

**DIVISION FOR THE ADVANCEMENT OF WOMEN
WOMEN'S RIGHTS SECTION**

**CONVENTION ON THE ELIMINATION OF ALL FORMS OF
DISCRIMINATION AGAINST WOMEN (CEDAW)**

MISSION TO SIERRA LEONE, 25-

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EXECUTIVE SUMMARY

Following a request from the Government of Sierra Leone for support in the implementation of its obligations under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), an internationally recognized panel of experts on the Convention participated in a mission to Sierra Leone in October 2004. The mission was organized by the United Nations Division for the Advancement of Women.

The purpose of the mission was to identify gaps and challenges faced by the Government in its efforts to implement the Convention and develop appropriate recommendations for priority action by both governmental and non-governmental bodies for enhanced implementation of the Convention.

The present report contains the experts' assessment of the situation in Sierra Leone with respect to implementation of the Convention, and a set of recommendations for follow-up action. The report also contains a description of the discussions held during the mission in Sierra Leone. The report was compiled by the Division from the individual reports (summaries of discussions, assessments and findings, and recommendations) of the five experts.

The report covers a number of substantive areas, including law reform, awareness-raising, access to justice, violence against women, and women's education, health and economic development. A major focus is on strengthening the catalytic role of the national machinery for the advancement of women in highlighting the objectives of the Convention and strengthening commitment to and enhancing action for its full implementation. The recommendations contained in this report are also intended to form the basis for a follow-up programme in Sierra Leone by the Division for the Advancement of Women to strengthen capacity for implementation of the Convention. It is also hoped that the recommendations will facilitate further support by other institutions, organizations and donors for the promotion of women's human rights in Sierra Leone

The mission to Sierra Leone and the planned follow-up work are part of the Division's programme to support countries emerging from conflict in the implementation of the Convention on the Elimination of All Forms of Discrimination against Women. Financial support for the programme is provided by the Government of New Zealand.

prevents the equal exercise or enjoyment by women, irrespective of marital status, on the same basis as men, of their human rights and fundamental freedoms in all spheres of life.

States parties are required by the Convention to eliminate discrimination against women in the exercise and enjoyment of all civil, political, economic, social and cultural rights. The Convention requires States parties to pursue a policy of eliminating discrimination against women, and to take all appropriate measures to eliminate such discrimination, whether committed by public authorities or by any person or organization. Significantly, the obligations of States parties to eliminate discrimination against women extend beyond public life to incorporate discrimination in private life, and, uniquely, within the family.

Upon ratification or accession to the Convention, States parties assume specific obligations for the full implementation of the Convention at the national level. States parties are expected to embody the principle of equality of women and men in their national constitutions or other appropriate legislation, and ensure, through law and other appropriate means, the practical realization of this principle. States parties also commit to adopt legislation prohibiting discrimination, to establish legal protection for women on an equal basis with men, as well as to provide effective remedies against acts of discrimination against women.

The sixteen substantive articles of the Convention identify the specific areas of discrimination that are of particular concern to women and establish the means to eliminate discrimination in these areas. In Part I of the Convention (articles 1-6) States parties agree to take all appropriate measures to bring about the advancement of women. These may take the form of legal, administrative and other measures, which include temporary special measures of affirmative action, modification of social and cultural patterns of conduct and suppression of traffic in women and the exploitation of prostitution of women. In Part II (articles 7-9) States parties undertake to protect women's rights in political and public life. They agree to grant women the right to vote and be elected on a basis of equality with men, to participate in government as officials and policy makers, to participate in non-governmental organizations and to represent their countries internationally. They also agree to grant women equal nationality rights and equal rights with respect to their children's nationality. In Part III (articles 10-14) governments make various commitments to eliminate discrimination in education, employment, health, economic, social and cultural life. In an important and unique provision, States parties also bind themselves to take into account the particular problems faced by rural women, to eliminate discrimination against them and ensure that they

participate in and benefit from rural development on the same basis as men. Lastly, in Part IV (articles 15-16), States parties agree to afford women equality with men before the law, in the exercise of legal rights, and in marriage and family law.

Given the scope of the Convention, its implementation requires a concerted effort and response from Government as a whole. Such an effort and response should be based on a comprehensive review of national legislation, administrative rules and procedures, and of practices to determine the present degree of compliance with the terms of the treaty. During such a review, attention needs to be paid to each of the substantive provisions of

The present report sets out the recommendations of the experts in this regard. The Division will use the recommendations made in this report to formulate a follow-up training programme in Sierra Leone within its available resources. It is also hoped that the recommendations will facilitate further support by other institutions, organizations and donors for the promotion of women's human rights in Sierra Leone.

