory" as used in section 27 as:-

*affording different treatment to different persons attributable wholly or mainly to their respective descriptions by race, tribe, sex, place of origin, political opinions, colour or creed whereby persons of one description are subjected to disabilities or restrictions to which persons of another such descriptions are not made subject, or are accorded privileges or advantages which are not accorded to persons of another such description.*

**8.2** However, the Constitution did not expressly covered discrimination in the domestic sphere; discrimination based on marital status and Gender- Based Violence (GBV).

**8.2.1** The provisions of the Constitution vis –a –vis discrimination on the basis of sex is ambivalent.

**8.2.2** Section 27(1&2) guarantees protection from discrimination de jure and defacto whiles subsections (4), (5) (6), (7) and (8) lists instances where discrimination both in law and practice would be lawful and justifiable. Section 4(d) provides that “subsection (1) shall not apply to any law so far as that law makes provision with respect to adoption, marriage, divorce, burial, devolution of property on death or other interests of personal law”.

**8.3** This means therefore that any law which is discriminatory, both in itself or in its effect (based on sex) in Sierra Leone with respect to those areas listed in subsection (4)(d) of section 27 of the Constitution is lawful and justifiable.

In effect, the Constitution makes express provisions which can justify (lawfully) discrimination against women both by way of legislation and State policy notwithstanding the fact that the same Constitution provides for non-discrimination based on, inter alia, sex (i.e. against women in this case) by way of legislation and practice.

**8.4** The relevant subsections of section 27 already referred to need amendment and fortunately, the government has established a Law Reform Commission by The Law Reform Commission Act, 1992 which function, as provided by section 3(1) of the said Act is to “keep under review all the laws both Statutory and otherwise, from time to time in force in Sierra Leone for the purpose of their reform, development, consolidation and codification”.

**8.5** This Commission has power to make recommendations for the reform (which includes amendments) of all laws (including the Constitution) in force in Sierra Leone.

**8.6** However, there are legal and practical obstacles to effect any amendment to section 27 of the Constitution. In the first place, even where the Law Reform Commission is convinced that those provisions of the Constitution that gives legal basis to discrimination against women are to be amended by way of repeal, all the Commission does is to make mere recommendations to the Attorney-General and Minister of Justice who (if he too is convinced) as the Principal legal adviser to government, will advice (not direct or instruct) government to effect such amendments. Secondly, section 27 belongs to provisions in the Constitution known as entrenched clauses which can only be lawfully amended by referendum. This is pursuant to section 108(3) of the said Constitution which provides that:

**8.6.1** A Bill for an Act of Parliament enacting a new Constitution or altering any of the following provisions of this Constitution, that is to say ;this section (i.e. section 108), Chapter III (which includes section 27), Sections 46, 56, 72, 73, 74(2) and (3), 84(2), 85, 87, 105, 110-119, 120-124, 128, 129, 131-133, 135, 137, 140, 156, 167 shall not be submitted to the President for his assent and shall not become law unless the Bill, after it has been passed by Parliament and in the form in which it was so passed, has, in accordance with the provisions of any law in that behalf, been submitted to and has been approved at a referendum.

**8.7** This process is long, cumbersome, time consuming and extremely expensive. It also requires approval of not less than fifty percent (50%) participation of registered voters and 2/3 of valid votes cast. The time, resources and political activism required to undertake such a referendum on discrimination against women is daunting. However, it

is the aspiration of women's groups that such a review be incorporated into future national Parliamentary or Presidential elections.

## **9 ARTICLE 2: OBLIGATION TO ELIMINATE DISCRIMINATION**

**9.1** Although **Sierra Leone is a signatory** to CEDAW, the provisions of the Convention are not automatically binding on the country as international Conventions ratified by the country have to be domesticated i.e. passed by parliament before they can become part of the laws of Sierra Leone.<sup>7</sup> Notwithstanding the fact that Section 40 of the 1991 Constitution confers authority on the President to execute treaties, agreements and conventions on behalf of the country the aforesaid have to be ratified by parliament and passed by not less than one half of Parliament. **CEDAW has not yet been passed into law by Parliament and therefore cannot be enforced by the Courts of Sierra Leone.** Furthermore, some of the areas in which women are disadvantaged are covered by the entrenched clauses in the Constitution which can be amended only by a referendum as explained under Article 1. Nevertheless, the country has taken measures, in addition to the guarantees within the Constitution for the recognition and protection of Fundamental Human Rights and Fundamental Principles of State Policy to ensure that women enjoy their Human Rights on the basis of equality with men.

**9.1.2** The Laws of Sierra Leone, as defined in **Section 170 of the 1991 Constitution**, comprise the Constitution itself, and other laws made by Parliament: statutory instruments, the existing law, and the Common Law. The Common Law includes the English Common Law and the Customary Law.

**9.1.3** Chapter II of the 1991 Constitution provides for the **“principles of State policy”** hence it is entitled **“FUNDAMENTAL PRINCIPLES OF STATE POLICY”**, These are said

to be safe guarding principles for the rights of vulnerable groups such as women (Constitution of Sierra Leone 1991, **section 9(1)(a) and (b)**).

**Section 4** provides that, “All organs of government and all authorities and persons exercising legislative, executive or judicial power shall conform to observe and apply the provisions of this Chapter”.

**9.1.4 Section 6(2)** further provides that “Accordingly, the state shall promote national integration and unity and discourage discrimination on the grounds of place of origin, circumstance of birth, sex, religion, status, ethnic or linguistic association or ties”.

**9.1.5 Section 8(2) (a) further provides that:**

In furtherance of the Social Order every citizen shall have equality of rights,

Obligations, and opportunities before the law and the State shall ensure that every

Citizen has an equal right and access to all opportunities and benefits based on merit.

**9.1.6** However, according to the TRC report, Volume 3 B, Chapter Three, page 109, these sound fundamental principles of State policy are of no legal consequence because they neither confer rights nor are they justiciable in the event that a governance policy of the State of Sierra Leone breaches them including discrimination based on sex particularly against women. These principles do not confer any legal rights and are not enforceable in any court of law even though they are fundamental in the governance of the state and Parliament is under a duty to apply them when making laws. This is by virtue of section 14 which provides that “Notwithstanding the provisions of section 4, the provisions contained in this Chapter shall not confer legal rights and shall not be enforced in any court of Law .....”

**9.1.7 Section 15** of the Constitution provides for a bill of rights guaranteeing fundamental Human Rights of the individual irrespective of sex.

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<sup>7</sup> 1991 Constitution, S. 40 (4) (d)

“whereas every person in Sierra Leone is entitled to the fundamental Human Rights and freedoms of the individual, that is to say has the rights, whatever his race, tribe, place of origin, political opinion, colour, creed, or sex, but subject to respect for the rights and freedom of others and of public interest, to each and of the following:

- a) life, liberty, security of person, the enjoyment of property, and the protection of the law;
- b) freedom of conscience, of expression and of assembly and association;
- c) respect for family and private life; and
- d) protection from deprivation of property without compensation”.

**9.1.8** This provision represents an important guarantee and should, appropriately understood, be a basis for challenging laws that discriminate against women.

**9.1.9** Also, Section 27 of the Constitution provides that no law shall contain any provision that is discriminatory, either of itself or by its effect, and prohibits discriminatory treatment by any person acting by virtue of any law in the performance of the functions of any public authority. Section 171 (15) of the Constitution provides that the Constitution shall be the supreme law and that any other law found to be inconsistent with any provision of the constitution shall, to the extent of inconsistency, be void and of no effect.

**9.1.10** The Constitution however nullifies much of the promise of the equality provision in **Section 27(4) (d)** as indicated in Article 1. The effect of these exceptions is to shield the laws that apply throughout Sierra Leone that most discriminate either of themselves, or in their effects, or both against women. So all of the most significant laws that are discriminatory against women still apply, rendering the equality provision in Section 15 seriously inconsistent and unproductive (TRC Report, V3 Chapter three, p110).

**9.1.11** Also, by prohibiting discrimination by persons in the public sector only, the Constitution appears to allow persons in the private sector to pursue discriminatory policies against women in important areas of their lives, including employment and promotion.

**9.1.12** With regards to the area of protection from violence, **Section 15(a)** of the Constitution provides for the right to life, liberty and security of person, while Section 20 provides that no person shall be subject to any form of torture or punishment or other inhuman or degrading treatment. These constitutional provisions ought to promote a basis for government to protect and promote the rights of women to be free from violence and ensure that its laws, policies and programmes reflect these provisions. Criminal Law, however fails to protect women from domestic violence.

**9.1.13** It is widely accepted that a man reprimand his wife, often translating into condoning or acceptance of domestic violence. Consequently, unless violence results in murder or serious wounding, criminal law is not regarded as applicable to the forms of violence which a husband may exact on his wife. Since the domestic arena is where the majority of violence against women takes place, women are largely left without legal remedies. As a result women often simply accept this Human Rights abuse and perceive it as natural and inevitable, thus not demanding justice. While the Constitution prohibits specific discrimination based on sex, there are certain exceptions or “claw back” clauses that particularly affect women.

## **9.2 Customary Law**

**9.2.1** The fundamental principle with regard to the status of men and women under Customary Law amongst the ethnic groups in Sierra Leone is that men are superior to women and it is this principle which is the basis of discrimination against women in their enjoyment or exercise of their political, social, civil, economic, cultural or any other rights. Discrimination against women under Customary Law varies from place to place



particularly amongst the ethnic groups. Under Customary law however, there are practical problems particularly with regards a wife seeking redress before the Courts against her husband.

**9.2.2** The majority of the cases where women appeared before the Local Courts and Chiefs were family related cases, often brought by their husband or other relatives. Very rarely do women appear before the Local Court or Chiefs Court on their own initiative in matters relating to the violations of their rights. They also have limited access to magistrate courts. Appearing before the Chiefs and Local Courts, at times was the only option for women, despite the feeling that their case would not be taken seriously, would be treated unfairly, and would be expensive. Cases involving women and Local Courts and Chiefs included trumped up charges and exorbitant fines against women themselves, unlawful rulings, humiliation, and even, imprisonment of women seeking justice.

**9.2.3** Women were supported and helped to access the judicial system by various paralegal and legal national NGOs including the *Catholic Church's Access to Justice Project* in Makeni, *Lawyers Center for Legal Assistance (LAWCLA)* in the district capitals and Freetown, and *Timap for Justice* in Magburaka and Bo. These NGOs have assisted many people including women in the district towns and surrounding villages. However they all stated that they were completely overstretched with many more cases than they could handle. Clearly the women, the most vulnerable in the community, were impacted significantly making their already very difficult situation, much worse.

**9.2.4** Recognition of the link between women's equality and the reduction of poverty is highlighted in the Poverty Reduction Strategy Paper (PRSP) which the Government of Sierra Leone has committed to over the next several years and highlights that the "focus

needs to be on gender equality and empowerment as well as promotion and protection of the human rights of women in the process of achieving poverty alleviation and sustainable economic growth". Other commitments of the government include the adoption of the recommendations of the TRC which prominently feature women's human rights including the repeal of all discriminatory statutory and customary laws. Some bilateral donors have taken steps to address this, for example the United Kingdom Department for International Development (DFID) has allocated Twenty-five Million Pound Sterling (£25,000,000) over five (5) years to reform the justice sector which may offer hopeful opportunities.

### **9.3 The Office of the Ombudsman**

**9.3.1** This office works on complaints of the citizens who allege that their rights have been violated by individuals or state institutions. The office of the ombudsman is expected to undertake numerous sensitization campaigns to create awareness on such issues that are of national interests, however the office is under staffed and its activities are limited to radio discussions. Its programmes are not directly targeting women. Majority of the population especially in the rural areas where bulk of the populace resides do not know about the existence of such office.

### **9.4 The Law Reform Commission**

**9.4.1** The Law Reform Commission was established under the Law Reform Act of 1994 and amended in 1996. came into operation in 2003. The Commission reviews the laws both statutory and others, to reform develop, consolidate, and codify and as well to propose the enactment of new laws as appropriate. They have concurrently been working with the Parliamentary Committee on Human Rights on gender discriminatory laws.

## 10.1 Institutional Mechanism for the Advancement of Women

**10.1.2** In 1993, a Gender Desk was established in the office of the chairman and head of state of the National Provisional Ruling Council to advise government on modalities for mainstreaming gender, promoting the advancement of women and coordinating gender and development activities at large.

**10.1.3** Building on the performance of the Gender Desk, a Ministry of Gender and Children's Affairs was created in 1996, with the aim of promoting women's advancement and empowerment in accordance with the CEDAW and the Protocol to the African Charter on Human and Peoples Rights on the rights of women in Africa.

**10.1.4** Following the military interregnum in 1998, the Ministry of Gender and Children's Affairs was merged with the then Ministry of Social Welfare to form the Ministry of Social Welfare, Gender and Children's Affairs.

**10.1.5** The Gender and Children's Affairs Division of the MSWGCA is the National Machinery for promoting gender equality, gender mainstreaming and monitoring of the implementation of CEDAW.

**10.1.6** The Ministry through the Minister, reports to the Executive arm (Cabinet) during Cabinet briefings. Cabinet in turn reports to Parliament. The Ministry also reports to the public and external actors such as the UN.

## 10.2 Mandate

**10.2.1** The specific mandate of the Gender and Children's Affairs Division includes:

- Coordinating activities that are related to the integration of gender and children's issues into mainstream national and sectoral development plans and programmes;
- Addressing relevant issues in policies, practice and law for improving the lives of women and children:
- Promoting the recognition, at the highest levels in society, of the full value of the social, political and economic contribution of women in national development and,
- Advocating for issues of child survival, development, protection and participation to be placed at the top of the national agenda.

### **10.3 Funding**

**10.3.1** Gender programmes are largely funded from the National Budget. The ministry however receives less than 1 percent of the national budget for the fiscal year. Support is also provided by multi-lateral organizations including UN agencies and Non-governmental organizations.

### **10.4 Staffing**

**10.4.1** The Ministry is staffed by permanent government employees which include at professional level, a Director, three (3) Programme Officers and three (3) Regional Desk Officers. Compare with other Ministries, the Gender Machinery is under staffed, short of high level senior civil servants to pursue its mandate. Most of the officers are middle – level officers and can therefore not influence policy and decisions in other sectoral ministries. The Regional Desk Officers are still based in Freetown due to logistical problems and their presence is still not felt in the Regions. There are in total nineteen (19) Councils in the country and these Regional Officers are expected to be working with the Councils as their functions have been devolved to the Councils.

**10.4.2** There are Gender Focal Point Persons in all Line Ministries but most times they are middle level Administrative staff who cannot influence decisions. This situation is further heightened by the weak collaboration between the National Machinery and the Gender Focal Point Persons in the Line Ministries.

## **10.5 Inter- Agency Coordination**

### **10.5.1 Policy Measures**

**10.5.2** To actualize its mandate, a National Policy on the Advancement of Women and a Policy on Gender Mainstreaming were developed by the Ministry in 2000. There was high level of cooperation from Civil Society Organizations (CSOs) in the drafting of the policies. Non Governmental Organizations were involved at every stage of the formulation.

**10.5.3 The National Policy on Advancement of Women** provides a conducive environment which will allow women to improve their status and participation; integrated guidelines for evaluating the activities of government departments/institutions, donor agencies and NGOs that are engaged in implementing CEDAW.

**10.5.4** The goals of the policy on the Advancement of Women are as follows:

- To fully integrate women in development process, to empower them, enhance their capabilities as agents of economic .social and political development and in this way ensure the full development of human resources for national development
- To achieve national awareness and respect for women's rights as citizens and as agents and beneficiaries of development
- To ensure that all forms of discrimination against women and abuse of women are eliminated

- To ensure the elimination of attitudinal , cultural , traditional, legal and religious constraints to greater recognition of and respect for and respect for the improvement of the status and situation of women
- To ensure that ingrained legal, cultural, religious, political, customary and economic practices that present obstacles to the advancement of the status of women are removed.

**10.5.5** The policy sets out an implementation strategy which involves the establishment of structures within the MSWGCA and all other ministries, institutions and organizations of civil society. These structures (focal points) are to ensure the incorporation of women's issues, concerns and needs into the plans and programmes of their respective ministries, institutions and organizations. They are to monitor and evaluate the activities , programmes and projects of the various ministries, institutions and organizations with a view to ensuring that women benefits from these activities, programmes and projects.

#### **10.6 Gender Mainstreaming Policy**

**10.6.1** The overall goal of the Gender Mainstreaming policy is to incorporate a gender perspective in all legislative measures, policies, programmes and projects. Its aim is to provide for policy makers and other actors in the development field, reference guidelines for identifying and addressing gender concerns, particularly when taking decisions to address imbalances which arise from existing inequalities; to promote equal access to and control over economically significant resources and benefits, to ensure the participation of both women and men in all stages of development.

**10.6.2** Implementation strategy involves among other things, promoting appropriate education, sensitization and creation of awareness on the responsibility of all concerned parties in each sector to address the specific gender concerns within the sector.

**10.6.3** The policies are however plagued with poor implementation due to weak human, technical and financial resources. They are yet to be widely publicized and partnership with other sectors is grossly lacking, as sectoral gender focal points set up at inception of policy are non-functional due to administrative and other bureaucracies.

**10.6.4** In spite of these shortcomings, the Division is working with its partners, to create the necessary conditions for effective implementation of the policies.

**10.6.5** As a long term strategy, the Ministry has a five (5) year strategic plan of action (2002-2007) for the advancement of women incorporating CEDAW. However, weak capacity, coupled with inadequate financial and human resources and competing government priorities, has further undermined the implementation of the five (5) year plan of Action and other programmes of the Ministry. In addition, the Ministry has done very little in making the plan of action public. The lack of data disaggregated by sex in many areas is another factor inhibiting the effective performance of the Gender national machinery. There is weakness in generating and collection of sex disaggregated data from sectoral ministries and Statistics Sierra Leone.

## **11 ARTICLE 4: TEMPORARY SPECIAL MEASURES FOR ACCELERATING DE-FACTO EQUALITY**

**11.1** The 1991 Constitution of Sierra Leone did not explicitly provide for the use of affirmative action. However the government has adopted through policy measures affirmative action to ensure defacto equality particularly in education and political participation at the local government level.

**11.2.** To reduce the current gender disparity in education and its consequences for women's advancement, the government initiated a girl-child education policy within the framework of the National Education Master Plan adopted in 1995. Among other things the policy recommends the use of positive discrimination in favour of girl- child

education. With support from its partners, the government through the Ministry of Education Science And Technology (MEST) is supporting the girl-child education scheme. The scheme provides for fee free tuition/scholarship for girls who enter junior secondary school in the most disadvantaged regions of the country (Northern and Eastern provinces).

**11.3** To ensure women's participation and inclusion in decision making at the local government level, the government has, through the Local Government Act of 2004, pursued a temporary special measure. Section 95(2c) provides that Ward Development Committees (WDCs) shall consist of not more than ten (10) other members, at least five (5) of whom shall be women , resident in that ward and elected by ward residents in public. Among other things, these Committees are established to mobilize residents of the ward for the implementation of self-help and development projects. The WDCs with a statutory 50-50 gender composition and the level closest to the community provides an unprecedented opportunity for women to participate in decision making at local government level.

