

SIERRA LEONE

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1 Population indicators

1.1 What is the total population of Sierra Leone?

Sierra Leone has a population of about 7 092 113 million people based on data from the 2015 Population and Housing Census and the UNPRPD Situational Analysis of the Rights of Persons with Disabilities Country Brief.¹

1.2 Describe the methodology used to obtain the statistical data on the prevalence of disability in Sierra Leone. What criteria are used to determine who falls within the class of persons with disabilities in Sierra Leone?

The methodology used in obtaining statistical data on the prevalence of disability in Sierra Leone is the 2015 Population Census figures. The 2015 Population and Housing Census used various domains like: hearing impairment, physical

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1 Statistics Sierra Leone '2015 Population and Housing Census: Summary of final results' (2016) https://www.statistics.sl/images/StatisticsSL/Documents/final-results_-2015_population_and_housing_census.pdf (accessed 15 September 2024); Stats SL '2021 Mid-Term Population and Housing Census – December 10, 2021' <https://www.statistics.sl/index.php/census/mid-term-population-census.html> (accessed 15 September 2024) F Kabia & U Tarawally 'Sierra Leone 2015 Population and Housing Census Report: Thematic report on disability' <https://sierraleone.unfpa.org/sites/default/files/pub-pdf/Disability%20Report.pdf> (accessed 15 September 2024); UNPRPD 'Situational analysis of the rights of persons with disabilities country brief' (2022) https://unprpd.org/new/wp-content/uploads/2023/12/Situation_Analysis_CountryBrief_SierraLeone-ac7.pdf (accessed 11 November, 2024). It is necessary to note that the Government of Sierra Leone has started preparations for the next Population and Housing Census (PHC) which is expected to begin on 2 December 2025 https://www.switsalone.com/50030_government-of-sierra-leone-prepares-for-2025-population-and-housing-census/ (accessed 11 November 2024).

impairment, visual impairment, and intellectual impairment to collect data on disability.²

1.3 What is the total number and percentage of persons with disabilities in Sierra Leone?

Out of the total population of 7 092 113 million people in Sierra Leone as indicated,³ 93 129 have a disability.⁴ This represents 1,3 per cent of the Sierra Leone's total population as indicated.⁵

1.4 What is the total number and percentage of women with disabilities in Sierra Leone?

According to the 2015 Population and Housing Census, the total number of women with disabilities in Sierra Leone is 42 810 and the percentage is 46 per cent.⁶

1.5 What is the total number and percentage of children with disabilities in Sierra Leone?

The 2015 Population and Housing Census reflects that 40,9 per cent of the young population are less than 15 years of age while children aged 0-4 years and 5-9 years, account for 13,3 per cent and 15,7 per cent of the total population respectively.⁷

1.6 What are the most prevalent forms of disability and/or peculiarities to disability in Sierra Leone?

According to the Thematic Report on Disability, the most prevalent forms of disabilities include: physical disability, mostly as a result of Polio and conflict. About 21,8 per cent of persons with disabilities have a physical disability. Persons who have partial sight impairment account for 15,2 per cent of the total population of persons with disabilities, while those who are blind or visually impaired account for 12,5 per cent. Albinism (0,5 per cent) is the least common type of disability in the country and it represents 0,5 per cent of the total population.

Disease or illness is the major cause of disability in Sierra Leone as it accounts for 40,5 per cent of cases. This is followed by congenital disability at 16,2 per cent, accidents at 8,8 per cent and natural ageing at 8,1 per cent. Other causes of disability include traffic accidents, occupational injuries, and injury sustained as a result of war. Other non-specified causes stand at 10,5 per cent.⁸

2 Kabia & Tarawally (n 1) 4.

3 UNPRPD (n 1).

4 Kabia & Tarawally (n 1) 1.

5 As above.

6 2015 Population and Housing Census (n 1).

7 2015 Population and Housing Census (n 1) 14.

8 Kabia & Tarawally (n 1) 2.

2 Sierra Leone's international obligations

2.1 What is the status of the United Nations Convention on the Rights of Persons with Disabilities (CRPD) in Sierra Leone? Did Sierra Leone sign and ratify the CRPD? Provide the date(s).

Sierra Leone signed and ratified the CRPD on 30 March /3/2007 and 4 October 2010, respectively.⁹ However, the country is yet to ratify the Optional Protocol to the CRPD.

2.2 If Sierra Leone has signed and ratified the CRPD, when is/was its country report due? Which government department is responsible for submission of the report? Did Sierra Leone submit its report? If so, and if the report has been considered, indicate if there was a domestic effect of this reporting process. If not, what reasons does the relevant government department give for the delay?