1.4 Implementation of Phase One: Mission to Sierra Leone

Phase one of the programme of technical support, the high-level consultations with key ministries and other stakeholders, was organized by the Division for the Advancement of Women and took place from 25 to 28 October 2004. A team of internationally recognized experts in the provisions of the Convention, including current and former members of the Committee on the Elimination of Discrimination against Women, visited Sierra Leone and met with a number of key ministries and other stakeholders in order to:

- assess the current status of awareness about the provisions of the Convention;
- review the provisions of the Convention, and their implications for the work of the respective ministries;
- discuss challenges in implementation of the provisions of the Convention;
- identify opportunities for using the Convention and its provisions as a strategic tool in legislative and policy processes and in programme development, to enhance adherence to its provisions;
- discuss coordination mechanisms to facilitate collaboration between the MSWGCA and other ministries, as well as with civil society to monitor progress in implementation of the Convention; and
- develop a set of recommendations for priority action for implementation of the Convention in Sierra Leone.

The following experts participated in the mission to Sierra Leone:²

- Dr Charlotte Abaka, former chairperson and member of the Committee on the Elimination of Discrimination against Women ('the Committee');
- Professor Feride Acar, former chairperson and member of the Committee;
- Ms Dorcas Coker-Appiah, member of the Committee;
- Judge Unity Dow,

Ms Christine Brautigam, chief of the Women's Rights Section in the Division for the Advancement of Women, and Ms Saras Jagwanth, technical adviser in the Division, accompanied the experts.

The experts held meetings with a number of key ministries and institutions, including the MSWGCA, Justice, Education, Health and Economic and Development Planning. Meetings were also held with members of Parliament, the Law Reform Commission, United Nations entities and non-

Sierra Leone was devastated by the ten-year conflict which destroyed many of institutions including schools, courts and health-care facilities. It remains one of the poorest countries: according to UNDP's Human Development Report of 2004, despite its mineral wealth

Sierra Leone is the MSWGCA, which is responsible for coordinating the implementation of the Convention.

A critical challenge affecting the implementation of the Convention is the lack of effective co-ordination and collaboration of the national machinery with other Ministries, the Law Reform Commission as well as with civil society. In this respect, the catalytic role of the Ministry in facilitating gender mainstreaming in all other government departments needs to be further developed. The limited ability of the MSWGCA to play this catalytic role is due to the perception prevalent in most other government departments, including in key line ministries such as education and justice, that implementation of the Convention is the paramount responsibility of the MSWGCA. At the same time, the Ministry must take the lead role in developing a national gender equality strategy and coordinating its implementation. Collaboration and co-operation with civil society also requires further attention, and needs to be enhanced and expanded beyond the education field and the provision of support for women in crisis, typically women victims of violence.

In addition, the capacity of the staff of the MSWGCA needs to be further developed, especially on the Convention, and their catalytic role in its implementation. Limited knowledge of, and expertise about the Convention among staff in all ministries results in limited implementation. Resources for capacity-building efforts thus need to be urgently mobilized

2.3 Civil Society

Despite the difficult circumstances under which they operate, non-governmental organizations perform a vital role in the promotion of women's rights in Sierra Leone. These organizations can play an important role in advocating for, and monitoring the Government's implementation of gender equality policies and programmes. A correct understanding of the Convention's provisions and commitment to long-term, sustained implementation of these rights are needed throughout Government and society. This necessitates knowledge, commitment, resources and political will, and all different groups and institutions must be mobilized towards this goal. Strong cooperation between civil society and governmental actors, with international support and assistance, are necessary to achieve the practical realization of gender equality in Sierra Leone. At present, effective collaboration between civil society and government, including the MSWGCA, remains to be realized. NGOs working to improve women's enjoyment of their human rights must be strengthened, and their interface with the Ministry enhanced. Strong cooperation and linkages between the MSWGCA and civil society on gender equality issues would also further strengthen the catalytic role of the MSWGCA in coordinating the implementation of gender equality policy across all sectors of Government.

2.4 Awareness-Raising

There is a significant lack of awareness among public officials that discrimination against women is a violation of women's human rights and of the State's international legal obligations under the Convention. There is also a lack of understanding of the concept of equality embodied in the Convention and the State party's responsibility to identify and eradicate both de jure and de facto discrimination against women in all spheres. With some notable exceptions, there was limited evidence of any awareness among officials that discrimination against women State'g

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equality requires immediate and urgent steps. These should include in particular broad-based discussion on gender equality as a societal responsibility, and specific capacity-building initiatives for staff in the MSWGCA and other line ministries. The mission's purpose did not include an assessment of the level of awareness of women's human rights and discrimination against women among the general public, but experts gained some insights especially through its discussions with representatives of civil society.

2.5 Law Reform

Sierra Leone's ratification of the Convention without any reservation gave rise to an immediate need for legislative review to bring its pre-1988 laws into conformity with the

Convention be stepped up as a matter of urgency. Political will at all levels is an essential requirement of such an effort.