## **12 ARTICLE 5: SEX ROLES AND STEREOTYPING**

**12.1** Sierra Leone society is guided by straight- jacket traditional codes of conduct often based on differential perceptions, expectations and responsibilities for women and men. These result in inequitable practices that usually deny women their basic freedoms to enjoy promissory constitutional and other rights on a basis of equality with men. Harmful traditional and cultural practices including Female Genital Mutilation (FGM), forced/early marriage, various taboos or practices prevent women from controlling their own fertility and nutritional needs. Traditional birth practices, son preference and its implications for the status of the girl child, early pregnancy, wife battery, wife beating, inheritance and property rights, dowry or bridal price continue to pose challenges for women in enjoying freedom and Human Rights in Sierra Leone. Manifestations of such disparities are



evident in family life, parental responsibility and other practices, which limit women's potential for self-actualization as enunciated below.

## **12.2 Division of Labour in the Family**

**12.2.1** Designation of roles within the family was manifested from the CEDAW survey to be highly gendered within most communities. Consequently, responsibility for family care and the high drudgery of domestic work such as cooking, fetching water and firewood, house cleaning, washing of clothes and dishes are traditionally assigned to women. These labour inputs are however unvalued and unaccounted for in the monetized economy<sup>8</sup>. There is diversity in the role play by boys and girls in either school or at home based on the cultural setting. For instance there is no distinction in terms of task performed by girls and boys in the Creole culture. In the rural areas boys assist their fathers; girls assist their mothers in domestic chores.

## **12.3 Parental Responsibility for Children**

**12.3.1** Premium is placed on Motherhood as it is viewed in most communities as enhancing a woman's status. The Constitution did not stipulate who the head of household should be. However, custom and religion expect the husband to be the head of the household. In principle, parental responsibility is expected to be jointly shared by both parents. However, gender roles and traditional belief systems including notions that "a good child belongs to the father" override prevailing practices in child rearing and put pressure on mothers to take sole responsibility for incorrigible children. Early socialization encourages females to aspire to be homemakers, child bearers and rearers and this is reinforced by practices such as the 'Bondo Society' (a female secret society for grooming girls for socially acceptable standards) where such values are entrenched and perpetuated.<sup>9</sup>

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<sup>8</sup> CEDAW Survey Data 2005

<sup>9</sup> ibid

## **12.4 Male-Child Preference and Sex Stereotyping in Textbooks**

**12.4.1** High value is placed on the male child based on stereotypical perceptions of males as decision makers, heads of the home and critical links in the patrilineal system for sustaining continuity in the family lineage. This has had untold negative impact on the desire for investment in and overall development of the girl child. As a result girls are often denied education, proper nutrition and health care as they are expected to be married off and may not be fertile grounds for investments. The educational system in some ways reflects and buttresses such practices. According to a 1991 survey conducted by the Ministry of Education on primary school books from grades 1-5, gender biases were observed in prescribed textbooks. Efforts are being made by the Ministry of Education to include texts and prescribed pictures depicting more gender balanced views and roles when approved textbooks are being revised (Information Unit of MEST).

## **12.5 Female Genital Mutilation (FGM)**

**12.5.1** Female Genital Mutilation (FGM) is deeply rooted in the cultural practices of Sierra Leone. Advocacy for its eradication has received a high degree of hostility in the country from all spheres. Female Genital Mutilation continues to keep women stereotyped. This traditional practice teaches that women and girls are to be subordinate to men in matters of sexuality.

**12.5.2** Before now discussions around FGM were not openly discussed but currently there are discussions on the age of consent as an entry point.

**12.5.3** Even though the National Policy on the Advancement of Women has as its medium term objectives:

“To discourage traditional practices and concepts which are harmful to the health and well being of women and girls”

there is no specific law against FGM but a person can be charged Under Offence against the Person Act 1861, section 43 which states:

“Persons convicted of aggravated assault on females and boys under fourteen years of age may be imprisoned or fined and bound over to keep the peace”

**12.5.4** They can also be charged under CAP 31 on Ordinance to Prevent Cruelty to Children 1926, Section 4

‘If a person over the age of sixteen years who has the custody, charge or care of any child, willfully assaults, ill treats, neglects, abandons or exposes in a manner likely to cause a child unnecessary suffering or injury to his health including injury or loss of sight or hearing or limb or organ of the body and any mental derangement that person shall be guilty of misdemeanor.’

**12.5.5** Traditionally in rural areas, women who have gone through the initiation ceremony are regarded with more respect than those who have not. In Sierra Leone all classes of women of the different ethnic groups including the elite practice FGM with the exception of the Creoles. The power of FGM lies in the Secret society ‘sande’ and ‘bondo’.

**12.5.6** Bondo is a secret society and therefore initiates are reluctant to talk about it. FGM has become a very contentious issue in Sierra Leone. Generally, people approach it with caution. The Sierra Leone Association of University Women (SLAUW) adopted such a cautious approach to addressing issues surrounding the practice. One major achievement that could be attributed to SLAUW’s intervention in this issue is the growing public awareness it created about the harm

associated with this practice and its effects. However, women who were involved in advocating against this practice faced resistance from the general populace including men, many of whom preferred getting married to women who have gone through this traditional rite.

**12.5.7 Anne-Marie F. Caulker an activist against FGM and National Coordinator and Founder of an Organisation KAWDA/ Alliance for the fight against harmful traditional practices (KAWDA – Katanya Women’s Development Association) stated:**

*‘Deep down most women do not like FGM, but it’s not easy for women to talk about it because of the pain associated with it. Most women say they will be willing to obey laws if government passes the laws prohibiting FGM’.*

**12.5.8** According to the situational analysis of Women and Children in Sierra Leone (1999)<sup>10</sup> a major reason amongst adults and the majority of school going children on why FGM was considered a bad practice was that neither the Bible nor the Quran supported it<sup>11</sup>. The study further goes on to say that the financial benefit to the society elders, as being the real reason why they are so opposed to any suggestions of eradicating the practice. Kossoh-Thomas<sup>12</sup> examined various post circumcision problems that include pain because no local anesthetic is used, hemorrhage and shock due to sudden loss of blood and unexpected pain, acute urinary retention, which leads to urinary tract infection’. This was not however disclosed during discussion.

**12.5.9** In terms of harmful traditional practices like Female Genital Mutilation (FGM), there are no national policies and educational measures to discourage and prohibit FGM. This is a highly sensitive issue which has traditional/cultural acceptability. The initiators use the securing of licenses to perform the initiation as a trump card for its ‘legality’. The practice is perceived to be widely practiced in the country.

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<sup>10</sup> Government of Sierra Leone Situation Analysis of Women and Children in Sierra Leone 1999

<sup>11</sup> *ibid*

**12.5.10** The state has not however undertaken any measures to encourage universities, medical or nursing associations and national women's organizations to collect data on traditional practices harmful to women's health. The state has however, undertaken measures to train Traditional Birth Attendants (TBAs) to explain the harmful effect of some traditional practices like early/forced marriages but not FGM which seem to be shrouded in secrecy. The TBAs are sent back to their areas of origin after their training hence would not education on FGM without getting the support from government. There are few women's organizations working to eliminate harmful traditional practices but these are few and get their support from International Organizations.

## **12.6 Decision –Making**

**12.6.1** Decision-making is a predominantly male domain at the household, community and national levels. Women and men have been socialized to defer decision-making rights and authority to male figures (fathers, husbands, brothers) even when they relate directly to the health, well-being and overall welfare of the woman. Consequently, women are not groomed as leaders or decision-makers and this has resulted in low female participation at local and national levels. This disparity is remarkably higher in the predominantly Northern and Eastern regions where there are comparatively lower levels of education among women and cultural practices deny them the right to hold chieftaincy titles and positions. Because women depend on their male partners for family planning decisions, most family planning activities by government are subsumed under the existing Maternal/Child Health programme geared towards reducing maternal mortality.

## **12.7 Women and Reproductive Health**

**12.7.1** In respect of the above government has taken the following measures:

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<sup>12</sup> Koso-Thomas, "The circumcision of women: a strategy for eradication," para. 21

- The formulation and adoption of the National Population Policy with a strong emphasis on family planning as a major strategy.
- The development of a Population Plan of Action for the implementation of the National Population Policy.
- The establishment of a National Family Planning Programme.
- The formation of a draft policy on Sexual and Reproductive Health.
- The Ministry of Health and Sanitation has Health Education Officers that provide relevant information, education and services to the public on both radio and television.
- There is public information on the prevention and treatment of sexually transmissible infections including HIV/AIDS, and prevention, treatment and counseling for sexual violence and coercion. The national HIV/AIDS Secretariat is very proactive in the area of HIV/AIDS and other transmissible diseases while the International Rescue Committee has Rainbow centres for sexual violence cases.

**12.7.2** Non Governmental Organizations such as Marie Stopes Society and Planned Parenthood Association Sierra Leone (PPASL) have been very instrumental in providing family planning services. These services are however urban-based and suffer from service delivery problem as well as cultural and other social setbacks e.g., cultural and traditional premium placed on giving birth to many children especially in rural setting, usually decision-making regarding the use of family planning methods lies mostly with the male spouse/partner and not the females. As for the HIV/AIDS and other transmissible infections, the services are confidential, affordable, accessible and comprehensive.

## 12.8 Marriage, Divorce and Inheritance

**12.8.1** Within the marriage set-up, women are in practice, regardless of the mode of marriage contracted, expected to be docile, long suffering and obedient to their spouses and in-laws, and generally tend to accept a subordinate position. **Section (7) of the Christian Marriage Act** states that if a party to the marriage is under 21, the consent of the father must be obtained if the father is dead then the consent of the mother is obtained. This means that mother's objection does not matter.

**12.8.2** The payment of dowry in Customary and Mohammedan marriages by men confer control over women in marriage. The husband has absolute right over the wife and husband is regarded as trustee, guardian and protector of the wife. The wife therefore occupies a lower status in the home. Under Mohammedan law, the woman cannot be involved in the administration of estates as she lacks authority to administer estate. On the other hand the male child has the power to administer estates. Within customary marriages women are perceived as chattels or minors who cannot take decisions by themselves. Being possessions themselves, they stand to be inherited and cannot inherit property<sup>13</sup>. In instances where women initiate divorce, they are required to pay back the dowry and relinquished custody of the children begotten from the union.

## 12.9 Early Marriage

**12.9.1** Early marriage as a cultural practice still exists in Sierra Leone especially in the rural areas. It hampers the advancement of women, and keeps subjugating girls by reinforcing women's inferior position. In the traditional setting, in Sierra Leone the tendency is high for parents to marry their daughters off when they have been through the 'bondo' initiation rights at puberty. The level of poverty and the premium put on virginity propels many parents into encouraging their daughters into early marriages.

## **12.10** Ownership of Land and Property

**12.10.1** Tribal customs and practices on property rights differ throughout the country. In the North and Western Areas women can own land in their own rights whereas in the South and Eastern areas, women can only have access to land through their male relatives.

## **12.11** Women and the Media

**12.11.1** There are constitutional guarantees on rights to free expression and access of individuals to information. **Chapter 3, Article 25** of the 1991 constitution categorically guarantees that:

*'except with his own consent, no person shall be hindered in the enjoyment of the freedom of expression , and for the purpose of this section, the said freedom includes the freedom to hold opinions and to receive and impart ideas and information without interference,.....'*

**12.11.2** Prominent women are often featured on television and radio panel discussions and other current affairs programmes focusing on political, social and cultural affairs and this ensures that the voices of Sierra Leonean women are heard. However there abound, many instances of use of prejudicial statements often depicting gender stereotypical views, characters and roles in all forms of the media.<sup>14</sup> Soap operas reinforce the general opinion that women are illiterate, promiscuous and lovers of money thereby reinforcing derogatory models of women and propagating negative socially accepted views and standards. There are also no laws prohibiting the indecent representation of women through advertisement, books, pamphlets etc.

**12.11.3** The national weekly television (TV). Programmes, 'Women's World', 'Inside De Petticoat' and 'Woman to Woman' also focus on women who have succeeded in gender

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<sup>13</sup> Joko-Smart, H.M (1983e) Sierra Leon e Customary Family Law, published London

<sup>14</sup> Potter home.utm.utoronto.ca/orna/essay.htm



stereotyped vocations such as hairdressing, catering and gara tie-dyeing. Such programs also reinforce the stereotyped roles of women in employment and productivity.

## **12.12 Family Life Education**

**12.12.1** Family life education is incorporated into formal and non-formal education at primary, secondary and tertiary levels. The Ministry of Education Science and Technology with support from United Nations Population (UNFPA) and United Nations Children's Fund (UNICEF) revised in 2000, the existing subject syllabuses for the upper primary, junior and senior secondary school by integrating burning Population and Family Life Education (POP/FLE) issues into the curricula of relevant school subjects. A clear definition of parental responsibility that reflects a common responsibility of parents in the raising of children was identifiable in the syllabuses reviewed especially at primary level when girls and boys at the age where their perceptions and attitudes can be changed. The syllabuses also cover definition of sex roles and gender roles, gender division of labour, population and development, prevention of HIV/AIDS, STIs, family planning/adolescents sexual reproductive health issues and services etc.

**12.12.2** The foreword to the National Teaching Syllabus, written by the Hon. Minister of Education Dr. Alpha Wurie captures government's intent and commitment to increased family life awareness among the youth and reads:

*“Pupils especially adolescents, who received the messages in these newly revised syllabuses, are expected to make informed decisions about a wide range of POP/FLE issues and develop positive attitudes, values and behaviour within themselves and among their peers and other people in the community”*

## **12.13 Gender Based Violence**

**12.13.1** Women and girls became particular targets of malice and violence during the civil conflict in Sierra Leone. They suffered abduction and exploitation at the hands of the

various perpetrator factions. They were raped, forced into sexual slavery and endured acts of gross sexual violence. They were taken from their homes and villages by force. Refusal to comply with the demands of their captors often met with death. For those fortunate enough to escape, there followed displacement and separation from families. Humanitarian workers meant to offer them respite and protection, also violated their rights. Women and girls were compelled to barter their bodies in order to survive and access aid to which they were rightfully entitled. Girls as young as twelve (12) years were forced to pay for aid with sex to secure assistance for their families. Statistics pertaining to the numbers of women affected by the conflict in Sierra Leone remain a huge concern. In 2003, Human Rights Watch published a report in which they stated that as many as 275,000 women and girls may have been sexually violated during the war (TRC Report Vol. 3B page 86). The incidence of domestic and gender-based violence received prominence in the aftermath of the war especially during hearings presented to the Truth and Reconciliation Commission.

**12.13.2** The Family support Unit (FSU) of the Sierra Leone Police was set up in 2003 to specifically handle cases of rape, other sexual offences and domestic violence. Currently there exist Thirty four (34) Family Support Units throughout the country. However, Officials at the FSU stated that in most cases families prefer to solve the issue at home and only in the cases of death are cases prosecuted. However, a supportive environment has been created for the efforts to address domestic violence by They are specially trained in the collection of necessary evidence for prosecution of such crimes and handling of victims of such abuses. Branches of this Unit have been opened in all police stations in the headquarter towns. Family Support Unit Personnel benefited from series of trainings on gender and Human Rights organized by the UN Country Team and there are plans for further trainings to build their capacity.

**Table 1.0: Family Support Unit Crime Statistics 2002 – 2004**

<b>YEAR</b>	<b>RAPE</b>	<b>Unlawful Carnal Knowledge</b>	<b>Assault with Intent to Ravish</b>	<b>Indecent Assault</b>	<b>Domestic Violence</b>	<b>Total</b>
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2002	156	267	16	148	1026	1613
2003	131	421	25	93	1510	2180
2004	77	429	14	52	1033	1605

Source: Family Support Unit, FREETOWN

**The table reveals that:**

- **The incidence of violence against women has been on the increase. The overall number of cases rose by 85.4 percent between 2002 and 2004.**
- **From reported cases, the incidence of rape appears to be on the decline. The occurrence of domestic violence increased significantly in the first two years, but a decline is recorded for 2004.**
- **The incidence of unlawful carnal knowledge is on the increase.**

**12.13.3** Between January and December 2004, only 27.7 percent cases reported were resolved either legally or at domestic level. One important achievement though is that a database is being developed on issues of women's health.

**12.13.4** Non Governmental Organizations who work on women's rights issues do provide training for health care givers and other service deliverers to enable them to detect and manage health consequences of GBV and Sexual Abuse. There is no data available but GBV soared during and after the war. International Rescue Committee (IRC) has the Rainbow Centre in Freetown, Kono and Kenema to assist survivors with health care services and counseling. The Police has set up FSUs in the Western area and regional and district headquarter towns in the country.

**12.13.5** The culture of silence surrounding GBV will to a very large extent prevent victims who are sexually abused do come out. There is however no complaints procedure to detect and prosecute healthcare workers who sexually abuse patients they are supposed to protect.

**Table 2.0: Family Support Unit National Statistical Information January – December 2004**

Offences	No. of Cases	No. of Cases charged	No. of cases under investigation	No. of cases in High Court	No. of Convictions	No. of cases Resolved
Rape	77	48	22	07	00	00
Unlawful Canal Knowledge	429	267	134	15	13	00
Indecent Assault	52	33	09	05	05	00
Assault with intention to ravish	14	07	03	03	01	00
Procurement	160	27	93	00	00	00
Abduction	20	07	13	00	00	00
Assault, Wounding, Threatening	1033	517	318	00	28	170
Remarks (domestic violence)						
Beating, Abandonment, Neglect III – treatment, expose (cruelty to children)	308	138	74	00	00	96
Absconded Child	303	00	00	00	00	303
Found child	60	00	00	00	00	60
Child Stealing	17	00	00	00	00	17
<b>Total</b>	<b>2473</b>	<b>1044</b>	<b>666</b>	<b>30</b>	<b>47</b>	<b>686</b>

Source: Family Support Unit of the Sierra Leone Police, Freetown.

## 12.14 Violence against Women

12.14.1 There exist laws relating to violence against women such as rape, assault/battery and/or wounding. In situations of rape, for example, the legal or common law definition of rape is when a man gets carnal knowledge (sexual intercourse) with a woman without her consent. The three (3) elements for the offence of rape are:

(i) carnal knowledge, (ii) lack of consent of the woman and (iii) a man commits the crime against a woman.

**12.14.2** Similarly, for all forms of sexual violence, especially trafficking for the purpose of sexual exploitation, age of consent is not applicable and considered irrelevant as a defence. **Sections 6 & 7 of the “Prevention of Cruelty to Children Act, Cap 31 of The Laws of 1960** as amended” states that “the consent of a girl is irrelevant, ....that all girls under fourteen years of age cannot engage in any lawful sexual intercourse whether as prostitutes or otherwise”<sup>15</sup>

**12.14.3** To deter perpetrators, **Section 6 and 7 of Cap 31** provides that:

“Whosoever shall unlawfully and carnally know and abuse any girl under the age of thirteen years, whether with or without her consent, shall be guilty of felony, and shall be liable on conviction before the High Court to imprisonment, with or without hard labour, for any period not exceeding fifteen years” and

“Whosoever shall unlawfully and carnally know and abuse any girl above the age of thirteen years and under the age of fourteen years, whether with or without her consent, shall be guilty of a misdemeanor, and shall be liable on conviction before the High Court to imprisonment with or without hard labour, for any period not exceeding two years”.

### **12.15 Chastisement of Wives**

**12.15.1** There is no provision in the Constitution of Sierra Leone that gives right to husbands to chastise their wives. Equally though there are no sanctions exercised against men who chastise their wives. Among all ethnic groups in Sierra Leone, it is an accepted practice for husbands to chastise their wives or female relatives. Under customary law, a husband has the right to “reasonably chastise his wife by physical force” (Joko Smart, H.M.; Sierra Leone Customary Family Law, Freetown, 1983, page 152) as cited in the TRC Report.