Disability issues fall under the mandate of the Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA) and specifically under the Deputy Minister of Social Welfare.¹⁰ Sierra Leone made submissions to the CRPD Committee of Experts on Disability in 2019 titled 'Sierra Leone's First Status Report in compliance with Article (35) of the United Nations Convention on the Rights of Persons with Disabilities 2013-2018'.¹¹ The report provides insight regarding the significant progress the country has made as well as the challenges faced in improving the lives of persons with disabilities. Even though government extends free healthcare to persons with disabilities, professional rehabilitation services are not included. Professional rehabilitation services exist only at a few locations and assistive devices are in extremely short supply. The difficulty of obtaining them prevents persons with disabilities from participating in social, economic and political life on an equal basis with others.¹²

2.3 While reporting under various other United Nations instruments, under the African Charter on Human and Peoples' Rights, or the African Charter on the Rights and Welfare of the Child, did Sierra Leone also report specifically on the rights of persons with disabilities in its most recent reports? If so, were relevant concluding observations adopted? If relevant, were these observations given effect to? Was mention made of disability rights in Sierra Leone's UN Universal Periodic Review

9 'UNCRPD treaty depositions' https://treaties.un.org/Pages/showDetails.aspx?objid=080000028017bf87&clang=_en (accessed 19 September 2024).

10 UNIPSIL 'Moving forward together: From national commitment to concrete action – Report on the rights of persons with disabilities in Sierra Leone' (accessed 19 September 2024) https://unipsil.unmissions.org/sites/default/files/movng_forwrd_rghts_person_disabilities.pdf (accessed 19 September 2024).

11 UNPRPD (n 1) 11.

12 As above.

(UPR)? If so, what was the effect of these observations/recommendations?

While reporting under the UN Convention on the Rights of the Child (CRC),¹³ Sierra Leone made reference regarding the rights of persons with disabilities. On 8 September 2006, Sierra Leone made its second periodic report on the CRC to the UN Committee on the Rights of the Child (CRC Committee).¹⁴ As found in the report, Sierra Leone stated that a National Policy for the Protection of Persons with Disabilities was being considered.¹⁵ While acknowledging the development of the National Policy for the Protection of Persons with Disabilities, the CRC Committee in its Concluding Observation on Sierra Leone's second periodic report expressed concern about the absence of a legislative framework 'to cover the needs and protection of persons with disabilities'.¹⁶ The CRC Committee further made mention of the absence of information in respect of the inclusion of children with disabilities within the society.¹⁷

When Sierra Leone submitted its third to fifth periodic report on the CRC on 2 September 2013, it presented some of the progress it had made in light of the CRC Committee's Concluding Observation.¹⁸ Sierra Leone's report reflected the fact that the country had passed disability legislation¹⁹ and other related legal frameworks that protect the rights of children with disabilities.²⁰ The report also indicated that the Special Needs Education Unit with the support of Leonard Cheshire Home prepared a six-module curriculum for building the capacity of teachers that will teach learners with disabilities, establish a computer and braille training centre, and provide funding to 12 Special Schools.²¹

13 UN General Assembly, Convention on the Rights of the Child, United Nations, Treaty Series, vol 1577, p 3, 20 November 1989 (CRC).

14 Committee on the Rights of the Child, Consideration of reports submitted by state parties under article 44 of the Convention: Second periodic report of states parties due in 1997: Sierra Leone, 8 September 2006, UN Doc CRC/C/SLE/2 (2006) https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Download.aspx?symbolno=CRC%2FC%2FSLE%2F2&Lang=en (accessed 16 September 2024).

15 Second periodic report (n 14) para 231.

16 Committee on the Rights of the Child, Consideration of reports submitted by state parties under article 44 of the Convention: Concluding Observations: Sierra Leone, 20 June 2008, UN Doc CRC/C/SLE/CO/2 (2008) para 49 http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2FC%2FSLE%2FCO%2F2&Lang=en (accessed 16 September 2024).

17 As above.

18 Committee on the Rights of the Child, Consideration of reports submitted by states parties under article 44 of the Convention: Combined third, fourth and fifth periodic reports of states parties due in 2012: Sierra Leone, 27 January 2015, UN Doc CRC/C/SLE/3-5 (2015) http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2FC%2FSLE%2F3-5&Lang=en (accessed 16 September 2024).

19 The Persons with Disability Act 22 of 2011 (Disability Act).

20 For example, The Child Right Act 43 of 2007 and The National Youth Commission Act 11 of 2009; See Combined third, fourth and fifth periodic report (n 18) para 104(i).

21 Combined third, fourth and fifth periodic report (n 18) para 104(ii); 'Ratification, reporting & documentation for Sierra Leone' https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Countries.aspx (accessed 17 September 2024).