2.6 Access to Justice

The formal justice system, particularly in the provinces, was destroyed during the civil war, and the courts remain chronically understaffed and under-resourced with inadequately trained judicial officers and low levels of remuneration. Because of the severe shortage of trained magistrates, a number of justices of the peace were trained and deployed throughout the country to perform the functions of magistrates. Despite the attempts at rebuilding, access to the formal justice system is limited for most Sierra Leoneans and women in particular lack access to the formal court system. Laws and policies remain out of step with international human rights standards. Where laws are in place, poor implementation by an under-trained and gender-insensitive judiciary remains a challenge.

Considerable resources and capacity-building efforts are required to re-build the justice system to a level where it can function adequately, particularly for the protection of women's human rights. To that end, matters pertaining to women and justice, including women's access to justice, need to become a priority in the Ministry of Justice, which needs to make greater and more systematic use of the Convention and enhance its responsibility for women's issues. Coordination and collaboration with the MSWGCA around the Convention needs to be strengthened. Lack of knowledge and awareness of the Convention and women's human rights among the judiciary, including Islamic law and customary law court officials, and law enforcement officials need to be addressed through capacity-building and awareness-raising efforts.

2.7 Incorporating the Principle of Non-Discrimination

Article 1 of the Convention defines 'discrimination against women' for the purposes of the Convention. Under article 2 of the Convention, States parties must commit to eliminate discrimination against women through legislative and other appropriate means.

The obligations stipulated in article 2 of the Convention are to be given effect through the

enacting new legislation, and if necessary, by abolishing customs, traditions or other practices that discriminate against women.

The definition of discrimination contained in article 1 of the Convention is at present not explicitly reflected in Sierra Leonean legislation. On the contrary, Section 27 of the Constitution, which provides for protection from discrimination, makes discrimination against women permissible by excluding from constitutional protection the application of personal law and customary law, which are in some respects inherently discriminatory against women, especially in areas of marriage, inheritance and property ownership. The Convention requires this situation to be remedied through constitutional amendment and the adoption of specific anti-discrimination legislation embodying the Convention's definition of 'discrimination against women'.

2.8 Customs and Practices that Constitute discrimination against Women, and Stereotypes

Articles 2 (f) and 5 (a) of the Convention require introduction without delay of measures, including legislation, to modify or eliminate customs and practices that discriminate against women and to modify social and cultural patterns of conduct so as to promote women's full enjoyment of their human rights.

Although section 2 of the Local Courts Act (1963) provides that general law should prevail over customary law when customary law is repugnant to statute or natural justice, equity and good conscience, customary law continues to be widely applied. Significantly, while the Constitution guarantees equality on the basis of sex, under section 27(4) the guarantee of non-discrimination does not apply 'with respect to adoption, marriage, divorce, burial, devolution of property on death or other interests of personal law' as well as to any law which makes provision for the application of customary law.

Women are discriminated against under customary law. Married women have the status of minors and do not enjoy rights to property ownership or inheritance. Polygamy is widely practiced, as is early marriage including forced early marriage, and the allocation of custodial rights over the children to the husband. In most of the ministries and amongst parliamentarians the experts met with, there was a failure to identify customs and practices as likely sources of discrimination against women that the State had a responsibility to address. There was an understanding that customs, practices and stereotypes which constitute discrimination against women fall within the private sphere where the State should not intervene. The view was expressed that rising levels of

education would lead over time to changes in these practices also without Government

of cases have been reported, including individual and gang rape, sexual assault with objects and sexual slavery.⁴

Violence against women is also prevalent outside of the war context in present-day Sierra Leone. Although rape is a crime under Sierra Leonean law, there are very few rape convictions in the courts, and many rapes are dealt with under customary law. Under customary law, the perpetrator is generally required to pay a fine to the victim's family, with a higher sum if the complainant was a virgin. Domestic violence against women and children is common, and there is no domestic violence legislation. Under customary law a husband has the right to chastise his wife by physical force. Female genital mutilation/cutting is widespread.

Both the Convention on the Elimination of All Forms of Discrimination against Women CEDAW and the Convention on the Rights of the Child affirm the right of women and the girl child to be free from violence and harmful traditional practices, including female genital mutilation/ cutting (see in particular the CEDAW Committee's general recommendations 14 and 19). States are required to take effective action against these practices. Such measures are currently lacking in Sierra Leone, and concrete action remains to be taken by the Government to address these practices. Progress is impeded by an apparent reluctance, at the official level, to discuss the problem of female genital mutilation/ cutting which continues to be treated as a taboo subject, and to tackle this challenge openly and directly.

Similarly, although domestic violence appears to be a pervasive aspect of gender-based and sexual violence in Sierra Leone, there is reluctance to tackle it. This was confirmed by some of the NGO presentations. As gender-based violence impairs the rights and freedoms of women (such as the right to life; the right not to be subject to torture, or to cruel, inhuman or degrading treatment or punishment; or the right to liberty and security of the person, etc), its continued prevalence in Sierra Leone society, even in the post-conflict period, negates the full enjoyment by women of the rights guaranteed under the Convention.