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<sup>15</sup> Sections 6 & 7 of the “Prevention of Cruelty to Children Act, Cap 31 of The Laws , 1960

## **12.16 Violent Behaviour Between Spouses**

**12.16.1** Violent behaviour between spouses in Sierra Leone is usually also surrounded by a “culture of silence”. Most of the interventions still emanate from within the community, employing mediation most of the time to address the offending behaviour and its implications. It is generally considered an aberration by the wider society to involve “outside parties”, such as the police or social welfare services, in mediation sessions. There are also public campaigns to raise awareness on gender-based violence by women groups and radio discussions on domestic violence.

**12.16.2** The Domestic Violence Bill 2006 is before Parliament awaiting passage. It makes provision among others: a person in a domestic relationship shall not engage in domestic violence; any person in a domestic relationship who engages in domestic violence commits an offence and is liable on conviction to a fine not exceeding five (5) million Leones or to imprisonment for a term not exceeding two years or to both; and when a cause for complaints has arisen between persons in a domestic relationship and the persons do not co-habit, none of those persons shall enter into the residence of the other person without permission.

## **13 ARTICLE 6: SUPPRESSION OF THE EXPLOITATION OF WOMEN**

### **13.1 Legal Measures**

**13.1.1** Prior to the enactment of the **Adoption Act, 1989**, young girls were allegedly trafficked out of Sierra Leone by foreigners on the pretext of adoption. These girls were used mainly as domestic slaves in the countries to which they were exported. Section 4 of the Act provides that the applicant for an adoption must be resident in Sierra Leone and that the juvenile must have been in the applicant’s care for at least six consecutive months prior to the application for adoption to the Chief Social Development Officer.

**13.1.2** Until August 2005, there were no firm laws against trafficking of women and girls and the available provisions for protecting vulnerable girls were weak. The country was

one of origin, transit, and destination for international trafficked persons. The majority of victims were women and children. There is no quantitative study on trafficking, and no study on trafficking, no specific figures existed on the number of persons trafficked. Persons were trafficked out of the country to destinations in West Africa Lebanon, Europe, and North America. The country served as a transit point for persons from West Africa and possibly Middle East.

**13.1.3** In an effort to combat trafficking of persons into the sex trade, government authorities became more vigilant in their efforts to close brothels, which were perceived as perpetuating trafficking. The government also began to publicize trafficking issues through government sponsored radio programs and official statements in the press.

**13.1.4** The Sierra Leone police take the lead on trafficking issues. The government worked closely with NGOs on trafficking related issues to develop training programs but was hampered by a lack of resources and an incomplete understanding of the problem. The incidence of human trafficking reached its peak during and immediately after the civil war causing Women's Groups and CSOs to put pressure on Government for intervention. This compelled government to pass the **Anti-Human Trafficking Act No.7 of 2005** which came into force on the 18<sup>th</sup> August, 2005.<sup>16</sup> The Law Enforcement Officers are yet to be trained on the provisions in the Anti-Human Trafficking Act for effective implementation.

## **13.2** Trafficking and Sexual Exploitation

**13.2.1** It is noteworthy, that **Section 2(1)** of the Act makes trafficking in persons an offence and **section 2(2) & (3)** defines trafficking and exploitation thus:

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<sup>16</sup> Anti-Human Trafficking Act No.7 of 2005

“ A person engages in the trafficking in person if he undertakes the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation”.

According to subsection (2) of the law, “exploitation” includes, at a minimum –

- (a) keeping a person in a state of slavery;
- (b) Subjecting a person to practices similar to slavery
- (c) Compelling or causing a person to provide forced labour or services;
- (d) keeping a person in a state of servitude including sexual servitude;
- (e) Exploitation of the prostitution of another;
- (f) Engaging in any other form of commercial sexual exploitation, including but not limited to pimping, pandering, procuring, profiting from prostitution, maintaining a brothel, child pornography, illicit removal of human organs;
- (g) Exploitation during armed conflicts.

**13.3.1** This all-embracing definition is welcome as it covers the issue of prostitution, which hitherto was considered separately. In addition it applies to everybody who is directly or indirectly involved in trafficking.

**13.3.2** Another significant element about the new Act is the provision by **section 15** that the consent of the victim and the legal age of consent to sex or legal age of marriage are irrelevant in the prosecution of offenders.

The section under reference reads: In a prosecution for trafficking under section 2 –

- (a) the consent of a victim to the intended or realized exploitation is irrelevant where any of the means specified in **subsection (2)**



- of that section has been used;
- (b) a victim's past sexual behavior is irrelevant and inadmissible for the purpose of proving that the victim was engaged in other sexual behavior or to prove the victim's sexual predisposition;
  - (c) the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be regarded as trafficking in person even if this does not involve any of the means specified in **subsection (2) of section 2.**
  - (d) the legal age of consent to sex, the legal age of marriage or other discretionary age shall not be a defence to trafficking.

**13.3.3** This law technically extends its provisions for trafficking in persons to include sexual exploitation of women and prescribes a stiff penalty of Fifty (50) Million Leones fine or 10years imprisonment term. This has served as a deterrent to potential offenders because of its severity. Although supporting data on trends are not available, there is a perceived decline in the incidence of trafficking since the introduction of the law.

**13.3.4** Another unique dimension which has enhanced the effectiveness of the law, is **section 23** which makes provisions for the compensation of the victims of trafficking. This is a new trend in the criminal jurisprudence of the municipal laws of Sierra Leone. In traditional criminal law, the target was just punishing the offender and no provision made for the compensation of the victim of the crime. This is a positive development borrowed from International Criminal Jurisprudence where compensating the victim is treated on equal footing as punishing the offender which should be extended to other issues relating to the violation of human and women's rights.<sup>17</sup>

#### **13.4** Prostitution

**13.4.1** The law applicable against prostitution is provided by **sections 22 and 30** of the **Summary Conviction Offences Act, Cap 37 of the Laws of Sierra Leone 1960** as amended and states that:

“Every common prostitute or night-walker loitering or being in any thoroughfare, or public place, for the purpose of prostitution or solicitation, to the annoyance of the inhabitants or passengers, shall be liable, on conviction, to a fine, not exceeding forty Shillings, for every such offence”.

**13.4.2** As is usual with most patriarchal societies where prostitution is seen as a female offence and male partners are not punishable for same offence, the determinants and fine for the offence are both discriminatory and too flimsy to deter offenders or reverse the practice. A penalty of between twenty and forty pounds or imprisonment for maximum term of four months against brothel keepers is insufficient to detract people from exploring and organizing prostitution as a livelihood.

**13.4.3** Furthermore, social attitudes that abhor prostitutes (i.e. women), while commending their male clients is not only paradoxical but contradictory to the principles of equality. Change in social attitudes and norms will be required for effective implementation of legislative and other measures aimed at curbing prostitution.

#### **13.4** Challenges to Suppressing Prostitution

**13.5.1** There are several challenges to eliminating prostitution and trafficking in women, in post-war Sierra Leone. Firstly, high unemployment rates especially among female youths in the country particularly in the city of Freetown and other big towns. Lack of education makes it difficult for women and girls to secure gainful employment either in the public or private sectors. In addition, some of these female young prostitutes are ex-

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<sup>17</sup> sections 22 and 30 of the Summary Conviction Offences Act, Cap 37 of the Laws of Sierra Leone 1960

combatants who were sexually abused and have had difficulties resuming normal life after the war. Many affected youths lost their parents or guardians in the course of the civil war and therefore do not have family or other support systems to guide their moral, physical and psychological development and also meet their financial needs.

## **14 ARTICLE 7: EQUALITY IN POLITICAL AND PUBLIC LIFE**

### **14.1 Legal and other measures adopted**

**14.1.1** The 1991 Constitution of Sierra Leone, **Act No. 6 section 31** guarantees every citizen being eighteen years (18) of age and above and of sound mind, the right to vote and be voted for in all elections – local and national and public referenda. By extension thereof, the Constitution provides that no Sierra Leonean regardless of sex, religion, ethnicity, property or other qualifications be denied the right to hold any public office, form or belong to a political party of his/her choice.

**14.2** However this constitutional provision is not enjoyed equitably by women and men in practice. In general, internal party operational modalities and candidate nomination procedures favour men to the disadvantage of women. In addition, attitudinal and cultural perceptions that resist women's appointment into public leadership positions continue, among other challenges, to militate against women in this arena. Furthermore, the barriers that prevent women from embarking on a political career are both practical (lack of time, money or literacy level and training) and psychological (lack of confidence, fear of failure, and dislike of the culture of politics).

**14.3** In response to the above challenges, the Ministry of Social Welfare, Gender and Children's Affairs initiated the formation of a Taskforce for Women in Politics (TAFWIP) in 2001. This project aimed at reducing barriers to women's entry into politics by mobilizing women for active participation in politics, increased registration of women as voters, advocating for women's political empowerment.

**14.4** However the initiative has not been sustained thus its impact has been difficult to ascertain. Similarly, the Ministry in collaboration with National Democratic Institute (NDI) provided capacity building training for female political candidates. The Ministry also facilitated the setting-up of the Network of Women Ministers and Parliamentarians (NEWMAP) to enhance networking among high level public female officials and Parliamentarians.

**14.5** To enhance women’s participation in decision- making, **Section 95 (2c) of the Local Government Act 2004** provides that within every District, the Ward Development Committees i.e. the level closest to the community pursues a statutory 50/50 gender balance affirmative policy. This has created an unprecedented opportunity for accommodating women’s views and voices in public policy formulation to ensure that women’s priorities and concerns are equitably reflected in local planning. This initiative is expected to help dispel myths surrounding women’s participation on an equal basis with men. It is expected to serve as grooming ground for women leaders and showcase the added value of women’s participation in public and political life to overall development.

**14.6 Actual progress made to promote the participation of women in political and public life**

**Table 3.0: Showing percentage distribution of Women in political and Leadership positions 1996**

<b>Politics</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>	<b>% Male</b>	<b>% Female</b>
Presidential Candidates (1996)	14	01	15	93.3	6.6
Cabinet Ministers (1996)	23	02	25	92.0	8.0
Deputy Ministers (1996)	18	02	20	90.0	10.0
Parliamentarians (1996)	75	05	80	93.75	6.25
Paramount Chiefs	139	10	149	93.3	6.7
National Electoral Commission (Chief	05	00	05	100	0.0

& Provincial Commissioners) 1996

Source: Ministry of Gender and Children's Affairs, National Programme of Action

1997-2001 (November 1996).

**Table 4.0: Showing percentage distribution of women in political and leadership positions 2002.**

<b>Political Process/Positions</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>	<b>% Male</b>	<b>% Female</b>
Voter (general elections (2002)	1,172,313	1,155,661	2,327,974	50.4	49.6
Presidential Candidates (2002)	07	01	08	87.5	12.5
Cabinet Ministers (2002)	18	03	21	87.7	14.3
Deputy Ministers (2002)	07	03	10	70.0	30.0
Parliamentarians (2002)	106	18	124	85.5	14.5
Parliamentarians (2006)	105	19	124	84.7	15.3

Source: National Electoral Commission

#### **14.6.1 Executive/Cabinet**

**14.6.1.1** In the 1996 Presidential and Parliamentary elections there was a female Presidential aspirant who withdrew her candidature just before the polls. Two female Cabinet Ministers (Ministry of Gender and Children's Affairs and Ministry of Foreign Affairs) were appointed in a Cabinet of 25, and 2 Deputy Ministers out of 20 constituting 8 percent and 10 percent female appointees respectively.

**14.6.1.2** Furthermore, the Presidential and Parliamentary elections of 2002, also had a female Presidential candidate, and in the Cabinet of 21 Ministers appointed thereafter, 3 female Ministers emerged (Ministry of Trade and Industry, Ministry of Health and Sanitation and the Ministry of Social Welfare, Gender and Children's Affairs) representing 14.3 percent while Deputy Cabinet Ministers increased to 30percent. This steady increase in women's appointment at the Ministerial level is a further testimony of government's commitment to the policy of equality and non-discrimination.

## 14.6.2 Parliament

**14.6.2.1** The 1996 Presidential and Parliamentary Elections, the first after 20 years of one party dictatorship and military rule, saw women winning five out of the eighty Parliamentary seats, indicative of 6.25 percent female representation. By the Parliamentary elections of 2002, 1,156,661 (49.61 percent) of women were registered as voters as against 1,172,313 (50.32 percent) men and from the election results, women won 18 out of the available 124 parliamentary seats which translates to 14.5 percent representation. The Deputy Speaker of Parliament is a woman. Out of twenty-three (23) Parliamentary Committees in Parliament, six (6) of them are chaired by women; namely Agriculture and Food Security, Health and Sanitation, Education, Science and Technology, HIV/AIDS, Public Account and Information and Broadcasting. Of the successful female candidates, two were Paramount Chiefs.

## 14.6.3 Local Government.

**14.6.3.1** For the Local Government elections of May 2004, 1,060,521 women were registered constituting 47 percent of the total number of registered voters. 107 women contested (9.6 percent) and 52 were elected (11.18 percent) as against 423 elected men. Of the 19 Councils, only one woman is serving as chair person while 2 are serving Deputy Chairpersons. Out of 149 paramount chieftaincy positions, 11 are women representing 7.4 percent. As earlier discussed, the WDCs have a 50-50 gender composition.

**14.6.3.2** Local Government Service Commission has been established and charged with the responsibility of recruiting staff in the Local Councils. The commission comprise eight (8) members, three (3) of whom are women.

**Table 5.0: Showing percentage distribution of women at the Local Government level 2004.**

<b>Politics</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>	<b>% Male</b>	<b>% Female</b>
Councilors (2004)	423	52	475	89.1	10.9
Chairperson of Local	18	01	19	94.7	5.3

Councils					
Deputy Chairperson of Local Councils	17	02	19	89.5	10.5
Paramount Chiefs	138	11	149	92.6	7.4

**Source: National Electoral Commission**

#### **14.6.4 Political Parties**

**14.6.4.1** There is currently no available sex disaggregated data on the percentage of women as members of political parties. The nature of participation of women in the work of political parties is mainly giving support to male folks and few aspire for leadership positions. As a temporary special measure all political parties agreed and adopted the “zipper system” in the 2002 Parliamentary elections it was expected that for every male candidate, a female candidate is slotted in the list.

**14.6.4.2** Women are eligible to be candidates for elected positions on the same terms as men. However, for Paramount Chieftaincy positions, traditional and cultural practices pose barriers for women in certain parts of the country. Nomination for such positions is not under the purview of political parties but purely the ruling houses. At the moment tangible measures have not been put in place or adopted to increase the number of women standing as candidates under the political party’s ticket.

**Table 6.0: Showing Number of Women Candidates on List of Political Parties in Sierra Leone**

<b>Political Party</b>	<b>Women</b>	<b>% Women</b>	<b>Men</b>	<b>% Men</b>	<b>Total</b>
All Peoples Congress	22	10.43	189	89.57	211
Grand Alliance Party	15	17.86	69	82.14	84
Movement for Progress	05	16.67	25	78.13	30
National Democratic Alliance	03	9.38	29	90.62	32
Peoples Liberation Party	09	6.47	130	93.53	139
Peoples Democratic Party	29	13.94	179	86.1	208
Revolutionary United Front Party	19	9.84	174	90.16	193
Sierra Leone Peoples Party	30	13.45	193	86.55	223
United National Peoples Party	20	12.90	135	87.10	155
Young Peoples Party	07	9.86	64	90.14	71

**Source: Compiled from list of Parliamentary Candidates Published in the 6<sup>th</sup> May 2002 issue of the Sierra Leone Gazette.**

#### **14.7 Civil Service**

**14.7.1** The 1988/89 Labour Force Survey reveals that only 17 percent of persons employed in administrative and management positions of the civil service were women. Of the twenty-eight (28) Permanent Secretaries or equivalent rank positions, there were only four (4) women equivalent to 14.2 percent.

**14.7.2** The 2005 Administrative Posting indicates that there are only two (2) women serving as Permanent Secretaries out of 21 positions representing 9.5 percent, while, the current Chief Administrator of the Freetown City Council and Kono District Council are women.

#### **14.8 Membership in Labour and Professional Organizations**

**14.8.1** The proportion of women holding decision making positions in labour and professional organizations is captured below:

**Table 7.0: Female Participation in Decision-making, Labour and Professional Organizations**

	Male	Female	Total	%male	%female
<b>a) Labour Congress</b>					
i) Executive	40	10	50	80	20
<b>b) Sierra Leone Teachers Union</b>					
i) Executive	25	15	40	62.5	37.5
<b>c) Bar Association</b>					
a) Supervisor and above	5	2	7	71.43	28.57
<b>d) Pharmacy Board</b>					
a) Supervisor and above	10	6	16	62.50	37.50



<b>e) Dental Association</b>					
a) Supervisor and above	42	31	73	57.53	42.47
<b>Civil Service</b>					
<b>Supervisors to Permanent Secretaries</b>	56	6	62	90.32	9.68

**CEDAW field survey 2005**

**14.8.2** The very low representation of women in the Labour and Bar Association is not unrelated to the small number of women who are eligible to become members of these organizations

**14.9** Commissions

**14.9.1** Few women have been appointed to serve as Heads in various Commissions and Institutions set up by Government. It is however noteworthy that women have been appointed as chief executives of critical national institutions such as:

- The Chairperson of the National Electoral Commission (NEC);
- The Chief Immigration Officer;
- The Secretary, Public Service Commission;
- The Executive Secretary, National Commission for War Affected Children (NACWAC);
- Independent Media Commission.

The National Commission for Democracy (NCD) has four (4) Commissioners, two (2) of whom are women. The National Commission for Human Rights has five (5) Commissioners, two (2) of whom are women. The National Electoral Commission has five (5) Commissioners, two (2) of whom are women including the Chief Electoral Commissioner.

**14.9.2** Although these appointments are recent, they demonstrate the confidence that government reposes in women at high levels of decision-making.

#### **14.10 Judiciary**

**14.10.1** Until 2005, few women held decision-making positions in the judicial system of the country. Presently, out of the 23 appointed judges there are 7 females accounting for about 30.4 percent of the total while 2 of the existing 19 magistrates are females. The Master and Registrar of the High Court of Sierra Leone is a woman however, at no time has a woman been appointed as a substantive Chief Justice of the Republic of Sierra Leone. Most of the women found working in the judiciary department are clerical staff that cannot influence decision-making.

**Table 8.0: Percentage distribution of Women in Decision-making positions in the Judiciary 2005**

<b>Judiciary</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>	<b>% Male</b>	<b>% Female</b>
Judges	16	07	23	69.6	30.4
Magistrates	17	02	19	89.5	10.5

**Source: Office of Master and Registrar**

#### **14.11 Non Governmental Organization Participation in Public and Political life**

**14.11.1** Women have been playing crucial role in the activities of NGO's as coordinators and beneficiaries. According to 2005 NGO Registration report, there are 258 registered NGOs (Both International and Local). There are 175 national NGOs and 21.71 percent are headed by Sierra Leonean women. Out of the 83 International NGOs 8.43 percent are headed by Sierra Leonean women. Their activities are focused on the development of human and women's rights, women's health, education and activities such as research, provision of micro-credit, shelters, non-formal education, such as vocational skills training, advocacy and sensitization on Human Rights and capacity building.

**14.11.2** Women do participate in trade unions; statistics on their level of involvement and those holding decision-making positions are however not recorded. Reports have not shown any woman being discriminated against or subject to human rights violations because of her political activities or as a member of women's organizations. Women's Organizations are actively involved in policy-making in Sierra Leone. For instance Women's Organizations were involved in the development of the National Policies for the Advancement of Women and Gender Mainstreaming and the preparation of the country's PRSP. The mechanisms put in place to ensure their involvement is through collaborative meetings, advocacy drives, networking etc.

**14.11.3** In pursuit of local aspirations for affirmative action in support of women, the 50/50 Group was formed in November 2000, with the sole objective of empowering women, and enabling their equitable and effective participation in politics. The group is also involved in lobbying government and political parties for the adoption of conditions that would encourage and enable women to participate in politics. To this effect they advocated for the 'zipper system' in the 2002 elections whereby for every male candidate, a female candidate is also adopted by the party. The group lobbied the political parties for the reservation of at least 30 percent of political seats for women during the 2002 Parliamentary and 2004 Local Government elections which have been raised to 50 percent for the forthcoming 2007 elections.

## **15 ARTICLE 8: INTERNATIONAL REPRESENTATION AND PARTICIPATION**

### **15.1 Provisions for Access to International Organization**

**15.1.1** The 1991 Constitution of Sierra Leone guarantees every Sierra Leonean the opportunity to represent the country on a basis of merit at the international level and participate in the work of international organizations. Sierra Leonean women have worked as professional staff in international organizations such as the ECA, ECOWAS, International Labour Organization (ILO), United Nations High Commission for Refugees

(UNHCR), United Nations Educational Scientific and Cultural Organization (UNESCO), United Nations Industrial Organization (UNIDO), UNIFEM and the United Nations Secretariat.

**15.2** Women are ensured equal right to participate and represent their country in international debates, talks, forums and conferences however observations are that women's participation reflect expertise largely in areas such as Gender Issues, Nursing, Education, Banking, Fine Arts and Peace Building. This often tends to highlight the stereotypical nature of women's career and professional choices.

**15.3** Sierra Leone's delegations to international conferences often include women especially those who are conversant with the workings of the institutions or issues that are to be discussed. Some women have also acted as heads of delegations to international conferences. In fact women were part of the delegation to the Lome Peace Accord in Togo, which yielded the peace the country is enjoying currently.

**15.4** Women are encouraged to enter the Foreign Services or to apply for positions in the international bureaucracy. Family commitments especially for married women make it very difficult to accept diplomatic and international jobs outside the home country. This is indeed an obstacle in the advancement of women in Sierra Leone in diplomatic and international organizations conditions of service in the Foreign Service is the same for both men and women.

**15.5** In the Foreign Service as at 2006 only two (2) women are serving as Ambassadors accredited to Iran and Russian Federation respectively out of Twenty-two (22) Ambassadorial positions while four (4) others are serving as Heads of Chancery out of sixteen (16) positions. Prior to 1996, Sierra Leonean women served as Ambassadors with multiple accreditations in Eastern and Southern Africa, Europe, the United Nations and Guinea. Women have the same right as their male counterparts with respect to filling diplomatic posts once vacancies exist. No woman has been denied the opportunity to represent Sierra Leone or to participate in the work of international organizations on the basis of sex.

**Table 9.0: Illustrates Women's Representation at the International Level among Diplomats / Foreign Service Officers (1990- 1994)**

Personnel on International Postings and Positions	1990					1994				
	Total	M	F	% M	% F	Total	M	F	%M	%F
Foreign Service at post	30	22	8	73.3	26.7	30	20	10	66.7	33.3
Foreign Service Officers at Headquarters	25	20	5	80.0	20.0	25	20	5	80.0	20.0
Diplomats (Ambassadors)	14	12	2	85.7	14.3	14	13	1	92.8	7.2
Head of Chancery	14	14	-	100	-	14	13	1	92.8	7.2
Directors	6	6	-	100	-	6	5	1	83.3	16.7
Protocol Officers	6	6	-	100	-	6	5	1	83.3	16.7

**Source: Ministry of Foreign Affairs and International Cooperation**

**Table 10.0: Illustrates Women's Representation at the International Level among Diplomats/Foreign Service Officers (1998 - 2002)**

Personnel on Int'l Postings and Positions	1998					2002				
	Tot	M	F	% M	% F	Tot	M	F	%M	%F
Personnel in Foreign Service	32	20	12	62.5	37.5	40	30	10	7.5	2.5
No of Foreign	27	21	6	77.8	22.2	33	26	7	78.8	21.2

Service Officers at Headquarters										
Diplomats (Ambassadors and Deputies)	18	16	2	88.8	11.2	22	20	2	99.0	1.0
Head of Chancery	16	14	2	87.3	12.7	16	13	3	86.2	18.7
Directors	6	5	1	83.3	16.7	7	5	2	71.4	28.6
Protocol Officers	6	5	1	83.3	16.7	8	7	1	87.5	12.5

**Source: Ministry of Foreign Affairs and International Cooperation**

**M – Male; F – Female; Tot – Total**

**Table 11`0: Diplomats/Foreign Service Officers (2006)**

Personnel	Total	Male	Female	% Male	% Female
Personnel in Foreign Service at post	40	30	10	7.5	2.5
No. of Foreign Service Officers at Headquarters	33	26	7	78.8	21.2
Diplomats (Ambassadors and Deputies)	22	20	2	99.0	1.0
Head of Chancery	16	13	3	86.2	18
Directors	10	9	1	90.1	10.0
Protocol Officers	4	3	1	75.0	25.0

**Source: Ministry of Foreign Affairs and International Cooperation**

## **16 ARTICLE 9: NATIONALITY**

### **16.1 Constitution and Nationality**

**16.1.1** The law/ statute governing citizenship in Sierra Leone is the Sierra Leone **Citizenship Act of 1973. Section 2** of the Act states:

“Every person who, having been born in Sierra Leone before the nineteenth day of April, 1971, or who was resident in Sierra Leone on the eighteenth day of April, 1971, and not the subject of any other State shall, on the nineteenth day of April, 1971, be deemed to be a citizen of Sierra Leone by birth”

**Provided that –**

- a) his father or his grandfather was born in Sierra Leone; and
- b) he is a person of negro African descent

**16.1.2** In principle, the Constitution discriminates against women with respect to the right to transmit citizenship directly to their children. Section 6 of the Act provides that for a woman to transmit citizenship to her children, she must be a citizen of Sierra Leone, not just born in Sierra Leone. Thus, a person with a Sierra Leonean mother and a foreign father cannot claim Sierra Leonean citizenship even if that person is born in Sierra Leone.

**16.1.3** In addition, **section 7** of the Act provides that female foreigners can acquire Sierra Leonean citizenship by naturalization through marriage to a Sierra Leonean male. On the contrary, there is no corresponding requirement for male foreigners to acquire Sierra Leonean citizenship by naturalization on account of marriage to a Sierra Leonean woman. In principle therefore, only male Sierra Leoneans can transmit Sierra Leonean citizenship to their foreign wives, Sierra Leonean women cannot do likewise (transmit citizenship to their foreign husbands).

**16.1.4** Immigration regulations provide that all Sierra Leoneans including minors are issued traveling documents before traveling out of the country. There is a legal requirement for parents to give their consent before passports are issued to minors. Either parent can give his approval before a passport is issued to a minor.

**16.2** On-going efforts: The Law Reform Commission is in the process of reviewing the **1973 Citizenship Act** to allow for dual citizenship, among other provisions, and it is anticipated that the legal discrepancies will be resolved in the revised laws.

**16.2.1 Sierra Leone's Parliament has approved a measure legalizing dual citizenship.** The citizenship Act of 1973 has been amended which states that no person shall have Sierra Leonean citizenship and any other citizenship at one and the same time. The amended act means that Sierra Leoneans holding citizenship of another country and who by birth or by descent are Sierra Leoneans are now eligible for Sierra Leonean citizenship.

**16.2.2** Birth Registration that accords people citizenship right is mostly done in the urban areas for women who deliver in the health centres. However, women who give birth to children through the Traditional Birth Attendants (TBAs) rarely record their children's birth dates officially.

## **17 ARTICLE 10: EQUALITY OF ACCESS TO EDUCATION**

### **17.1 Legal Measures/ Constitutional Directive on Equal Rights to Education**

**17.1.1 Chapter II, Section 9(1) and 9(2) (a) of the 1991 Constitution** provides for gender equality in education and outlines state directives that secure women's rights to equitable access to and benefit from education.

### **17.2 Education Act 2004**

**17.2.1** To further concretize this constitutional guarantee, an Education Act was passed by Parliament to serve as the linchpin of efforts to achieve the numerous policies and initiatives including the global Education for All (EFA) targets by 2015. The Act makes Basic Education compulsory and stipulates punitive measures for deterrents and reaffirms the specific concerns of the EFA goals 4 and 5 to increasing enrolment and eliminating gender disparity in education for girls and women.

### **17.3 Policy Instruments/Measures**

#### **17.3.1 Non – Formal Primary Education Programme (NPFE)**

In 1992, the government in close collaboration with UNICEF and the Ministry of Development and Economic Planning (MODEP) established the Non- Formal Education Programme. The initiative included gender sensitive measures targeting school age girls, of 14years and above, in peri-urban communities and remote villages with little or no formal schools. Features and incentives included free tuition, placement/enrolment in



schools with close proximity to pupils' homes, flexible and shorter school hours. These encouraged communities to release girls who are typically engaged in household chores and street hawking, to attend these less conventional schools.

#### **17.4 National Education Policy (NEP) 1995**

**17.4.1** To consolidate on the gains of the Non Formal Education (NFE), a new education policy was adopted in 1995. The thrust of the policy introduced a nine year "Basic Education System" which allowed for a wider range of subjects to broaden options for accessing tertiary education either along the polytechnic or university stream. Cognizant of the existing drive to achieving gender parity and meeting the education needs of all, the policy outlined the under-stated gender objectives:

To increase enrolment, retention and graduation rates at all levels, projecting a minimum graduation target of 70% for girls at Basic Education level and the achievement of 30% female literacy by 2000.<sup>18</sup> To take necessary action to promote cultural, social and attitudinal change in favour of female advancement through education. Steady progress towards attaining these targets are being achieved as highlighted in subsequent sections of the report.

**17.5** In pursuance of the NEP, government took several steps viz:

Development of a **Basic Education National Action Plan (BENAP)**. Under the coordination of the **Basic Education Commission**, this five year plan (**1995-2000**), **served** as the framework and template for expanding quality basic education facilities for all children (aged 6-9 years) irrespective of sex. It specifically targeted increased enrolment for girls and women.

Introduction of the **National Education Master Plan (NEMP) 1997 – 2006**. In addition to its focus on eliminating gender disparity in education, enshrined in the plan, were

special measures and deliberate strategies to promote girl child education, which have yielded positive results to date.<sup>19</sup>

Re-introduction of the **National Action Plan (NAP)**. To accelerate national progress towards the **Global EFA** and achieve projected in the **2003-2015** timeframe. The plan reaffirmed commitment to free and compulsory education for all (girls inclusive) at Basic Education level as and promotion of counseling and family life education as a strategy for preventing early pregnancy.

## **17.6 Other Measures**

**17.6.1** To complement the education policy and plans, other supportive measures introduced include:

- i) Introduction of the **flexible 6-3-3-4 system of education in 1993**. This was geared towards expanding the pool of middle level human power resources needed for national development and strengthening Technical and Vocational education in Sierra Leone. As a result there are about 240 Technical/Vocational Centers/Institutions in the country (SABABU) Education MEST, German Technical Cooperation (GTZ-SL) from a 2004 Statistics Sierra Leone, survey.
- ii) Introduction of **fee-free examinations** by government at the basic and secondary levels in 2000. This contributed to increased retention and completion rates among girls and boys.
- iii) Adoption of the twin gender policies- the **National Policy on Gender Mainstreaming (NPGM) and National Policy on the Advancement of Women (NPAW) in 2001**. These policies re-affirm women's rights to education at all

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<sup>18</sup> National Education Policy (NEP) 1995

<sup>19</sup> National Education Master Plan (NEMP) 1997 – 2006

levels, in both academic and technical fields; the right to choose any field of specialization and study the same curriculum as men.

### **17.6.2 The Rapid Education Programme for Primary Schools tagged Complementary Rapid Education for Primary Schools (CREPS).**

**17.6.2.1** This was a post war scheme adopted in **2002** as a catalytic measure for granting primary school access to war affected children aged 10-15 years, whose schooling had been disrupted or had never attended school. CREPS as a bridge system condensed the 6 year primary education to three (3) years and allowed beneficiaries opportunity for rejoining the formal school system upon graduation. Reported enrolment in the CREPS programme by 2004 was 30,785,000 of whom about 40% were girls.<sup>20</sup>

- iv) Specific elements within the **Sierra Leone PRSP of 2005** serve as vehicles for the delivery of CEDAW article 10. Pillar 3, promoting human development focuses on expansion of quality basic education infrastructure and reinforces the ongoing actions on women's education. It sets out to meet full financial cost of girls' education at the JSS level in the Northern and Eastern Region, train young female teachers and assigns the monitoring and supervision of education to local councils in accordance with the 2004 Local Government Act.
  
- v) Increased **partnership between UN Agencies, Civil Society Organizations, Faith Based and Private Institutions** with Government and State institutions in the execution of initiatives which complement directly or indirectly, efforts for actualizing CEDAW provisions. Foremost amongst these national level education stakeholders, are women's organizations like Young Women Christian Association (YWCA), Sierra Leone Association of University Women (SLAUW)

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<sup>20</sup> PRSP Working Paper on Education  
Schools with a Twist: Taking Community Schools to children in Rural Sierra Leone, UNICEF, May 2005

and Forum for African Women Educationalist (FAWE). A popular Krio jingle, 'Sen you girl pikin na school' translated – 'send your girl child to school' was produced and popularized by the Sierra Leone Chapter of the Forum for African Women Educationalists (FAWE) in partnership with UNICEF. This media advocacy has contributed in no small measure to changing negative mind-sets and attitudes among large number of parents in impoverished peri-urban and rural communities, who continue to avail their girl children of opportunities for basic education.

- vi) Instituting **award, prizes and scholarships for girls** who excel at primary and tertiary level, by women's organizations, introduction of **school feeding programmes** and **Girl-Retention Incentive Scheme by the WFP and MEST** in seven districts have also served as motivating factors to encourage girls to stay in school.

## 17.7 Actual Progress

### 17.7.1 Primary Level

17.7.1.1 **As a direct outcome of government intervention in education, enrolment rates is more than doubled for girls within the reporting period with the most significant progress recorded between 2001-2005. Rehabilitation and reconstruction of schools coupled with resettlement of displaced persons were also contributory factors to the gains recorded. The seeming decline in percentage enrolment of boys seems to be a reflection of the increased percentage of girls in overall enrolment as absolute number of boys enrolled continues to also increase steadily and more than doubled by 2005. However the decreasing percentage of boys enrolled need to be critically reviewed.**

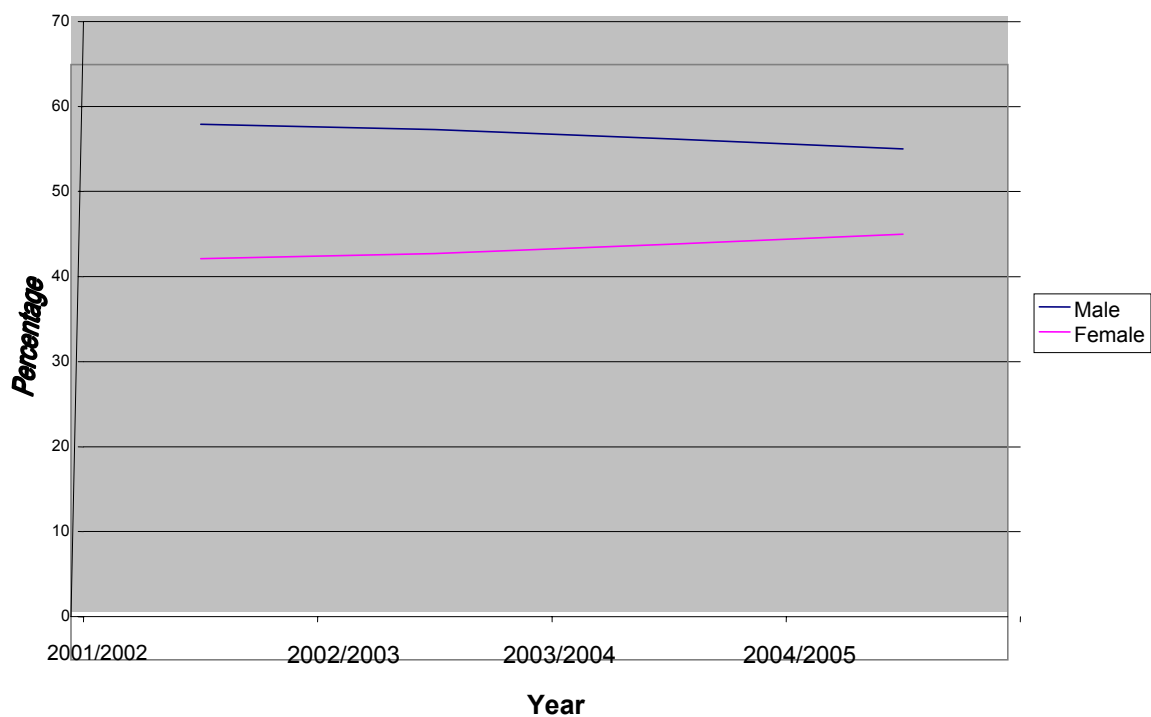
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**Table 12.0: Primary School Enrolment 2001/2002 to 2004/2005**

Year	Enrolment				
	Male	Percentage	Female	Percentage	Total
2001/2002	323,924	57.9	230,384	42.1	100(559,308)
2002/2003	518,801	57.3	386,515	42.7	100(905,316)
2003/2004	625,726	56.2	488,320	43.8	100(1,114,046)
2004/2005	709,869	55.0	581,386	45.0	100(1,291,255)