2.11 Education

Article 10 requires States parties to take all appropriate measures to eliminate discrimination against women in the field of education. There are three categories of

⁴ Report of the Special Rapporteur on Violence against Women, Mission to Sierra Leone (21-29 August 2001) (UN Doc E/CN.4/2002/83/Add 2) 11 February 2002.

Education in conformity with Sierra Leone's international obligations under CEDAW, particularly articles 10 and 5 of the Convention, remains to be achieved.

Mention should be also made of the practice of female genital mutilation/cutting, given its reported pervasiveness and cross-cutting consequences in a number of areas of women's lives, including education. Article 10(h) entitles women and girls to receive education relating to health and family life. This provision is premised on the right of women to be fully informed and counselled about reproductive health matters, and to receive education, for example, about sexually transmitted diseases, sexual violence, and forced and early marriages. Research shows that female genital mutilation/ cutting poses a threat to women's reproductive rights, and therefore to the enjoyment of their human rights. In its General Recommendation 14, the CEDAW Committee recommended that States parties introduce appropriate education and training based on research findings about the problems arising from female genital mutilation/ cutting other practices harmful to women. There is evidence that some NGOs in Sierra Leone are engaging with some aspects of this issue. Effective Government action, including efforts to encourage public discussion about these practices, including in schools, remains to be achieved.

2.12 Health

Article 12 requires States to eliminate discrimination against women in their access to health-care services throughout their life cycle. The CEDAW Committee's General Recommendation 24 gives further guidance on the legislation, policies and programmes, as well as monitoring systems that are necessary to ensure compliance with this provision.

Women in Sierra Leone lack access to adequate health services, particularly in the provinces. Women suffer from a number of health-related problems. Sierra Leone's maternal and infant mortality rate is the highest in the world, and the health system is unay r rate is some

Despite the significant resource constraints faced by the ministry, it was encouraging to note the commitment of the Minister of Health to promote women's health and to integrate a gender perspective into policy and planning. Such efforts need to be supported by the donor community. The Minister and Ministry officials also acknowledged the link between women's health and human rights, and the importance of collaboration with the MSWGCA.

2.13 Economic Development of Women

Article 3 enjoins States parties to take active steps to promote women's development and advancement so that they are able to enjoy the basic rights guaranteed in the Convention and other international human rights instruments. Article 3 requires States parties to implement more proactive and positive measures that promote women's development and advancement in all fields. Article 13 obliges States parties to take all measures to eliminate discrimination against women in economic life, and article 14 extends this protection to rural women in particular.

Few women are represented in Sierra Leone's formal working sector, and even fewer in managerial or professional positions. Sierra Leone's rural population is primarily engaged in subsistence farming, with women forming 80 per cent of the agricultural

a human rights-sensitive justice system. However, as experience in countries like South Africa and Rwanda shows, the process of post-conflict reconstruction also offers a major opportunity to reassess and rebuild the normative framework, institutions and structures of the legal system. Thus, the occasion of reconstructing the legal system may be the best political moment for the country to review its legislative framework and carry out the legal reforms needed to align its laws with the provisions and obligations of the Convention. This would include ensuring that new institutions such as the National Human Rights Commission incorporate a strong gender dimension in their work.

- The reconstruction phase also provides an excellent opportunity for ensuring that gender equality issues are an integral part of all policy and programme development from the outset, ie the initial planning and design stage. The wider societal efforts for development are strengthened if gender-based constraints women encounter in the enjoyment of their rights and their contribution to development are identified and entrenched inequalities based on gender addressed explicitly and at an early stage as part of overall national development efforts.
- The Ministry of Social Welfare, Gender and Children's Affairs can use the preparation of its CEDAW Report as an opportunity to fully assess the current status, including factors and difficulties as well as challenges and obstacles in implementation of the Convention. The process of preparing the report is an opportunity to review existing laws, policies and programmes and their impact on women; identify legislative and policy gaps and initiate relevant corrective action; identify the institutions and ministries responsible for implementation; identify possible sources of funds for action in support of gender equality; seek the involvement of various sectors of society and put in place consultations with all stakeholders to create an environment that is supportive of gender equality.
- The presence of civil society organization ready and willing to work to improve the situation of women is an added advantage that the Government as a whole, and especially the Ministry of Social Welfare, Gender and Children's Affairs should fully utilize.

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4. RECOMMENDATIONS FOR FUTURE

significantly to the lack of implementation of the Convention. De jure and de facto systemic discrimination against women continues to exist in all sectors.

On the basis of the findings of the mission, the following recommendations are made as long, medium and short-term strategies for prioritizing women's enjoyment of their human rights in policy and programme design and enhancing implementation of the Convention and the protection and promotion of the human rights of women in Sierra Leone. The recommendations below cannot be implemented by the Sierra Leonean Government alone, and it is hoped that entities of the United Nations system, donor agencies, as well as international non-governmental organizations will provide funding, capacity-building and other forms of technical assistance to the Government of Sierra Leone and especially its Ministry of Social Welfare, Gender and Children's Affairs, the Law Reform Commission, local non-governmental organizations and other stakeholders involved in the efforts to implement CEDAW and eliminate discrimination against women.