Source: MEST Inspectorate Division

**Figure 2: Primary School Enrolment by Sex 2001/2002 to 2004/2005**



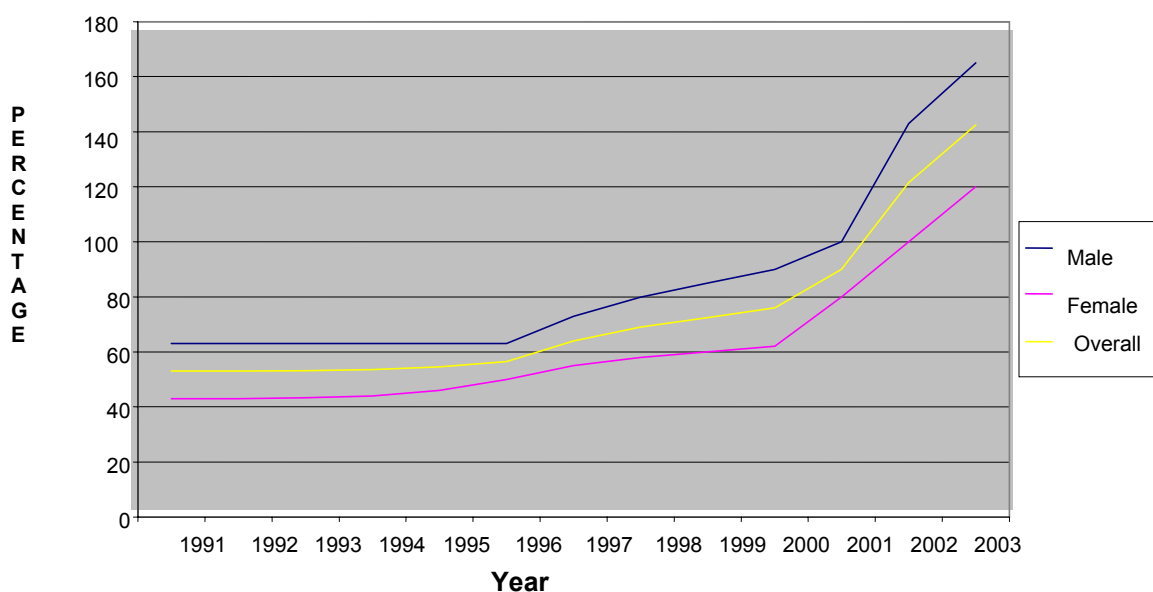
**Table 13.0: Achievements of GoSL/ UNICEF Interventions in Education 2002 & 2004**

No.	Education Target	Achievements	
		2002	2004

		<b>%M</b>	<b>%F</b>	<b>%M</b>	<b>%F</b>
<b>1</b>	Enrolment of 55,000 children in Formal primary education	<b>60.9</b>	<b>39.1</b>	<b>N/A</b>	<b>N/A</b>
<b>2</b>	25,000 children to re-enter School through CREPS.	<b>60.8</b>	<b>40.2</b>	<b>N/A</b>	<b>N/A</b>
<b>3</b>	Increase GER by 5% in targeted Districts (Koinadugu, Bombali and Kono)	<b>N/A</b>	<b>N/A</b>	<b>58.6</b>	<b>41.4</b>
<b>4</b>	Enrolment of 30,000 children in Formal primary education	<b>N/A</b>	<b>N/A</b>	<b>51.2</b>	<b>48.8</b>
<b>5</b>	Enrolment of 27,500 to re-enter school through CREPS	<b>N/A</b>	<b>N/A</b>	<b>59.3</b>	<b>40.4</b>
<b>6</b>	Provide training for 1,250 teachers	<b>N/A</b>	<b>N/A</b>	<b>96.0</b>	<b>4.0</b>
<b>7</b>	Improve quality education and increase Retention and completion	<b>N/A</b>	<b>N/A</b>	<b>46.9</b>	<b>53.1</b>

*Source: (i) UNICEF, 2004 (ii) UNICEF, Education Section report 2005*

**Figure 3: Gross Enrolment Rates for Primary by Sex, 1991/1992 to 2002/2003**



**Table 14.0: Percentage of Graduates in the National Primary School Examination**

Year	Males			Females			Cut off Pass Marks
	Sat	Passed	%	Sat	Passed	%	
2000	11,948	11,099	92.9	8,241	7,583	92.0	200.0
2001	15,884	12,736	80.2	10,263	7,974	77.7	220.0
2002	21,629	17,930	82.9	13,303	10,252	77.1	220.0
2003	29,825	24,235	81.3	17,026	12,882	75.7	220.0
2004	38,703	31,080	80.3	22,445	16,997	75.7	220.0
2005	48,204	35,776	74.2	29,452	20,062	68.1	230.0

**Source: West African Examination Council, Freetown.**

## 17.2 Secondary level

**17.2.1** Similar to the primary level, steady increase in percentage of girls enrolled in secondary school, were witnessed although increases recorded were not as dramatic as indicated in the table below.

**Table 15.0: Distribution of Pupils Enrolled in Secondary School, 1986/1987 to 2004/2005**

Year	Enrolment				
	Male	Percentage	Female	Percentage	Total
1986/1987	67707	66.6	33980	33.4	100(101,687)
1987/1988	72665	71.9	28,384	28.1	100(101,049)
1988/1989	64,084	66.6	32,100	33.4	100(96,184)
1989/1990	63672	65.8	33,137	34.2	100(96,809)
1990/1991	62,190	64.1	34859	35.9	100(97,049)
1991 to 2000	NA	NA	NA	NA	NA
2000/2001	61731	61.6	38,546	38.4	100(100,277)
2001/2002	NA	NA	NA	NA	NA
2002/2003	NA	NA	NA	NA	NA
2003/2004	112,243	61.1	71,423	38.9	100(183,666)
2004/2005	121,097	60.9	77,597	39.1	100(198,694)

*Source: MEST Inspectorate Office, 2005*

**Table 16.0: Percentage of Graduates in the Basic Education Certificate Examination (JSS)**

Year	Male		Female	
	Sat to Exams	% Passed	Sat to Exams	% Passed
2000	11,241	56.8	7,123	36.4
2001	11,983	51.8	7,443	43.1
2002	15,497	49.3	8,912	34.6
2003	18,746	49.9	10,897	37.8
2004	20,611	46.2	11,537	36.9
2005	24,218	36.2	13,537	42.3

**Source: West African Examination Council, Freetown.**

### 17.3 Technical and Vocational Education Level

**17.3.1** About 29,000 full time students and 4,000 non-formal livelihood skills trainees enrolled in 2004. Open to both female and male students, observed trends were a preference for Secretarial Studies Programme teaching English, Typing, Shorthand and Computing among females. Male students on the other hand, had a preference for Accounting and Finance, Marketing, Business Administration and Computing. Courses offered in the non-formal sector were usually Tailoring, Soap Making, Gara tie-dying; Hair dressing and Catering were found to be very popular among females. Entry requirements for the non-formal courses are opened to non-literates and the curricula are usually not standardized neither are they influenced by industry/job



requirement/specification. The qualifications and experiences of teachers in such programmes, the number of male and female teachers teaching those courses cannot be ascertained as there are no available data.

**Table 17.0: Enrolment of Trainees in Technical/Vocational Institutions by District**

	Enrolled Trainees									
	Formal					Non-Formal				
	Male	%M	Female	%F	Total	Male	%M	Female	%F	Total
Kailahun	274		496		770	0		381		381
Kenema	1,098		1,973		3,071	293		439		732
Kono	135		311		446	112		197		309
Bombali	2,389		1,325		3,714	183		304		487
Kambia	133		202		335	10		45		55
Koinadugu	51		81		132	40		30		70
Port Loko	629		776		1405	13		136		149
Tonkolili	715		829		1544	43		193		236
Bo	2,339		3,297		5,636	768		946		1714
Bonthe	142		97		239	5		16		21
Moyamba	232		412		644	10		40		50
Pujehun	419		285		704	83		86		169
W. Rural	198		611		809	126		173		299
W. Urban	2,749		6,362		9,111	587		1,104		1691
<b>S. Leone</b>	<b>11,503</b>		<b>17,057</b>		<b>28,560</b>	<b>2,273</b>		<b>4,090</b>		<b>6,363</b>

Source: SABABU Education Project, GTZ Sierra Leone, Statistics Sierra Leone

Report on the Status of Technical and Vocational Education in Sierra Leone, MEST, December 2005.

## 17.4 Tertiary Level

**17.4.1** Access to university education is opened to persons who pass with a minimum of five credits at the General Certificate of Examination (GCE) Ordinary Level Examination or the West African Secondary School Certificate Examination (WASSCE), both of which are conducted by the West African Examinations Council (WAEC). As indicated in the preceding section on secondary education, the enrolment of boys at that level far outweighs that of girls. In addition, at least 20 percent of girls enrolled drop out before completion at this level due largely to teenage pregnancy, high tertiary fees and poverty are the most common (Sierra Leone CEDAW Survey, 2005). Pass rates for examination candidates are also far lower for girls than for boys.

## 17.5 Enrolment at Fourah Bay College

From Table 18 below, only an average of one in five women enrolled for university education during the period 1980 to 1986.

*Table 18.0: Full Time Students Enrolled at Fourah Bay College*

Year	Male	Percentage	Female	Percentage	Total
1980/1981	350	75.6	112	24.4	462(100)
1981/1982	NA	-	NA	-	-
1982/1983	329	75.6	106	24.4	435(100)
1983/1984	264	75.6	85	24.4	349(100)
1984/1985	306	83.4	65	16.6	371(100)
1985/1986	NA	-	NA	-	-
1987/1995	NA		NA		
1996/1998*	1093	77.5	317	22.5	1410(100)
1998/1999	1243	81.7	279	18.3	1522(100)
1999/2000	1269	80.9	299	19.8	1568(100)
2000/2001	1460	82.2	316	17.8	1776(100)
2001/2002	1723	83.0	350	17.0	2075(100)
2002/2003	1793	81.4	409	18.6	2202(100)
2003/2004	1950	80.0	487	20.0	2437(100)

**Fourah Bay College Statistical File; SL Government: Annual Statistical Digest, Central Statistics Office, 1992**  
Extended Year due to instability

**Table 19.0: Percentage Distribution of Students by Faculty by Sex, 1990/91-1996/98 and 2003/04**

Year	Arts		Social Sciences & Law		Engineering		Pure & Applied Science	
	Male	Female	Male	Female	Male	Female	Male	Female
1990/19	68.8	31.2	84.2	15.8	97.2	2.8	81.0	19.0
1991/96	NA	NA	NA	NA	NA	NA	NA	NA
1996/98*	75.5	24.5	83.6	18.4	94.6	5.4	90.9	9.1

1999/00	NA	NA	NA	NA	NA	NA	NA	NA
2000/01	75.8	24.2	88.1	11.9	95.3	4.7	88.7	11.3
2001/02	77.7	22.3	83.1	16.9	95.1	4.9	85.9	14.1
2002/03	86.3	13.7	81.5	18.5	95.7	4.3	76.0	24.7
2003/04	75.4	24.6	81.5	18.5	92.5	7.2	78.3	21.7

**Source: Fourah Bay College Statistical File**

**17.5.1** Introduction of an Access Programme that provides remedial courses in the sciences for candidates who fail to meet the minimum entry requirements for admission to the degree programme, accounts for the increased enrolment of females for Pure and Applied Sciences from 14.1 percent to 24.0 percent in the 2001/2002 and 2003/2004 academic sessions.

#### **17.6** Institute of Public Administration and Management (IPAM)

**Table 20.0: Percentage Distribution of Students Admitted at IPAM by Sex**

Year	Male (%)	Female (%)	Total
2002/2003	60.8	39.2	100 (378)
2003/2004	67.9	32.1	100 (480)
2004/2005	66.8	33.2	100 (440)
2005/2006	70.7	29.3	100 (662)

**Source: IPAM Registry**

**Table 21.0: Percentage Distribution of Students Admitted at IPAM by Level by Sex**

Year	Post graduate			Degree			Diploma			Certificate		
	M	F	Total	M	F	T	M	F	T	M	F	T
2002/03	78.1	21.9	100 (32)	61.4	38.6	100 (145)	68.1	31.9	100 (144)	40.0	60.0	100 (35)
2003/04	77.5	22.5	100 (71)	66.7	33.3	100 (162)	72.7	27.3	100 (194)	43.2	56.8	100 (37)
2004/05	83.3	16.7	100 (60)	67.7	32.3	100 (186)	66.7	33.3	100 (126)	58.9	41.1	100 (56)
2005/06	83.8	16.2	100 (80)	67.4	32.6	100 (227)	75.6	24.4	100 (242)	57.1	42.9	100 (112)

**Source: IPAM Registry**

**17.6.1** Reportedly the Institute of Chartered Secretaries and Administrators indicates a higher percentage of females relative to males. This can be explained by stereotypes in choice of career which dictates that secretarial duties are for women while managerial duties are reserved for men.

## 17.7 Njala University College and College of Medicine and Allied Health Sciences (COMAHS)

17.7.1 As evident in Tables 22.0, below, males dominate in all faculties, except the Basic Medical Services (Table 23.0), where 52.7 percent of students are females. This is attributed to female preference for the biological aspects of the clinical sciences compared to hard core science subjects like chemistry and physics, which are the major requirements for admission to the Clinical Sciences.

Table 22.0: Percentage Distribution of Students admitted at Njala University College

Faculty	Male	Female	Total
Agriculture	85.4	14.6	100 (274)
Education	89.0	11	100 (455)

Source: University Secretariat 2003

Table 23.0: Percentage Distribution of Students admitted at COMAHS

Faculty	Male	Female	Total
Clinical Services	87.5	12.5	100 (8)
Basic Medical Services	47.2	52.7	100 (36)

Source: University Secretariat 2003

## 17.8 Teacher Colleges and Polytechnics

Table 24.0: Percentage Distribution of Students Enrolment at MMCET

Campus by Sex 2004/2005

Campus	Male	Female
Goderich	59.0	41.0
Congo Cross	65.0	35.0

Brookfields	10.7	89.3
<b>Total</b>	<b>57.6</b>	<b>42.4</b>

**Milton Margai College Of Education And Technology (MMCET) Registry 2005**

**17.9 Special Needs Schools**

**17.9.1** A number of schools exist around the country to cater for the educational needs of physically challenged persons. Special provisions are available for physically impaired, and mentally retarded to access educational facilities. For example, there are six (6) schools for the Blind nationwide. Five (5) of these are located in the different districts across the country and the one in Freetown was established fifty (50) years ago. At the secondary and tertiary level, however, blind people access education in the same environment as other students. Admission into special needs school is open to both boys and girls but only a limited number of girls are enrolled in each of these schools. At the Bombali Blind School, seven (7) out of the eighteen (18) inmates are girls and the ratio is similar in Freetown. It was noted that for cultural reasons, parents prefer to keep physically challenged girls at home presumably for special care and protection.

**Table 25.0: Adult Literacy Rate in Sierra Leone**

<b>Year</b>	<b>1985</b>	<b>1995</b>	<b>2004</b>
<b>Overall Adult (Age 15+ Literacy Rate %</b>	13	21	49
<b>Female</b>	09	10	29
<b>Male</b>	17	32	39

**Source: UNESCO Statistical Year Books; 1980 – 1992, 1985 and 2004 Census Report.**

**17.9.2** The overall Adult Literacy rate disaggregated by sex as depicted above is very low. Although figures obtained from the 2004 Census indicate dramatic increase in the literacy rate

of females which increased from 10 percent in 1995 to 29 percent, additional input is still required to close the gap in literacy between males and females.

### **17.10 Career Guidance**

**17.10.1** For the successful implementation of the 6-3-3-4, the Guidance and Counseling Department of the Milton Margai College of Education and Technology (MMCET) was established. According to the new Education Policy of 1995, “the Guidance and Counseling Unit shall be the school’s mechanism for ensuring that no area lags behind during the students programme”. As such over two hundred Educational Guidance Counselors have been trained to assist in career, guidance by preventing the squeezing of round pegs into square holes and to contribute meaningfully towards the holistic development of pupils. This has helped women and girls tremendously as it is now common to see women entering into the fields of traditional male domain areas like Engineering, Medicine and perhaps Agriculture. Girls and boys are not equally represented in the different branches, streams or tracks simply because the enrolment rates differ. Currently women and girls encouraged pursuing sciences, Engineering, Agriculture and Medicine etc and preferences are given to them in the award of grants or scholarships and job opportunities to women who pursue such courses.

### **17.11 Access to Grants or Scholarships**

**17.11.1** The grants or scholarship available is known as the Sierra Leone Government Grant-in-Aid and it is available to both males and females. In fact preference is given to women and girls who study disciplines that were regarded as male domain such as Agriculture, Sciences, Engineering, and Medicine etc. At the moment there is no available data on the quota system to men and women as this is tied up to the amount of applicants in the various disciplines. Women and girls have equal opportunities to compete for grants or scholarships in the country.

**17.11.2** There are grants or scholarships available solely for women and girls. The government of Sierra Leone with support from partners initiated and is currently funding the girl-child

education scheme. This project provides full scholarship to all girls who enter Junior Secondary School in the Eastern and Northern Regions of the country. The percentages of girls benefiting from such scheme are not recorded as it keeps fluctuating. Forum for African Women Educationalists (FAWE) also give awards to girls who excel in public Examinations.

#### **17.12 Participation in Sports and Physical Education in Schools**

**17.12.1** Women and girls have equal opportunities as men and boys to participate in sports and physical education in schools. There is no discrimination neither are there regulations that prohibit women and girls from participating in sports and Physical education in schools and other institutions of higher learning. There are no feasible barriers be it political, social and cultural in preventing women and girl's participation in sports and physical education in educational institutions in Sierra Leone. In fact the ex-head of department of Physical Health Education in Njala University College was a woman who served as mentor for other women and girls. Today it is common to see girls and women studying physical health education in schools and tertiary education levels. Most of the medals, bronze and silver won by Sierra Leone are from women and girls.

### **18 ARTICLE 11: EQUAL RIGHTS TO EMPLOYMENT AND EMPLOYMENT OPPORTUNITIES**

**18.1** According to the 1998, Sierra Leone's Human development report, women accounted for 40.5 percent of the clerical cadre in the formal sector employment and only 8 percent of the administrative and management cadre. The sectors in which women are commonly employed are agriculture where they constitute 55 percent of the labour force. In the professional technical and managerial/administrative categories the gap between men and women is even wider. Generally women have little access to non-traditional employment: although increasing the proportion of women in wage employment in the non agricultural was only 7.5 percent in 2001 up from 6.4 percent the previous year. To date employees in the non- agricultural sector largely comprise men.

**18.2** Tax laws and employment benefits often do not discriminate against women. Little support is given for child care to working women. In addition more than three (3) sets of laws: customary, religious, and common/civil laws determine issues which govern women's lives and yet most of them are contradictory and impinges on women's reproductive and productive lives.

**18.3** In the informal sector where women predominates, they are not covered by any law and the main activities include soap making, tie dying and petty trade, generally the reward is low. Even in farming where women are engaged mainly food production (subsistence farming) cash returns are much lower than that for cash crops where men dominate.

#### **18.4 Legal and Other Measures**

**18.4.1** Sierra Leone ratified the ILO Convention 100 on Equal Remuneration in 1968 and convention 111 on Discrimination (Employment and Occupation) in 1966.

**18.4.2** The 1991 Constitution grants equal rights of employment to men and women however no national labour policy has been formulated which will promote equality of opportunity and treatment in employment and occupation and that no national legal instrument exists which provides effective protection against discrimination in employment.

**18.4.3** The 1991 Constitution of Sierra Leone guarantees every Sierra Leonean equal right to employment.

Section 8 subsections 3a, c & e of the 1991 Constitution requires the state to direct its policy towards ensuring that:



- Every citizen, without discrimination on any grounds whatsoever shall have the opportunity for securing adequate means of livelihood as well as adequate opportunities to secure suitable employment.
- The health, safety and welfare of all persons in employment are safe guarded and not endangered or abused and in particular a special provision be made for working women with children having due regard to the resources of the state.
- There is equal pay for equal work without discrimination on account of sex and that adequate and satisfactory remuneration is paid to all persons in employment.

**18.4.4** This constitutional provision guarantees equal rights for both women and men to free choice of profession and employment. Besides these constitutional provisions, Government has adopted other labour regulations to ensure that women enjoy their rights to employment on a basis of equality with men. One of such is The National Social Security and Insurance Trust (NASSIT) Act which has resulted in the establishment of a social security scheme that guarantees the rights of employees to social security, particularly in cases of retirement, sickness, invalidity and old age and other incapacity to work. However, the Trust only covers paid employees. It does not make any provisions for non-remunerative and informal sector work, where women are predominantly engaged. Special measures to mobilize women to join as contributors in order to enable them benefit equitably from this social safety net are grossly lacking.

## **18.5** Institutional Mechanism

**18.5.1** There is a Ministry of Labour and Industrial relations established among other things to handle all Labour and employment issues and ensuring compliance with all Labour laws in both public and private spheres.

**18.6 Actual progress made to ensure the elimination of discrimination against Women in employment**

**18.6.1** To complement available constitutional and other provisions the National Policy for the Advancement of Women was adopted in 2001. The policy guarantees inter alia:

- I. right of women to work at any level of government, from the village level to the central level
- II. right to equal job opportunities, payment, promotion, appointments and training.

**18.6.2 Free choice of employment; equal criteria for promotion and benefits, including retraining**

**18.6.2.1** Women freely choose their professions based on their qualifications and experience. Some of these professions which are predominately filled by women include: nursing, hairdressing, teaching, catering etc. By custom, a Sierra Leonean woman's husband will not accompany his wife when she is sent on transfer. This prohibits women from taking up jobs that involve moving from one station to another at frequent intervals. Criteria for women and men for promotions, job security and all benefits and conditions of services are the same.

**18.6.3 Equal Pay, benefits and equal evaluation of work**

**18.6.3.1** There is equal pay benefit for all work done by men and women in the same job. Similarly, all work related benefits including non-monetary are the same. In government and private Institutions the criteria are the same. However, work done by women in the home is not recognized as part of the work done in the labour force. Interestingly enough, women themselves who perform these chores at home do not know that the domestic chores they perform are work that is of value to the survival of the home. There is however no studies to calculate the value of work done by women in

the non-monetized sector including agriculture work, domestic work, child care, elderly care, family education and health care.

#### **18.6.4 Social Security and other benefits**

**18.6.4.1 The NASSIT Act of 2005** provides for social security benefits to contributors to the scheme. However section 45(1) provides that 40 percent of insured person's pension is payable to a widow or widower. However it is not applicable in the informal sector where majority of the women find themselves.

**18.6.4.2** Retirement benefit is enjoyed by working women and men based on the salary scale at retirement. The National Social Security Trust (NASSIT) has the responsibility of paying the benefits to contributing workers.

**18.6.4.3** Women work in family owned businesses but there are no measures to ensure that these women enjoy work related benefits like other women in non-family businesses. Besides there are no statistics on women who work without pay and other work related benefits. Women who are denied these benefits have nowhere to turn to.

#### **18.6.5 Prohibition of discrimination or dismissal on the grounds of pregnancy, maternity leave or marital status**

**18.6.5.1** Women who are pregnant on the job are not dismissed and those who are granted maternity leave resume after the expiration of their maternal leave or if they are not able to return on the agreed time for any reason, they write to ask for extension of leave. Even in the privately owned businesses, women enjoy their rights to maternity leave. A woman is granted maternity leave without maternity pay or benefits.

**18.6.5.2** There is a net work of child care facilities though they are limited and are privately owned. Day care and nursery schools serve as child care facilities. These are

so expensive hence not within the reach of most working women and are usually concentrated in the urban area. These centers have a mixture of trained and untrained personnel. These facilities are available to all those who can afford the cost. The state does not provide social services or financial support to parents in a bid to balance their work with family responsibilities and equally contribute to public life. There is most times the tendency for parents to remove their older children (especially girls) from school to take care of their younger siblings.

#### **18.6.6 Health and Safety in working conditions**

**18.6.6.1** The Government sets health and safety standards but the standards are outmoded and often not enforced. The health and safety division of the department of labour has an inspection and enforcement responsibility but inadequate funding and transportation limits its effectiveness. The Sierra Leone Labour Congress is currently negotiating with the government to update these standards.

**18.6.6.2** Health and safety regulations are included in collective bargaining agreement but there is no evidence of systematic enforcement of those safety standards. Trade unions provide protection for workers who file complaints about working conditions. Initially, the unions make a formal complaint about the hazardous work conditions, if the complaint is rejected the Unions may issue a 21 day strike notice. If workers remove themselves from dangerous work situation without making formal complaints, they risk being fired. Sexual harassment of women exists in most work places and there is no government policy to protect women from such act. The sexual violence Act 2004 is silent on sexual harassment of women in the work place.

#### **18.7 Obstacles to Combating Discriminatory Employment Practices and Stereotypes**

**18.7.1** There are no de jure discriminatory practices inhibiting women's access to employment opportunities and benefits. However, there are subtle discriminatory

practices rooted in traditional biases and prejudices which either derive from or result in low levels of education, heavy burden of domestic work, inadequate training, and exposure and job experience for rapid upward mobility at work etc. These prevent women from enjoying defacto equality in employment opportunities and benefits. In general, women are placed in less privileged positions in the economy, earn less than men, and work under more precarious conditions. In the public service, majority of women are in the lower cadre of employment such as secretaries/receptionists, clerks and other support staff.

### **18.7.2 Family Commitments**

**18.7.2.1** In the Sierra Leone civil service in particular, women who live with their parents or have young children, have on many occasions refused to be transferred outside duty stations, thus losing the opportunity of gaining relevant experience required to qualify them for promotions. The lack of support systems such as day-cares or crèches constitutes a barrier to women's full participation in both the public and private sector. Mothers due to gender division of labour are charged with caring for the young ones. The double burden consequently resulting from career and family management inhibits women's entry to and progress in the labour force.

### **18.7.3 Education**

**18.7.3.1** Over the years, fewer females than male have accessed high level jobs. Lower literacy rates among women continue to deprive them of access to higher paying, socially secured job opportunities. Sound and qualitative education, training and skills development which women often lack is a prerequisite for obtaining secure work in professional organizations and maintain steady progress to management and executive levels. Another inhibiting factor is the tendency for girls and women to pursue courses and acquire qualifications in areas that attract lower wages and are often seen as non-essential/priority professions.

## **18.8 Challenges**

**18.8.1** There are no sex-disaggregated data on employment across sectors, professions and disciplines to guide strategic planning and intervention to address gender disparities. Development of gender sensitive database and provision of appropriate training to enhance women's leadership and management skill is required to bridge existing gaps.

## **19 ARTICLE 12: EQUALITY OF ACCESS TO HEALTH CARE**

### **19.1 Legal Measures**

**Sections 8 (3) d, e of the 1991** Constitution deal with health issues. These sections emphasize parity with regards to health among all persons in Sierra Leone. These sub sections seek to ensure that;

- (d) There are adequate medical and health facilities for all persons, having due regard to the resources of the State.
  
- (e) Care and welfare of the aged, young and disabled shall be actively promoted and safeguarded.

### **19.2 General Conditions**

**19.2.1** There is no overt discrimination against women in terms of access to healthcare services. Women, especially in the urban area have access to health care facilities though these are expensive and out of the reach and affordability of many, particularly in the rural areas where the bulk of them live. Government and its partners have over the years undertaken a number of interventions to provide women with the necessary services. The Ministry of Health and Sanitation has trained community health workers across the country and TBAs are trained on a continual basis in a bid to reduce the

maternity mortality rates. During the war, however, many of the health centers and facilities were destroyed. Hospitals and clinics are being built in every chiefdom headquarter town and existing ones are being rehabilitated. Women's access to these facilities is however hampered by the high cost of the services, high shortage of trained health personnel and traditional beliefs which limit the free choice of women to these services.

### **19.3** Actual Progress in Equality of Access to Health care for all

**19.3.1** In addition to the constitutional provisions, government and its partners have over the years, undertaken a number of interventions to provide women with the necessary health services with varying results.

### **19.4** Communicable Disease Control

**19.4.1** A Ministry of Health and Sanitation study in 2003 indicated that 37.1 percent of the pregnant women were infected with malaria. A study in 2004 also pointed out that 47 percent of outpatient morbidity among children under five (5) years was also due to malaria. Efforts have been made to control the spread of malaria through a **Roll Back Malaria Programme** (RBM) The RBM has also adopted the Intermittent Preventive Strategy, which involves the provision of insecticides treated bed nets, administration of tetanus toxoid, prompt treatment by administering fansidar and providing advice on nutrition. These benefits are provided only to those who attend hospitals either on a cost recovery basis or free of charge depending on the community.

### **19.5** Response to the HIV/AIDS Pandemic

**19.5.1** Government has set up a National HIV/AIDS Secretariat as a major part of its response to the HIV/AIDS pandemic. The Secretariat has provided financial and technical support to civil society organizations countrywide to carry out sensitization. One of the mandates of the Secretariat is to monitor HIV/AIDS programmes and the

benefits to the beneficiaries nation-wide. However, statistics on the number of beneficiaries from such programmes is yet to be made available.

**19.5.2** The report indicates that the HIV prevalence in Sierra Leone is 1.53 percent (127 positives out of 8,308 tested cases). This reveals an increase of 0.6 percent over the 0.9 percent in the CDC estimates of 2002. Although the rates are low the level of infection almost doubled in the three year period. According to the Report there is no significant difference between males (1.5 percent) and females (1.6 percent). It was also observed that infection is higher in the age group of 15-24 for females than males (Government of Sierra Leone 2005). Stigmatization remains a very big challenge for women living with HIV/AIDS as it is often linked to promiscuity.

**19.5.3** To prevent mother to child transmission Neviraprin is administered in government hospitals free of charge. Similarly, all pregnant women are encouraged to be tested after appropriate counseling. If found positive Anti-Retroviral drugs are also provided free of charge.

**19.5.4** CD4 cell count is done without cost for People Living With HIV/AIDS (PLWHA). Community sensitization is conducted nation wide and condom use is widely promoted. However the female condom is very difficult to access largely due to cost, availability and cultural reasons. Sexually Transmitted Infection (STIs) and HIV components have recently been introduced into school curriculum.

## **19.6** Safe Motherhood Programme

**19.6.1** This is a major health strategy adopted by government and its numerous partners in the attempt to enhance the maternal health of women and reduce mortality and morbidity rates. The programme incorporates major activities such as **family planning, obstetric care and training of Traditional Birth Attendants.**



## **19.7 Immunization**

**19.7.1** The programme of immunization started prior to the signing of the CEDAW Convention. It is seen as a strategy to improve women's health by reducing maternal deaths. Available data indicate that the level of coverage for pregnant women has been on the increase since 2002 reaching 64.0 percent for January to September of 2005.

The Table below shows that immunization levels had exceeded 50.0 percent since 2002. (This is due to mass sensitization by the government on the importance and benefits of immunization).

**Table 26.0: Immunization Coverage of Pregnant Women**

<b>Year</b>	<b>Percentage</b>	<b>Female Population</b>
2002	51.0	256628
2003	62.1	273521
2004	60.0	271798
Jan-September 2005	64.0	286360

**Calculated from Data from the Ministry of Health and Sanitation,**

## **19.8 Family Planning**

**19.8.1** Most family planning activities by government are subsumed under the existing Maternal/Child Health programme geared towards reducing maternal mortality. Specific interventions by Government include:

- The formulation and adoption of the National Population Policy with a strong emphasis on family planning as a major strategy.
- The development of a Population Plan of Action for the implementation of the National Population Policy.

- The establishment of a National Family Planning Programme.
- The formation of a draft policy on Sexual and Reproductive Health.

**19.8.2** In addition, three major institutions provide family planning/reproductive health services in Sierra Leone. They are the Planned Parenthood Association of Sierra Leone (PPASL) founded in 1959, Marie Stopes Society of Sierra Leone, established in 1984 and the National Family Planning Programme (NFPP), established in 1992. Together these cover almost 70.0 percent of the country except the Kailahun, Pujehun, Bonthe and Koinadugu districts due to their far locations and transportation difficulties. These services are donor driven though the State provides cash subventions and import duty concessions. The United Nations Population Fund (UNFPA) and Care International have been the major sources of contraceptives and other reproductive health commodities.

**19.8.3** The three service delivery agencies provide a full range of reproductive health and family planning services including planning for men and women, pregnancy advice, child delivery services and both ante-natal and post-natal care. One clinic provides STI services, while another offers education through home visits.

**19.8.4** Efforts to make Reproductive Health/Family Planning services widely available to rural areas have so far been unsuccessful as most service delivery points are still in urban areas. The delivery of family planning services throughout the country, especially the implementation of community based projects in rural areas has been hampered by a number of problems and constraints. These include insufficient funding, inadequate trained personnel, affordability on the part of the beneficiaries and the low acceptability rate especially in rural areas where traditional resistance to the modern use of contraceptives is greatest. Further more, the decision to use modern family planning methods lies with the male partner. Family planning services are very expensive and not

within the reach of many women poverty has a female face. The poorest of the poor are women.

**19.8.5** Anemia is a significant problem for pregnant women. Although reporting of causes of maternal death has been shown to be unreliable, anemia has been recognized as one of the major causes of maternal death in Sierra Leone. A study of the nutritional situation in Sierra Leone based on available evidence from the 1978 National Nutritional Survey revealed that pregnant women are at nutritional risk because they are underweight, anemic and vitamin deficient (Kolosa,1980) Pregnant women; it was reported do not gain enough weight during pregnancy. While a normal gain is 12.5 kilograms are seen in health clinics, most health professionals suggest that malnutrition among pregnant women and lactating mother is the second major nutritional problem in Sierra Leone.

## **19.9 Reproductive Health**

**19.9.1** There is limited sensitization, information and counseling regarding family planning, prevention and treatment of sexually transmissible infections and treatment of sexually coercion and violence for women especially in the rural areas. Further more, the men who have the final say whether their partners make use of family planning services are mostly not targeted for information and counseling. The women need the consent of partners. The traditional and/cultural beliefs position men to accept that sexually transmitted diseases/infections are transmitted to them by their wives/partners. A married woman would be accused of promiscuity if her husband/ partner discover she is using any type of the family planning drugs without his knowledge.

**19.9.2** However, NGOs like Marie Stopes and Planned Parenthood Association Sierra Leone (PPASL) have been very instrumental in providing family planning services. These services are however urban-based and suffer from service delivery problem as

well as cultural and other social setbacks e.g., cultural and traditional premium placed on giving birth to many children especially in rural setting, usually decision-making regarding the use of family planning methods lies mostly with the male spouse/partner and not the females.

## **19.10 Maternal Morbidity and Mortality**

**19.10.1** Reduction of Maternal Morbidity and mortality is the thrust of government's maternal health programme. The aim is to reduce the level of maternal deaths in order to meet the target of the Millennium Development Goals (MDGs). In spite of these efforts, the level of maternal deaths during 1985 to 2002 was estimated at 1,800 deaths for 100,000 live births, which is one of the highest in the world (Sierra Leone Poverty Reduction Paper 2005-2007, March 2005, p36). The three UN Agencies, UNFPA; WHO; and UNICEF are collaborating with the government of Sierra Leone on the programme "operationalization of Reproductive Health" in Sierra Leone with a focus on the reduction of maternal mortality and morbidity. The programme aims at increase access to Emergency Obstetric Services in the country.

## **19.11 Major Contributory Factors to the High Maternal Mortality Rate (MMR)**

**19.11.1** It has been estimated that 55-58 percent of maternal deaths are associated with the following conditions, in order of priority (MOH & UNICEF 2004)

Hemorrhage

Obstructed labour

Eclampsia

Infection, malaria included

Abortion

**19.11.2** A UNICEF evaluation study on safe motherhood highlighted multiple socio-economic factors that contribute to the high level of maternal mortality. These include:

(i) the relatively high cost of treatment at health facilities, (ii) lack of trained professional midwives at the community level, (iii) untrained MCH aides and TBAs to undertake complicated obstetrics, as seen in Table 27.0 below.

**Table 27.0: Distribution of Reported Maternal Death by Contributory Factors**

<b>CONTRIBUTING FACTORS</b>	<b>Number of Deaths</b>	<b>%</b>
Women/husband/relatives did not recognize the problem in time	2	10.5
Husband/partner/relatives did not allow her to go to hospital	1	5.3
No transportation to take women to hospital	4	21.0
Could not afford cost of transportation	0	0.0
No staff available at health facility at time of arrival of the women	0	0.0
No competent staff to manage the obstetric problem	4	21.0
No blood available for transfusion	2	10.5
Could not afford cost of treatment	1	5.3
Others	5	26.4
<b>Total</b>	<b>19</b>	<b>100.0</b>

**Source: Evaluation of Safe Motherhood services in Sierra Leone. Final Report**

**UNICEF.**

**19.11.3** Another factor contributing to the rise in the MMR is inadequate specialized health workforce to handle the health situation successfully. This is evident from Table 28.0 below.

**19.11.4** Efforts are also being made to improve the morbidity rates of women by tackling serious health conditions such as Visco Vaginal Fistula (VVF). Due to the lack of adequate surgical facilities, government in collaboration with an international NGO (International Medical Corps) has been providing support for VVF patients. A 20-bed unit with the necessary equipment and facilities are based in Princess Christian Maternity Hospital (PCMH). However, only one (1) doctor and a nurse are trained in VVF surgery. Mercy Ship an international NGO is also treating VVF Patients.

**19.11.5** In 2002, a total of one hundred and forty- two (142) surgeries were conducted at PCMH with a 90 percent success rate. The PCMH operates 4-6 cases a week, provides quality pre and post operative nursing care, conducts health sensitization talks, runs a VVF clinic and provides free caesarean section when required.

**19.11.6** The Fistula Foundation (NGO) has an arrangement with the Choithram Hospital that allows for two (2) wards and an operating room to be used to conduct operations; consequently, one hundred and sixty-four (164) surgeries have been carried out. At various intervals through out the year, specialists from the USA are guests to the Foundation to conduct surgery and train the nurses.

#### **19.10 Staffing Requirements**

**Table 28.0: Distribution of Selected Ministry of Health and Sanitation Personnel July 2004**

<b>Specialization</b>	<b>Number in Post in 1993</b>	<b>Number in Post in 2003</b>	<b>Number in Post in 2004</b>	<b>Number in Post in 2005</b>	<b>Established Vacancy</b>	<b>Gap</b>
Obstetrician Gynaecologists	2	8	7	6	30	24
State certified Midwives	-	-	197	-	300	103

**Source: Ministry of Health Human Resource Development Survey 2004.**

**19.10.1** As seen in the Table above there is a gross shortage of relevant staff that could contribute to the improvement of the MMR. A total of eighty percent of all expected gynecologists are not at post. This implies that the health system is only running on a fifth of its capacity. The situation is much better regarding State Certified Midwives. Although almost 66 percent of the expected personnel are in post slightly more than a third more need to be recruited in order to make the system fully functional.

**19.10.2** Available data revealed that all government gynecologists/obstetricians and all pediatricians are located in urban areas. Similarly all four available government nutritionists are also located in urban areas. On the contrary, over two thirds of the MCH Aides are in the rural areas.

- The percentage of births attended to by trained health personnel has dropped significantly over the years as seen in Figure 4.