4.1 Review of National Laws and Policies

The Government should, without delay, embark on a well-coordinated effort, complete with time lines, to review national laws and policies to ensure their conformity with international principles of human rights and the specific obligations enshrined in the Convention. This law and policy reform effort should include the following:

- The reflection of the principles of non-discrimination on the basis of sex and equality of women and men by abolishing all discriminatory laws in all fields, including section 27 of the Constitution, and in the field of marriage and family relations;
- The adoption of specific laws prohibiting violence against women, female genital mutilation/ cutting and other practices that constitute discrimination against women throughout the life span, such as early marriages and wife inheritance, so as to ensure complete and effective conformity between the domestic legislative framework and the provisions of the Convention;
- Provision of necessary support and resources to the Law Reform Commission to accelerate and strengthen the revision of laws in light of their compatibility with the Convention;
- The formulation or revision of existing national policies on the advancement of women and gender equality and the allocation of the necessary resources by government to ensure implementation;

- Adoption of temporary special measures, in accordance with article 4, paragraph 1, of the Convention, as an integral part of legislative and policy measures to accelerate achievement of substantive equality;
- Adoption, specifically, of temporary special measures, in accordance with article 4, paragraph 1, of the Convention, to increase women's representation in all spheres and levels of public and political life, accompanied by skills training and other support programmes to allow women to effectively take advantage of such opportunities.

4.2 Access to Justice

The Government should take specific steps to enhance women's access to the structures of justice. These should include:

- Sensitization o

4.4 Training and Capacity-Building, and Institutional Development

The Government is encouraged to proceed with the design and implementation of a comprehensive training programme on the Convention for the following groups and sectors:

- Staff of the MSWGCA. The training programme should target a core group of staff from the MSWGCA to empower them to act as catalysts for gender equality vis-à-vis other ministries and community groups, and to provide advice on gender equality issues. The training programme for staff of the MSWGCA should be carried out with the purposes of:

attention to the specificity of discrimination against women and its relevance across all prohibited grounds of discrimination.

The Government should urgently provide adequate human and financial resources to the MSWGCA to enable it to effectively carry out its functions in promoting the advancement of women and gender equality, and to play its role as a catalyst in coordinating the implementation of policies and programmes for the promotion of women's human rights and gender equality. Resources are also needed to enable the Ministry to work effectively with civil society organizations in the development and implementation of gender equality policies and projects. Donors are encouraged to supplement the Government's own efforts, and especially to support enhanced Government-civil society cooperation in regard to gender equality.

The Government, especially the Ministry of Justice, should work with the University of Sierra Leone and other institutions to enhance training programmes on law and gender issues, and support the development of law school curricula to integrate gender perspectives in legal training.

The Ministry of Justice and the MSWGCA should maintain regular cooperation with the Law Reform Commission on gender-related aspects of the Commission's agenda.

4.5 Support for Civil Society

It is recommended that the work of civil society be supported and strengthened, particularly in the framework of Government-civil society partnerships in support of gender equality. Bilateral and multilateral donors are especially encouraged to support joint Government-civil society activities and pilot projects for gender equality. Civil society organizations' training in women's human rights as well as in leadership, lobbying and advocacy training should also be supported.

4.6 Educational Opportunities for Women and Girls

The Government is urged to adopt policies to provide incentives for girls and young women to prevent early marriages and early pregnancy; integrate compulsory gender awareness programmes in the school curricula at all levels, designed in particular to eradicate stereotypes and harmful practices such as female genital mutilation/ cutting; and provide for statutory recognition of non-formal education and technology and skills training, especially for girls and young women. The Government is also encouraged to

put in place strategies to increase the literacy rate of women and girls, encourage girls' enrolment and reduce the high drop-out rate of girls from schools.² To enrolment and redu-

outside agencies to support the work of the Ministry's Gender Division. For example, the Netherlands Government and the United Nations Development Programme (UNDP) had supported the Division to develop the gender policy for effective gender mainstreaming, and the Commonwealth Secretariat had provided a consultant to prepare a simplified

customary practices that discriminated against women, as well as the need to involve civil

Professor Maluwa also raised the issue of the important coordinating and advisory role of the Ministry of Justice for Sierra Leone to meet its obligations under international law. He raised the question of judicial training and coordination with other institutions such as the University of Sierra

Following the introduction of the experts and a brief statement on the purpose of the mission, the Chairperson of the Committee made a short presentation on the establishment of the 28-member body in 2003 as a cross-party oversight body. Among the Committee's future priorities was the domestication of international human rights conventions, including CEDAW, and the Committee was already collaborating with UNICEF on the Convention on the Rights of the Child, and with UNDP on CEDAW.

Each expert made a brief presentation which covered the following topics: Sierra Leone's obligations under the Convention and in particular the role of parliamentarians in the implementation of the Convention, legislative reform, violence against women, access to justice, and customary law.

Several members of the Committee responded to experts' comments and observations, referring in particular to women's representation in Parliament, and weaknesses in law enforcement institutions, especially the police, in dealing with gender-related offences. Among the major constraints identified by parliamentarians were inadequacies in education, customary and religious practices such as polygamy, social exclusion of women and their limited participation in political and public life. One woman parliamentarian emphasized the need for quotas for women in political bodies and described how efforts to institute them were unsuccessful due to a lack of political will. There was, however, significant difference of opinion amongst members of the Parliamentary Committee on the question of whether discrimination against women was prevalent.

Members of the Parliamentary Committee suggested measures that could be taken to address these problems, including revitalization of local government, which would provide an entry point into political participation by women; special representation for women at all levels; enhancement of women's economic and social independence, for example by reforming the discriminatory property regime (commercialization of land) and redefining citizenship to make it gender-neutral; institution of preferential treatment for girls in education (particularly in the north-eastern region of the country), using article 4(1) of the Convention. It was emphasized that, given strong political will and support, these kinds of measures would lead to increased participation for women in political life and towards the realization of gender equality in Sierra Leone.

The overall view was that it was up to the Executive branch of Government to take an active stand and demonstrate sufficient political will to eliminate discrimination against

the existing low level of school attendance of girls were regional, cultural and economic differences between the Western and Eastern Northern parts of the country as well as the post-conflict situation. He argued that religious and cultural considerations were paramount in Sierra Leone, and major factors that determined the pace and direction of change in the human rights field. He cautioned against imposing change and Western values on societies, especially in regard to the role of women. There was no discussion of the structural and systemic nature of gender-based discrimination and its relation to girls' and women's educational level.

Other officials in the department provided substantive and technical information and highlighted the Ministry's efforts to scale up girls' education through both formal and non-formal education policies. In this context, in addition to the existing policy of providing free secondary education to successful female students who wanted to continue their education in the Eastern and the Northern provinces, a new re-entry policy into the school system for young mothers; school feeding programmes that benefit girls as well as boys; and distance schooling and low-cost boarding schools were mentioned as policies in effect to enhance girls' education. Officials identified the need for a 'gender-friendly' curriculum and teaching methods, and guidance and training in gender sensitivity for counseling staff in the schools to better guide girls to the 'right' careers. Other necessary measures were the need to channel female drop-outs to informal education and to implement laws to prosecute parents who did not send girls to school. Other areas where action was needed included the promotion of gender issues at tertiary education levels; gender awareness training especially for men; strengthening of career guidance and counselling units in schools; integration of rehabilitation and reconstruction as part of the overall educational programme; enhancing vocational, technology and skills training in the non-formal education sector, including building capacity for vocational teachers; implementation of a sensitization and popularization campaign of CEDAW in schools; addressing the sociological aspects of discrimination; Review entry/registration fees in schools to enhance girls' and young women's access to education

While the eradication of illiteracy was highlighted during the discussion as the stated priority of the national education system, the gender dimensions of illiteracy were not addressed nor the need for policies to raise women's low literacy levels. The experts highlighted the role

5.6 Ministry of Health

This meeting was attended by Dr Abaka, Ms Coker-Appiah and Judge Dow. Dr Abaka delivered the main presentation and outlined the main obligations arising from the Convention in the field of health, including general recommendation 24. Noting that health was a human rights issue, she highlighted the links between article 12 of the Convention on health and other articles, including article 5, 6 and 10. She also noted the impact of the conflict on women's health and the need for special programmes to overcome this phenomenon.

The Minister of Health outlined the programmes and policies in place to implement article 12 of the Convention. The Ministry had put in place reproductive health services and services to pregnant and lactating mothers were free. Trauma counseling was included as part of health delivery in view of the atrocities that women had suffered during the conflict. Rape crisis centres had also been set up, as well as a special ward to deal with the high incidence of VVF amongst women and girls. A discussion was held on the links between female genital mutilation/ cutting and VVF, and the Minister acknowledged the need for the collection of data to establish the links between the two. It was recognized that the practice of female genital mutilation/ cutting was considered a taboo subject and shrouded in secrecy, making it difficult to eradicate it effectively. The alarmingly high rates of maternal and infant mortality rates in Sierra Leone, and the rising HIV/AIDS infection rate were also raised. The Ministry currently had a multi-sectoral intervention programme to deal with HIV/AIDS. Pregnant women were provided anti-retroviral drugs to prevent mother-to-child transmission and free voluntary counseling and testing sites had been set up in each province.

While the shortage of human and financial resources was flagged as a major problem, the Ministry of Health displayed significant commitment to implementing the Convention and attempting to advance women's right to health. Although discriminatory cultural and social attitudes were seen as obstacles, the importance of drawing from good practices in other countries, including strategies for the eradication of female genital mutilation/ cutting, was acknowledged. The importance of coordination and collaboration with other ministries was also raised, with the Minister acknowledging the need for human rights training for officials in the health sector.