**Figure 4: Percentage of Births attended to by Qualified Health staff over time**

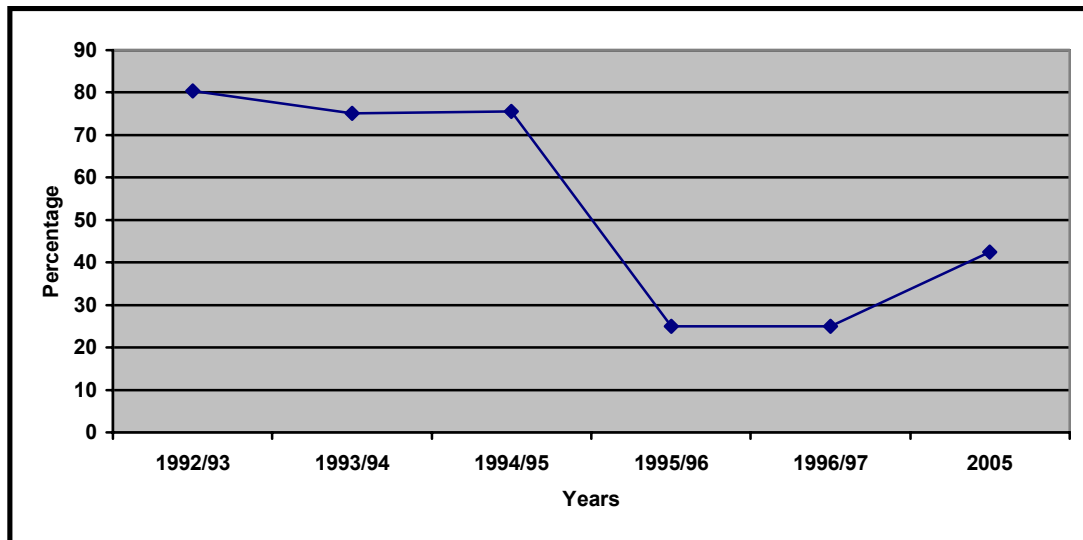


Figure 4 indicates a continuous downward trend. In 1995/96 only 25.0 percent of all births were attended to by the appropriate health personnel. The situation has improved in the last decade. However, less than fifty (50) percent of all births are still attended to by skilled personnel.

#### **19.11 Additional efforts to improve MMR:**

##### **19.11.1 Training of health staff to manage complications of pregnancies and deliveries.**

To meet the challenges of providing health for women, the Ministry of Health and Sanitation and its NGO partners have carried out a number of training sessions to improve the available expertise. Key trainings have included those for TBAs who perform significant roles in the rural areas. Training is also provided in specialized areas such as administration of anti-retroviral drugs, emergency obstetric care and contraceptive technology. Currently the government, UNFPA and European Union (EU)

are collaborating in the training of the second batch of Nurse Anesthetists who will be deployed in all districts to facilitate the handling of all emergency operations. The batch of eight graduated and were deployed in six (6) district hospitals.

- Improving transportation, ambulance carts are being used to move pregnant women from remote areas to urban areas where the health facilities are centralized. UNFPA has provided twenty ambulances, trailers, motorized power tillers and tractors to communities to reduce delay in transportation as well as empowering women economically through agriculture.
- Sensitization of pregnant women on the complications of pregnancies and the necessary actions they should take.

**19.11.2** Key NGOs also provide the following sexual reproductive services to complement government efforts:

Conducting Pap smear tests for cervical cancer.

- Running ante-natal and post natal services at affordable cost in some areas of the country.
- Syndromic treatment of STIs.
- Realizing the dangers of abortion, the NGOs have been advocating for law reforms on abortion in cases of rape and unwanted pregnancy.
- Education and awareness raising on the use of family planning methods to prevent unwanted pregnancies.
- Introduction of the morning after pill to reduce the complications of unsafe abortion.
- Awareness raising on the female condom, in order to reduce the threat of contracting HIV and other STIs.

## **19.12** Environmental Sanitation

**19.12.1** Government in the nineties formulated a national policy on the environment that charts the way for improving the environment in general. The level of implementation



has been low and slow. This has given rise to a decline in environmental sanitation especially in the big cities and towns and has contributed to the high incidence of malaria nation-wide.

**19.12.2** Challenges to improving the sanitation of the environment include; The slow pace of uptake of responsibility for ensuring proper environmental sanitation in the Municipality, appropriate and cost effective strategies for waste collection and disposal have still to be put in place, lack of man-power and logistics.

### **19.13 The Disabled**

**19.13.1** There is a shortage of services for the disabled especially the physically disabled. There are no provisions for special facilities for easy mobility/access for them. However, there is a school for the blind, deaf and dumb.

### **19.14 The Aged**

**19.14.1** There is only one institution for the aged called “The King George V Home for the Aged”.

### **19.15 Mental Health**

**19.15.1** Government recognized that mental health is part of the health system; nevertheless this sector is grossly under resourced. It is very difficult to obtain reliable data on the percentages of mental cases nation wide, however a 2002 sample survey indicate the following:

‘Twenty (20) percent psychotics; 4.0 percent with severe depression, 4.0 percent with severe substance abuse; 1.0 percent mentally retarded and 1.0 percent with epilepsy (Jensen, 2002)’. The data is not disaggregated by sex making it difficult to determine the level of women’s mental health from the study. Nevertheless, other findings indicate

that women are less prone to alcohol and drug abuse than men to a ratio of 5:1 and 2:1 respectively.

**19.15.2** In compliance with providing overall health (including mental health) Government does run a psychiatric hospital which is often described as:

“a worn out, psychiatric hospital with 120 patients, one-fourth in heavy iron chains, lacking basic drugs, adequate mental health training of staff at primary, secondary and community health care levels”.

**19.15.3** It is noteworthy that there are only three formally trained Sierra Leonean mental health professionals, one Psychiatrist and two Psychiatric nurses in the entire country.

**19.15.4** Against this constraining background, qualitative data derived from in depth discussions with key personnel in the mental health section of the Ministry of Health and Sanitation point to the fact that women are more prone to post-traumatic stress derived from the war fuelled by domestic social, economic and psychological problems. A Mental Health Bill has been drafted and is expected to be placed before Parliament for passage. The Kissy Mental home was recently renovated and has improved significantly.

## **19.16 Eye Care**

**19.16.1** The government’s eye care program is largely supported by international NGOs such as Sight Savers International with children constituting over fifty percent of beneficiaries. Others include the United Methodist Conference Eye Clinic and the Baptist Convention Eye Clinic. However available data on such schemes is incomplete, and often un-disaggregated by sex, this limits the analyses and application of their outcomes.

## **19.17 Health Law Reform**

**19.17.1** Government is currently making efforts to reform existing laws to accommodate emerging women's health issues under the Sexual Offences Act 2004. The Law Reform Commission however accepts that a number of International Agreements signed by Sierra Leone including those of CEDAW have yet to be incorporated into the laws of the land. Efforts to incorporate other issues indirectly related to women's health such as the age at marriage are ongoing.

### **19.18** Challenges

**19.18.1** Inadequate manpower, lack of gender sensitive laws and policies continue to constrain opportunities for accessing health care by women on an equitable basis. Weak health infrastructure, inaccessible roads, transportation, un-affordability of drugs and services, complicated by feminized poverty are challenges to women's full enjoyment of available provisions. Increased partnership between the MoHS, MSWGCA and other agencies is required for improving the health status of women and meeting the Targets of the PRSP and the Millennium Development Goals (MDGs). Lack of laws and policies continue to affect women's access to health care.

## **20** **ARTICLE 13: SOCIAL AND ECONOMIC BENEFITS**

### **20.1** Family Benefits

**20.1.1** Section 45 (1) of the NASSIT (National Social Security Insurance Trust) Act on survivors' benefits provides that "on the death of a member, a survivor's benefit in the form of pensions shall be payable to the widow or widower and dependent children of the deceased person". Also in subsection 3 of the Act, it provides that "the widow or widower shall be entitled to 40 percent of the survivor's benefit until death or, in the case of a woman, until she begins to live with a man as a wife..." The Act is however silent on whether a widower who begins to stay with another wife he ceases to benefits from the survivor's benefits.

### **20. 2** Access to Bank Loans, Mortgages and Other Forms of Financial Credits

**20.2.1** The 1991 Constitution guarantees equal access to all opportunities and benefits on merit. In principle therefore, both men and women have equal rights to bank loans and other forms of financial credit.

**20.2.2** Although there are no available data on the number of beneficiaries disaggregated by sex of commercial bank loans and mortgages, women generally have less favourable access than men to financial credit provided by commercial banks. The major factor responsible for such disparity is the inability of women to acquire property which they can use as collateral for receipt of loan. In addition to commercial banks, NGOs have also provided credit facilities targeting women specifically sometimes as individuals, but more often as groups or associations. Loans are provided to help women start, sustain and manage their own businesses in soap making, gara tie dyeing and petty trading.

**20.3** From the government supported programs, the National Commission for Social Action (NaCSA) operates a micro-credit programme (formerly under the Social Action and Poverty Alleviation Programme) NaCSA's (National Commission for Social Action) micro credit programme is specifically designed to target rural communities, groups of women and various community based organizations. The programme is jointly funded by the African Development Bank and the Government of Sierra Leone.

**20.4** To further respond to the limited outreach of previous micro-finance attempts by the government, the government in 2000 adopted a community based chiefdom micro-credit committees comprising the paramount chief, elderly members of the community and women representatives. Each of the one hundred and forty nine (149) chiefdoms in the country has a committee and each received a micro-credit under the programme. Over forty thousand (40,000) loans have been used under this programme.

**20.5** The national micro- finance policy clearly states that at present there are several providers of micro- credit finance with each agency implementing its own scheme. There are no guidelines in terms of policies or even regulatory or coordinating framework. This situation has the tendency of undermining good initiatives in this sector. The policy further highlights a major gap in the efforts of micro- finance as not being sustainable given the interest rates charged since it almost inhibits covering cost and risk of providing micro- finance services to a large number of people.

**20.6** Immediately after the cessation of hostilities, many groups providing micro- finance emerged in Sierra Leone. Private individuals, cooperatives and various NGOs such as the Association for Rural Development (ARD), World Hope International, American Refugee Council (ARC), Grassroots' Gender Empowerment Movement (GGEM) and the Network Movement for Justice and Development (NMJD), among others, provided credit/ grants targeting particularly women. Most of these are limited in outreach and have small funds and staff to properly target the vulnerable.

**20.7** Between 1998-2004, the ARD administered a total of 9,816 group loans and 223 individual loans. Eighty-one percent (81 percent) of these directly benefited women whilst only 19 percent benefited men. Of the 223 individual loans 18 percent went to women and 81.16 percent men. The loans provided to individuals ranged between Two hundred thousand Leones (Le 200,000) to one million Leones (Le1,000,000).

Grassroots' Gender Empowerment Movement micro – credit scheme is specifically geared towards the administration of group loans. Between 2000-2004, a total of 1,657 group loans 81.23 percent went to women and 18.76 percent to male clients.

**20.8** World Hope International in 2002 provided micro-credit opportunities to a total of 9,285 beneficiaries across the country. Ninety-nine point zero three percent (99.03

percent) of the beneficiaries were women. To benefit from the loan scheme, clients are required to pay all their loans within 120 days from the time the loans are given.

## **20.9 Rights to Participate in Recreational Activities**

**20.9.1** There are no legal barriers to the participation of women in recreational and sports activities as well as in other aspects of cultural life.

## **21 ARTICLE 14: RURAL WOMEN**

**21.1** In Sierra Leone females constitute more than 51 percent of the population and most of them live in the rural areas, engaged in subsistence farming, petty trade and management of the family. Women provide more than 80 percent of farm labour for food production, processing, distribution and food preparation. Because of cultural, political and economic conditions, women farmers remain disadvantaged by unequal access to land for agriculture. Various researches have been undertaken by the government through sectoral ministries and NGOs to identify the particular needs of rural women. Among these are health, education, credit and access to agricultural land, participation in governance and decision making, basic amenities (water, electricity, transport and communication facilities).

### **21.2. Access to Health**

**21.1.1** With the end of the war, government embarked on a nation-wide rehabilitation of primary health units and provision of access to such facilities. However, the high cost of health care services and the small number of health personnel has made affordability and accessibility to health care facilities in the rural areas very difficult. In its efforts to provide health care services to the rural women government has formulated health policies and so far the following have been achieved:

- A comprehensive Health Education Policy and developed a well-planned and effective Primary Health care (PHC) delivery system which has been devolved to the Local Councils from the Health Ministry;

- The government has embarked on training TBAs in various chiefdoms throughout the country;
- The government has rehabilitated a number of health centres in the country
- Government also supports Family life education programmes and HIV/AIDS Programmes through the National Aids Secretariat (NAS).

**21.2** Education on reproductive health and family planning is more easily accepted by the urban women than rural women because of the level of education and exposure of the latter. There are also cultural and social problems affecting rural women's access to reproductive health services. The consent of the husband is, as a matter of must, required before the wife can access reproductive health services including family planning. Most often the husband withholds his consent on the grounds of tradition. As a consequence there is high rate of maternal mortality among rural women. Early/ forced marriage is another traditional practice that negatively impacts on rural women's health.

**21.3** Very little has, however, been done in the provision of well trained, committed and remunerated officials. Most health centres do not have adequate medicines. Programmes to address the reduction of the incidence of infant and maternal health problems are yet to be undertaken. See table 29.0 below.

**Table 29.0 Percentage Distribution of Respondents by Use of Family Planning Methods in Birth Control by Province**

Province	Use of Family Planning Methods		Total Percentage
	Yes	No	
Western Area	38	62	100
Northern	9	91	100

Southern	31	69	100
Eastern	5	95	100
<b>National</b>	<b>20.75</b>	<b>79.25</b>	<b>100</b>

**Source: CEDAW Field Survey Data, 2005**

The above table reveals that 20.75 percent of the rural women in Sierra Leone use family planning methods and 79.25 percent do not use family planning methods. At regional level, the Western area has the highest population of rural women that use family planning methods (38 percent) followed by the Southern province (31 percent). The northern and eastern regions have low use of family planning methods which are 9 percent and 5 percent respectively.

**21.4** The existing health care services for women in Sierra Leone are inadequate, expensive and often inaccessible.

**21.5** In rural areas only a small number of the population has access to safe water supply. The majority gets their water from rivers, springs and swamps. Women take the responsibility for this and they spend long hours fetching water. In many cases they are forced to fetch water from unprotected sources, some infected with mosquitoes, often polluted and in poor sanitary conditions. Waterborne diseases are very common in such areas and are a major cause for the high rate of child mortality and low life expectancy. The rebel war led to total destruction, in some parts of the country, of medical infrastructure and facilities. Most rural women were exposed to disproportionate share of atrocities including rape and sexual abuse thus being exposed to sexually transmitted diseases and the HIV/AIDS virus.

**21.6** Access to Education

**21.6.1** The government of Sierra Leone considers women's education as a vital tool for national development. Government has therefore directed its educational policies at



ensuring access to basic education favouring the girl child with a view to helping rural women; relevant goals of the policies are:

- To reduce illiteracy among women and girls;
- To improve technical and vocational training with an increase participation of women and girls for satisfying new demands in various sectors such as industry, agriculture, trade, and commerce and other social services;

**21.6.2** Government action to promote education of girls particularly in the rural areas is discussed under Article 10.

**21.6.3** The non-formal education is more concerned with the promotion of education among rural women in the country. The major aspects of the training are basic skills and adult literacy. At the moment there is no data base to supply accurate statistics about how many women have benefited; besides, the centres for training and literacy education are in the district headquarters, there is lesser access to these facilities by rural women due to reasons of distance and restrictions by their husbands. See tables below:

**Table 30.0 Percentage Distribution of Respondents with Educational Facilities located within and away from their Communities by Province**

Province	Distance of Location of Educational Facilities				Total Percentage
	Less than 1 Mile	Within 1-2 Miles	2 Miles and More	Educational facilities in Community	
Western Area	0	0	0	100	100
Northern	8	16	18	58	100
Southern	5	12	1	82	100
Eastern	5	14	42	39	100
<b>National</b>	<b>4.5</b>	<b>10.5</b>	<b>15.25</b>	<b>69.75</b>	<b>100</b>

**Source: CEDAW Field Survey Data, 2005**

The Table above shows that 69.75 percent of the National population of rural women have access to educational facilities in their communities. 15.25 percent access the educational facilities two miles from their location, 10.5 percent access these facilities within 1 - 2 miles away from their communities and 4.5 percent access these facilities within less than 1 mile from their localities. It is further shown that the Western Area has 100 percent access to educational facilities in their communities, the Southern Region has 82 percent access to educational facilities in their localities while the Eastern Region and the northern region have 39 percent and 58 percent access to educational facilities in their localities respectively.

**Table 31.0 Percentage Distribution of Respondents with Access to Educational Facilities by Province**

Province	Access to Educational Facilities		Total Percentage
	Yes	No	
Western Area	100	0	100
Northern	58	42	100
Southern	82	18	100
Eastern	39	61	100
<b>National</b>	<b>69.75</b>	<b>30.25</b>	<b>100</b>

**Source: CEDAW Field Survey Data, 2005**

The above Table reveals that 69.75 percent of the National population of rural women in Sierra Leone have direct access to educational facilities in their localities and 30.25 percent do not have direct access to educational facilities in their communities.

**21.6.4** Although women's education is essential for self and national development, several factors impede education for them, accounting for the comparatively low number of educated women and a much higher illiteracy rate especially for rural women in the country. Some of these impediments include factors such as early marriage for girls, higher demand for female labour in the family and teenage pregnancy which

causes high drop out rates. Other factors are the cost of education and the preference of many parents to invest scarce resources on the education of male children.

### **21.7 Access to Agricultural Credit and Land**

**21.7.1** Rural women have very little access to credit. Formal credit institutions generally frown at credit for an agricultural activity, which is the mainstay of rural women in Sierra Leone. They normally resort to itinerant money lenders who charge exorbitant interest rates. In most cases, the monies are lent during the hunger season and the loans are to be repaid in kind during the harvest season. Such a credit system has resulted in a vicious cycle of poverty as nearly all harvests are used to repay the seasonal loans. The availability of credit from financial institutions and NGOs and local associations and cooperatives remain severely limited to rural women.

**21.8** Sierra Leone has a dual land tenure system- communal land ownership and the customary land ownership. In the communal land holdings, land belongs purely to the community/Government. Under the customary land ownership, land belongs to a particular family in the community. In the communal land ownership, the use of land requires permission from the town/village authorities and most times there is a limit in the acquisition of land by rural women who must be represented by their husbands. In a few cases the land can be leased to or even purchased by rural women in which case the land can be used on a temporary basis. In the customary land ownership, the land belongs to a family in the community and traditionally only male members of such families have the right to the land and they can inherit, bequeath/pass on to their children. The Law Reform Commission is yet to release proposed land reform which will guarantee rights of women to possess land.

### **21.9 Access to Extension Services**

**21.9.1** Government policy on agriculture provides that “there would be an increase and direct access to extension services to women farmers for institutional, information, financial, technical and advisory support” however, due to the low level of education of rural women, this policy is merely in principle. Most rural women perform agricultural functions restricted to farming activities with no active provision for extension services

Table 32.0 below shows the relative low participation of rural women in extension services as compared to rural men in Sierra Leone.

**Table 32.0 Percentage Distribution of Respondents by Access to Extension Services by Sex**

Access to Extension Services	SEX		National %
	Male %	Female %	
Yes	18	11.33	13
No	54	57.33	56.5
Not Available	28	31.33	30.5
<b>Grand Total</b>	<b>100</b>	<b>100.00</b>	<b>100</b>

**Source: CEDAW Field Survey Data, 2005**

The Table above shows that of the total rural population of men 18 percent have access to extension services as compared to 11.33 percent of the total population of rural women with access to extension services.