5.7 Ministry of Economic and Development Planning

The meeting with the Ministry of Economic and Development Planning was attended by Ms Coker-Appiah and Dr Abaka, with Ms Coker-Appiah providing the lead presentation. She gave a brief overview of the obligations in the Convention relating to women's development and economic rights, and raised questions relating to the Ministry's strategy in relation to women's social security, access to arable land and credit.

Officials from the Ministry noted that while there was no official policy on women's economic rights, efforts were being made to include women in all processes at the national level. Efforts were also being made to include women in all processes at the community level, and micro-credit schemes had been introduced to support the large number of women-headed households. The view was expressed that women's disadvantaged economic position was due mainly to discriminatory customary and traditional practices, which were difficult to change and required time. Officials expressed the view that primary responsibility for changing cultural attitudes rested with the Ministry of Education. Factors and traditional practices that prevented women's ownership of land were mentioned, and steps were needed to encourage and support a gradual move from subsistence farming to commercial farming. The view was also expressed that there was no discrimination against women in laws or policies of the Government. Officials noted the need to empower district councils to implement laws at the local level and to increase the participation of women in local government elections.

5.8 Non-Governmental Organizations

The meeting, which was attended by a number of civil society organizations working in a wide variety of areas, was very useful in exposing experts to the cross-section of national and international NGO's active in Sierra Leone in the areas of women's human rights, gender-based discrimination and/or issues of women's access to health services, education and poverty reduction measures.

The following is summary of the presentations made by the NGOs:

Cooperazione Internazionale (COOPI): COOPI's field of operation includes women's rights. It works with women, supporting young mothers who have been victims of violence. It has organized a conference on women's rights and children's rights, and has funded projects in support of women's economic empowerment. COOPI also provides advice on psycho-social problems, literacy campaigns and addresses issues of domestic

violence. Its major challenge is to explain rights to women, and to strengthen human rights education and sensitization.

inheritance laws which disadvantage women, and to continue raising awareness of CEDAW to overcome current lack of information at the community level.

Forum for African Women's Educationalists (FAWE): FAWE supports women and girls to acquire education for national development in Sierra Leone at three levels. First, formal education for disadvantaged girl-children and non-formal adult literacy programmes;

indirect impact by rendering girls and women vulnerable to sexual abuse and violence in the family and the community and contributing to their dependence on family and men.

NGOs also identified major challenges to awareness-raising initiatives regarding women's human rights in general and CEDAW in particular. Especially in the North of the country, local chiefs and men (husbands) often felt threatened by such efforts and were unsupportive and intolerant of grassroots NGO work, and creative ways had to be devised by them when doing this kind of work. Also, while NGOs saw involvement of men in programmes carried out in local communities as essential, it was reportedly very difficult to enlist men's participation.

While NGOs faced particular challenges in community-based work in each of their respective areas of activity, their overall experiences confirmed that the major obstacles and challenges to women's human rights stemmed from three main sources: the existence of an inadequate and discriminatory legal framework (including the Constitution); severe shortage of funding and resources (human and financial) to support a smooth transition from an emergency/conflict situation to a development agenda; and the unchallenged legitimization of customs and traditions (female genital mutilation/ cutting, early marriage, violence against women including 'forced sex') that violate women's human rights.

5.9 United Nations Country Team

Following an introductory statement explaining the purpose of the mission and introducing the experts, and an initial response from the Deputy Special Representative of the Secretary-General, representatives of the various UN entities present were invited to identify opportunities where the international community could collaborate and support the implementation of the Convention and preparation of the CEDAW report, and to make suggestions for future training and follow-up activities.

5.11 Wrap-up meeting with the MSWGCA

The wrap-up meeting with the Minister, Deputy Minister and staff of the MSWGCA provided an opportunity for the experts to share some of their preliminary impressions from the various consultations.

In their interventions, experts encouraged the Ministry of Social Welfare, Gender and Children's Affairs to take a pro-active and visible role in initiating, coordinating and monitoring the Government's gender equality policies and programmes. They also encouraged the Ministry to enhance its inter-action with different ministries and agencies in carrying out activities and programmes for women. The Minister's own leadership role was seen as crucial in this respect.

Experts highlighted some of the challenges which, in their view, Sierra Leone, faced in implementing the Convention and promoting women's enjoyment of their human rights. These included the effects of customs and norms that discriminated against women, and harmful traditional practices, and their negative impact on women's health, education, empowerment, social standing in the community and economic wellbeing. Experts urged the Ministry to address these challenges squarely, and to take proactive measures to discourage and eliminate discriminatory practices and improve implementation of the Convention. Such measures should include, as a first step, the dissemination of information and advocacy for the human rights of women to enable women to make use of the available opportunities in education and the labour market or to benefit from programmes already implemented in different ministries with support from international agencies. Experts recognized the urgent need for strengthening and building capacity in the national machinery for women.

In her reply, the Minister concurred with the need for the national machinery to play a catalytic role in initiating, coordinating and monitoring national policy for gender equality and non-discrimination of women. However, she also expressed her concern about acute constraints facing the Ministry, for example, limited financial resources, lack of professional capacity and personnel, logistical/infrastructural problems, inadequacy of expertise and training in gender issues in the Ministry itself. She expressed concern that the many demands on the Government towards the country's development and lack of resources did not allow gender issues to be prioritized, and that more international logistical support for her Ministry would improve its work significantly.

Following the Minister's comments, Ministry staff, and in particular the gender officers (several of whom had been very recently appointed) articulated their need for training and capacity-building. They expressed their desire to be better informed about

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APPENDIX ONE

BIOGRAPHIES OF THE EXPERTS

Dr Charlotte Abaka is the UN Independent Expert on Human Rights in Liberia, a post she has held since October 2002. Dr. Abaka was a Member of the Committee on the Elimination of Discrimination against Women (CEDAW) from 1991-2002, and was Chair of CEDAW from 2000-2002. She was a Consultant and Advisor to the World Health Organization for its 1999 International Conference on Tobacco and Health in Kobe, Japan. For five years (1989-2002) she served as Chair of the National Women's Machinery organization in Ghana and eleven years (1978-1989) as a Member of National

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APPENDIX TWO

LIST OF MEETINGS HELD IN SIERRA LEONE FOR CEDAW IMPLEMENTATION MISSION, 25-28 OCTOBER

MONDAY 25 OCTOBER 2004

9 am: Meeting with UNAMSIL Human Rights Section Head

Attended by all experts.

Present from UNAMSIL:

- Mr Ahowanou Agbessi (Officer in Charge)
- Theresa Kambobe, Gender Specialist, UNAMSIL

10 am: Ministry of Social Welfare, Gender and Children's Affairs

Attended by all experts. Lead presenters: Professor Feride Acar and Dr Charlotte Abaka.

Present from the Ministry:

- Ms Sheila Gbujama, Minister of Social Welfare, Gender and Children's Affairs
- Ms Memunatu Koroma, Deputy Minister of Social Welfare, Gender and Children's Affairs
- Mr K O Bah, Permanent Secretary
- Ms Fatu Kargbo, Acting Director, Gender Division
- Ms Jebbeh Forster, Gender advisor, UNIFEM
- Ms Gladys Carrol , Consultant, UNIFEM
- 7 officials, including programme officers and desk officers

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2 pm: Meeting with the Attorney-General/ Minister of Justice

Attended by all experts. Lead presenters: Professor Tiyanjana Maluwa, Jp4 Tw (Ms5e42ity Tc 0.75

Present from UNAMSIL:

- Mr Daudi N Mwakawago, SRSG
- Ms Theresa Kambobe, UNAMSIL

11 am: Meeting with Members of Parliament (Committee on Human Rights)

Attended by all experts with inputs by all.

Present from the Committee:

- Hon Dr Alusine A Fotanah, Chairman, Committee on Human Rights

9 am: Meeting with NGOs

Attended by: Professor Acar, Ms Coker-Appiah, Judge Dow and Professor Maluwa

Present from the NGO community:

- Anita Kamara, International Medical Corps
- Selina Ade- Williams, Oxfam GB
- Iyesha Joseph, Sierra Leone Association of NGOs (SLANGO)
- Miatta Abu, International Rescue Committee
- Louisa Kamanda, Grassroots Gender Empowerment Movement
- Eileen Hanciler, Forum for African Women's Education
- Antonella Lamborke, Cooperazione Internazionale
- Margaret Sankoh, Evangelical Fellowship of Sierra Leone
- Sofie Sesay and Anifatu Conteh, Grassroots Empowerment for Self-Reliance
- Edward Sesay, Environmental Foundation for Africa
- Sally Kamara, Partners in Adult Education Coordination Office
- Madinutu K, Campaign for Good Governance.

11. 30 am: Meeting with UN Agencies

Attended by all experts.

Present from the UN agencies:

- J Victor Angelo, DSRSG and Resident Coordinator, UN country team
- Nancy Asanga, UNDP
- Harriet Matthews, UNDP
- Lynn Ngugi, UNHCR
- Louis Imbleau, WFP
- Rafal Mohammed, WFP
- Aloysins Lahai, FAO
- Lynn Ngugi, UNHCR
- Paul Sengeh, UNICEF
- Jebbeh Forster, UNIFEM
- Zakari Wambari, WHO

2 pm: Meeting with Law Reform Commission

Attended by all experts.

Present from the Law Reform Commission:

- Mr Peter Tucker, Chairperson, Law Reform Commission

- Mr A B Timbo, Member, Law Reform Commission

3 pm: Meeting with Ministry of Economic Development and Planning

Attended by Dr Abaka and Ms Coker-Appiah. Lead presenter: Ms Coker-Appiah

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