**Table 33.0 Percentage Distribution of Respondents Receiving or not Receiving**

**Extension Services by reason by Province**

Reasons for no Extension Services	Province				National
	Western Area	Northern	Southern	Eastern	
Services Not Available	2	41	12	16	17.75
No Money or Source	4	0	0	11	3.75
Sickness of Personnel	0	0	0	3	0.75
Too Much Work Load	1	0	0	0	0.25
No Land to Cultivate	5	0	1	0	1.5
Too Busy with Trading	2	0	0	0	0.5
No Farming Activities	7	9	17	2	8.75
Student	0	0	0	1	0.25

Not Prepared	0	1	7	0	2
Inaccessible Road to Location	0	0	1	0	0.25
Unfortunate	0	2	11	33	11.5
Partner/Spouse own Land/Farm	0	4	14	19	9.25
Provision of Extension Services	79	43	37	15	43.5
<b>Total Percentage</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

**Source: CEDAW Field Survey Data, 2005**

The Table above reveals that 43.5 percent of the national rural women's population receive extension services and the remaining 56.5 percent do not receive extension services. The table also shows that bulk of the services are given in the Western area with 79 percent of the rural women accessing it, followed by the northern region with 43 percent, and 37 percent for southern region. The eastern region receives the least extension service with only 15 percent of the rural women accessing it.

## **21.10 Memberships in Co-operatives**

**21.10.1** Most rural women are self-employed either in agricultural activity or petty trading. During and immediately after the civil war, special programmes and funds were created targeting rural women in the form of micro-credit schemes. These programmes were often developed as components of larger development projects run by government and NGOs. In addition, women have taken measures to help one another in gaining access to credit either through traditional group savings or associations or cooperatives. NGOs conducted workshops to train rural women to form savings and credit clubs as a prerequisite for the award of micro-credits. Through group saving schemes, women have been able to accumulate enough funds to buy fertilizers, improved seeds and pay for transportation to market their produce. Women co-operatives exist in all rural communities with large resettled population. Self –help groups were formed for rotational farm work.

### **21.11 Social Security and Benefits**

**21.11.1** The newly developed social security scheme is an improvement on the pension scheme that existed before; this latter was more for workers within the government establishment. The NASSIT Act of 2001 provides for social security benefits to salaried employees who contributed to the scheme. This is regardless of marital or family status. 87.25 percent of the population of rural women are non-beneficiaries of the scheme, owing to the fact that most are self-employed and therefore cannot contribute to the scheme. As entrenched in section 45, sub section 1 of the 2000 NASSIT Act, “on the death of a member, survivors’ benefit in the form of pension shall be payable to the widow or widower and dependent children of the deceased person; in sub section 3 it is stated, “The widow shall be entitled to 40 percent of the survivors’ benefit until death.....and the dependent children shall be entitled to 60 percent of the benefit...” The scheme, is currently working on strategies to target the unemployed/self- employed (including women).

### **21.12 Participation in the elaboration and implementation of development planning at local government level.**

**21.12.1** The governments, through the establishment of Local Councils, have created opportunities for rural women to participate in the formulation and implementation of development planning at the local government level. Women are serving as Councilors in the respective Councils in the country (with the exception of Koinadugu District Council). One woman is currently serving as council Chairperson and two others are serving as Deputies. At the Ward level, the local government Act of 2004 provides for a statutory 50/50 gender composition.

### **21.13 Access to Infrastructure**

**21.13.1** The decade long civil war destroyed most of the basic amenities which were already crumbling due to lack of maintenance long before the war. In the post war reconstruction, government has prioritized the provision of amenities that are urgently

needed. Government is pursuing an active development strategy in transport, power, telecommunications, and water and sanitation sectors aimed at expanding and increasing the efficiency of service delivery in each area. The National Commission for Social Action (NaCSA) has championed the activities of government in this direction and collaborates with NGOs and CBOs and other development partners. Schools, community health centers, water and sanitation are now available in many areas due to these interventions.

**21.13. 2 Transport:** The Government is trying to address the appalling state of the road infrastructure. This is coordinated by the SLRA, which is largely funded by donors. In the medium term recovery efforts will focus mainly on rehabilitating feeder roads. This is geared towards benefiting rural communities especially women. The opening-up of road networks will allow rural women to transport their goods to markets around the country at affordable costs.

**21.13.3 Electricity:** Electricity supply is limited to the capital Freetown and the provincial headquarter towns in the southern and eastern provinces. The overall supply is irregular and accessed by very few. In this connection, government has requested the support of the World Bank group to commission a study to reform the power sector. Government is developing a private sector partnership participation strategy, with support from the World Bank. Government has secured funding from the African Development Bank and the Italian Government for the completion of the Bumbuna Hydro-electric Dam, which will increase power supply to parts of the rural areas in the north.

**21.13.4 Water supply:** The civil war caused extreme physical damage both to provincial water installations and rural water supply schemes. Only about 30 percent of rural population has access to safe drinking water. NGOs such as Action Aid have constructed water wells in all rural communities to ease the problem of water supply.

## **22 ARTICLE 15: EQUALITY BEFORE THE LAW AND IN CIVIL MATTERS**

### **22.1 Legal Measures**

#### **22.1.1 Equality under General Law**

**22.1.2** There is no discrimination between women and men under the Civil law as there are no restrictions placed on individuals in concluding contracts and administering property. Women can also freely conclude contracts and administer property in their own name as individuals. Similarly, women can also sue and be sued in their own right as evident by existence of female Plaintiffs and Defendants in all the Courts in Sierra Leone.

**22 1.3** under criminal law, women can prosecute and be prosecuted in their own name.

**Section 23(1) of the 1991** Constitution provides and assures protection of the law to any person, irrespective of their sex and guarantees that, “Whenever any person is charged with a criminal offence he shall, unless the charge is withdrawn, be afforded a fair hearing within a reasonable time by an independent and impartial court established by law”. In practice, sentences are not determined by sex but by the severity of the offence.

**22.1.4** Women participate as jurors who sit with Judges to determine matters as the **Criminal Procedure (Amendment) Act No.12 of 1972** lawfully provides for both men and women to become jurors but not on equitable grounds as this Act specifies that:

–

- (a) every male person between the ages of twenty-one and sixty years, and
- (b) every female person between the ages of thirty and sixty years, who is resident in Sierra Leone and is literate in English shall be liable to serve as a Juror”.



**22.1.5** The rationale for the differential age of juror selection is not explained or substantiated and would seem to be the stereotypical portrayal of women attaining the age of intellectual maturity at a latter age than their male counterparts.

**22.1.6** In the Court System, (i.e. Local Courts, District Appeal Courts, Magistrate Courts, High Court, Court of Appeal and Supreme Courts) there are no written laws or policies exempting women from becoming Court Personnel.

## **22.2 Equality under Customary Law**

Under customary law there are no rules exempting women from suing or being sued. Women can also freely enter into contracts in their own name and in the cases of female Paramount Chiefs, in applicable communities; they can be heads of families and therefore administer property. Women can also legally be appointed as Local Court Chairmen; however, out of about three hundred and fifty (350) Local Courts in the provinces, there is only one female Local Court Chairman representing 0.35 percent.

## **23. ARTICLE 16: EQUALITY IN MARRIAGE AND FAMILY LAW**

### **23.1 Legal and Other Measures**

**23.1.1** In Sierra Leone family relations are governed by Civil (General), Religious and Customary Law. Two forms of family exist in Sierra Leone. The nuclear and the extended family system. The nuclear family consists of one man, wife and children living in the household. It is usually the form of family that is practiced by educated people and Christians living in the urban areas of the country.

**23.1.2** Extended family consists of the parents, children and other relations including grand-parents, sisters, brothers, cousins living together in the household. It is usually the form of family that is found amongst the uneducated, Muslims and non-Christians (Joko-Smart Sierra Leone Customary Family Law.) Marriages contracted under general, customary and religious law are legal.

## **23.2 Freedom to choose a Spouse**

**23.2.1** Under general law, marriage is a contract and therefore, the parties (i.e. both man and woman) must agree before the marriage contract is valid. Lack of consent of either party will make the marriage voidable.

**23.2.2** Under traditional customary law, the consent of the girl/woman was not relevant particularly where her suitor was a chief or influential elder in the village/town or chieftdom. It was only the male spouse whose consent was legally required. However, under modern customary law, the consent of the girl is legally necessary.

**23.2.3** In addition, **Section 7(2) of the Christian Marriage Act, Cap 95 of the Laws of Sierra Leone (1960)** as amended, provides for the Father's consent where a party to a marriage is under 21 years. The Section provides that:

“No marriage may be celebrated under the provisions of this Act between persons of whom each or either not being a widow or widower is under the age of twenty-one years, unless the consent of the father, or if he should be dead or unable for any reason to give such consent, then of the mother...”

**23.2.4** This is clearly discriminatory against women as the mother's consent is not required in the alternative when the father is alive and able/capable to give such consent. Where for any reason the father withholds such consent, that marriage cannot lawfully be celebrated as the mother cannot do anything until the father is dead.

**23.2.5** Under Customary Law Marriage, the consent of the parents of the spouses- to-be is necessary for a valid marriage but there is no minimum age for marriage. For a male spouse- to- be, although in practice the consent of the family (including his mother and father) is sought, he can contract a valid marriage without family consent. But for a female spouse- to- be, both the father and mother if alive must agree before a valid

marriage could be contracted. It is only when there is conflict between their wishes that those of the father prevail.

### **23.3 Duties of Parties/Spouses**

**23.3.1** Under General Law, the husband has the duty to maintain the wife. Maintenance includes the provision of a home/dwelling place, food and clothing. There is no corresponding legal duty imposed on the wife to maintain the husband. The wife on the other hand, has the duty to do all the domestic chores in the household.

**23.3.2** Each spouse owes the other duty of sexual intercourse beginning with the duty to consummate the marriage. The husband alone has the duty to physically protect the wife and it is for this reason that in criminal law the right to self defence is extended to the defence of a wife in the face of impending harm or violence.

**23.3.2** Under customary law, the husband has the legal duty to maintain the wife/ wives and to protect her/ them. In return the wife, if she is the sole wife, is expected to do all the domestic work. If there is another wife or wives, these jobs are shared among them with the head/senior wife directing and sharing the jobs. The husband has exclusive sexual rights over the wife or wives but the wives do not have equal exclusive sexual rights over the husband.

### **23.4 Property Rights**

**23.4.1** Under General Law, there are presently no legal barriers against women owning property. Both husband and wife can either separately or jointly acquire, own, manage and dispose of property particularly real property including land and or house.

**23.4.2** Where the husband and wife jointly own property, then both must agree before any lawful grant could be made. If either dies, the survivor gets all under the doctrine of jus accrescendai i.e. the principle in Equity and Trust of the Survivor taking all.

**23.4.3** Where the property is individually owned then it is the person who bought it that owns it. However, in the situation where both parties contributed to the purchase price or the wife was supporting the husband through her domestic service, in the event of separation, both parties have interest in the property and the court will order sale and the proceeds shared proportionately.

**23.4.4** Under Customary Law, based on the duty of the husband to maintain the wife, it is the husband who generally own real property including land, house and/or bush. The wife's continued interest in the property depends on two factors:

- whether she bore children with the husband and
- whether on the death of the husband, she chooses to remarry a male relation of her deceased husband.

If none of these two factors exist, the woman/widow loses every right or interest in her deceased husband's property. If she bore children in the marriage, then she will continue to have interest (not right) in her late husband's property.

#### **23.4.5** Administration of Property

**23.4.5.1 The Administration of Estates Act, Cap 45 of The Laws of Sierra Leone 1960 deals** with the administration of estates and the distribution of intestate estates. Where a deceased dies testate (i.e. makes a Will) the estate is distributed according to the provisions of the Will. However where a deceased dies intestate (i.e. where there is no Will) the Second Schedule to this Act provides the Rules of Distribution.

**23.4.5.2** Rule 1 provides that “If a woman dies intestate leaving a husband the whole of the estate shall go to him” whilst Rule 2 provides that “If a man dies intestate leaving a widow and children or issue the widow shall be entitled to one-third of the estate, and the children or issue the remaining two-thirds equally between them per stripes”.

**23.4.5.3 Section 26 of Cap 95** also creates room for discrimination against women with respect to the properties of both spouses because it provides that if both parties to a Christian marriage are natives, then the properties of both shall be subject to the Customary Laws of the tribes of the parties.

**23.4.5.4** The Section provides, in part, that “the property of parties to a marriage celebrated under this Act shall, if both be natives, be subject in all respects to the laws and customs of the tribe or tribes to which the parties respectively belong.”

**23.4.5.5** This creates legal room for discrimination against women because real property under customary law marriage belongs to the man whether or not both contributed to its acquisition.

**23.4.5.6** The Devolution of Estate Bill 2006 is before Parliament for passage. The Bill shall apply to every citizen of Sierra Leone irrespective of religion or ethnic origin and privately acquired property. For the purpose of this Bill, a person dies intestate if at the time of his death he has not made a will disposing of his estate; any person who is survived by a will disposing of part of his estate dies intestate in respect of that part of his estate which is not disposed of in the will and relevant provisions of this Bill shall apply to such part of his estate, accordingly.

**23.4.5.7 The Mohammedan Marriage Act, Cap 96 of the Laws of Sierra Leone, 1960**

**23.4.5.7.1** By section 9 of this Act, the distribution of the estates of a Mohammedan who dies intestate is highly discriminatory against women. The persons entitled to take out Letters of Administration; in order of preference are (a) the eldest son of the deceased if of full age, (b) the eldest brother or (c) any party to a Mohammedan marriage and being at the date of his death a Mohammedan, or the official Administrator. The Section provides that:

If on being unmarried and being at such date a Mohammedan, shall die intestate, the estate real and personal of such intestate shall be distributed in accordance with Mohammedan law.

The following persons shall be entitled to take out letters of administration in the order named: viz-

1. The eldest son of the intestate, if of full age according to Mohammedan law;
2. The eldest brother of the intestate if of full age according to Mohammedan law;
3. The official Administrator.

There are no provisions for women i.e. the wife, the eldest daughter or eldest sister to take out letters of administration. It is only male relations of an intestate who can lawfully administer his estate. This is patently and latently discriminatory against women.

## **23.5 Divorce**

### **23.5.1 General Law**

Divorce, which is the termination of marriage, is available to both husband and wife on the same grounds which are adultery, cruelty and desertion. There is no discrimination under General Law on the issue of divorce.

### **23.5.2 Customary Law**

Under customary law, there is discrimination against women seeking divorce. A husband can divorce on the grounds of:

- (i) persistent adultery;
- (ii) repeated disobedience and laziness;
- (iii) slander of husband;
- (iv) non-co-operation with co-wives;
- (v) refusal to allow husband to marry another wife;
- (vi) frequent misconduct causing the husband to pay fines;
- (vii) refusal to convert to Islam or husband's religion

The grounds for divorce for a customary wife are:

- (i) non-maintenance;
- (ii) unhelpfulness to wife's parent; and
- (iii) impotence

The wife does not have the other grounds the man has for divorce particularly those of slander, persistent adultery, refusal to convert to her religion.

### **23.6 Minimum Age for Sexual Acts**

#### **23.6.1 General Law**

**23.6.1.1** There is a minimum age provided by law for consent to sexual intercourse for girls. This is pursuant to Section 7 of the Prevention of Cruelty to Children Act, Cap 31 of The Laws of Sierra Leone, 1960 that provides fourteen years as the minimum age for girls to consent to sexual intercourse. The engagement in sexual intercourse below the age of fourteen year leads to the crime of unlawful carnal knowledge against the man. There is no minimum age of consent stipulated for males in Sierra Leone.

#### **23.6.2 Customary Law**

Under Customary Law, there is no age requirement for consent to sex by both girls and boys. However, a girl who is not a member of the 'Bondo society' (female secret society) is prohibited from lawfully consenting to sex and any man contravening this law commits an offence and is fined. Even where the girl is betrothed, the same rule applies.

## **24 PART III: CONCLUSION**

**24.1** There are Constitutional guarantees for almost every Article of CEDAW in some sectors of government; there are also gender neutral policies, which in effect mean that women will be disadvantaged because of factors that hinder their access to resources. The Constitution also has entrenched clauses that allow discrimination against women. The process of Constitutional amendment is long, expensive and arduous, and this poses a big challenge to the government in domesticating and implementing CEDAW.

**24.2** Women have however made inroads in line with advances in education, political representation, and the provision made for women in the Ward Development Committees (WDCs), etc. The government has also taken measures to ensure that women enjoy their rights, for example, the Sababu project, the twin national policies, the Parliamentary Committee on Human rights, the Gender Caucus, the Law Reform Commission, NEWMAP, providing equal employment opportunities, etc. However, more needs to be done to increase women's representation and participation in all spheres (public and private) of life.

**24.3** It is evident that there are many more boys than girls in school in a country where there are more women than men. Government has put measures in place for example, the Education Act, which is compulsory but not enforced. Results of measures put in place still show stereotypical jobs for women. In the area of employment, Government is doing a lot for equal employment but there are still more women in the informal sector. The impact of family commitment does not encourage women to be involved in most



areas where they can earn more. Even in the labour congress, there are 20 percent women to 80 percent men.

**24.4** In as much as government is committed to improving the health and wellbeing of every Sierra Leonean as guaranteed by the Constitution by the establishment of NAS, SHARP and the Roll Back Malaria Programme, there is a rise in HIV cases and high Maternal Mortality Rates (MMR), due to cultural values and stereotypical attitudes of the society. Another major challenge in the health sector is the lack of specialized/qualified and experienced health care professionals. Many births for example are attended by Traditional Birth Attendants (TBAs) because of limited health care services particularly in the rural areas.

**24.5** There is very limited awareness of CEDAW among all sectors/strata of society. There is also implementation of the twin national policies due to the lack of human and financial resources of MSWGCA. Considering the mandate of the MSWGCA and the programmes it is expected to implement and monitor, it is grossly under-funded compared to other line ministries. One possible future action in this case could be gender budgeting.

**24.6** The twin policies have been quoted in this report in nearly every Article because they address many of the CEDAW provisions. The National Policy on the Advancement of Women which is women-specific is meant to bridge the gender gap. Many of the short/medium- term objectives and the strategies to attain these objectives could be viewed as special/temporary measures for accelerating equality. The National Policy on Gender Mainstreaming calls for equality of access to and participation in the development process as well as equality in the enjoyment of the benefits of development. It is, in itself, a mechanism for the implementation of Gender issue initiatives. It complements the policy on the advancement of women by:

- Providing a legal framework and a mandate for stakeholders to address gender imbalances in their sectors;
- Providing an institutional framework and identifying institutions through which planning and implementation of gender-focused programmes will be effected;
- Seeking to ensure the promotion of inter-institutional links directed at rectifying gender imbalances, and
- Identifying entry points and providing their corresponding strategies through which gender concerns can be addressed.

**24.7** In addition, the Policy Statement underscores a commitment by government to implement activities that would ensure that gender considerations would pervade all aspects of development policies, plans, programmes and projects as well as ensure gender equity and equality and thereby sustainable development.

**24.8** The effective implementation of these policies will go a long way in meeting government's obligations under CEDAW. It is hoped that with the necessary political will in providing the desired prerequisites the implementation of these policies will enable the government to honour its obligations under CEDAW, more effectively and satisfactorily.