In the sixth periodic report of Sierra Leone, the Concluding Observation of the Committee on the Elimination of All Forms of Discrimination Against Women (CEDAW Committee)²² identified the absence of details relative to the 'situation of elderly women and women with disabilities who suffer multiple forms of discrimination and are less likely to have access to basic services, including education, employment and health care'.²³ The CEDAW Committee further suggested that specific policy measures be adopted in addressing this concern.²⁴ In November 2013, the Ministry of Social Welfare, Gender and Children's Affairs developed a strategic plan for 2014-2018 with the following vision statement:

a Sierra Leone where vulnerable groups and people with disability live a life of dignity, their human rights are fully respected, not discriminated against, and are active agents in their own protection.²⁵

Sierra Leone commits to submitting its 7th Periodic report to the Committee on the Elimination of Discrimination against Women; integrating the Women Peace and Security agenda in the Cluster Five of the Medium-Term Development Plan focusing on Empowering Women, Children and Persons with Disability; launching its National Gender Strategic Plan 2019-2023; and overseeing the establishment of Peace and National Cohesion Commission.²⁶

In its Universal Periodic Review process in 2011, Sierra Leone reported that it was developing a 'Draft Disability Policy and Bill' which made provision for the creation of a Disability Commission.²⁷ Sierra Leone emphasised that it was committed to the protection of the rights of vulnerable groups.²⁸ The United Kingdom of Great Britain and Northern Ireland acknowledged the progress made by Sierra Leone through the creation of a Human Rights Commission, the 2007 'Gender Acts' and the 2011 Disability Act. Challenges remained to improve access to justice; to address poverty; to bring the Human Rights Commission in line with the Paris Principles; to roll back discriminatory laws, practices and customs which entrench gender equality; and to prevent reoccurrence of conflict through promotion of national reconciliation. Spain recommended that Sierra Leone should ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities and strengthen efforts for the protection of children with

- 22 Committee on the Elimination of Discrimination against Women, Consideration of reports submitted by state parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women: Sixth periodic reports of states parties due in 2009: Sierra Leone, 1 November 2012, UN Doc CEDAW/C/SLE/6 (2012) http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fSLE%2f6&Lang=en (accessed 17 September 2024).
- 23 Committee on the Elimination of Discrimination against Women, Concluding Observations on the sixth periodic report of Sierra Leone, 10 March 2014, UN Doc CEDAW/C/SLE/CO/6 (2014) para 38 http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fSLE%2fCO%2f6&Lang=en (accessed 17 September 2024).
- 24 Concluding Observations on the sixth periodic report of Sierra Leone (n 23) para 39.
- 25 Ministry of Social Welfare, Gender and Children's Affairs 'Strategic Plan 2014-2018' (2013) para 2.2 <http://mswgca.gov.sl/attachments/Documents/MSWGCA%202014-2018%20Strategic%20Plan.pdf> (accessed 17 September 2024).
- 26 As above.
- 27 UN Human Rights Council, National report submitted in accordance with para 15(a) of the annex to Human Rights Council resolution 5/1 : [Universal Periodic Review]: Sierra Leone, 14 February 2011, UN Doc A/HRC/WG.6/11/SLE/1 (2011) para 36.
- 28 National report submitted in accordance with para 15(a) (n 27); see also Human Rights Council, Report of the Working Group on the Universal Periodic Review: Sierra Leone, 11 July 2011, UN Doc A/HRC/18/10 (2011) para 54 <https://citizenshiprightsafrika.org/wp-content/uploads/2016/01/Report-Working-Group-UPR-Sierra-Leone.pdf> (accessed 17 September 2024).

disabilities.²⁹ Spain further recommended that Sierra Leone should continue with efforts to ensure the protection of persons with disabilities. These recommendations were examined and adopted by Sierra Leone.³⁰

In its initial report to the African Commission on Human and Peoples' Rights (African Commission) with respect to the African Charter on Human and Peoples' Rights (African Charter).³¹ Sierra Leone articulated that it has a disability law. However, the report was silent with respect to specific measures provided in order to protect persons with disabilities in terms of the legislation.³² The report further acknowledged the fact that although there are laws protecting all persons against discrimination, acts of discrimination against persons with disabilities and women still occur. However, the report specified that with the enactment of the Disability Act and the creation of an Industrial Court to handle such matters, it is anticipated that the situation will improve.³³

Sierra Leone became a state party to the African Charter on the Rights and Welfare of the Child (African Children's Charter) in 2002.³⁴ The African Children's Charter obliges State Parties to submit reports on the measures undertaken to actualise the rights stipulated therein. Article 43 of the Charter recognises that State Parties are expected to submit their initial report two years after ratification and their periodic reports every three years thereafter. In line with this obligation, Sierra Leone in 2017, submitted its initial report on the status of the implementation of the African Charter on the Rights and Welfare of the Child (the African Children's Charter/the Charter). The ACERWC considered the Republic of Sierra Leone's initial report during its 30th Ordinary Session, which was held from 6-16 December 2017.³⁵ Sierra Leone also reported specifically on the rights of persons with disabilities.³⁶

2.4 Was there any domestic effect on Sierra Leone's legal system after ratifying the international or regional instruments in 2.3 above? Does the international or regional instrument that has been ratified require Sierra Leone's legislature to incorporate it into the legal system before the instrument can have force in Sierra Leone's domestic law? Have

29 Human Rights Council, Report of the Working Group on the Universal Periodic Review: Sierra Leone, 11 July 2011, UN Doc A/HRC/18/10 (2011) paras 80(1), 80(23).

30 Report of the Working Group on the Universal Periodic Review: Sierra Leone A/HRC/18/10 (n 29) para 81(17).

31 Organisation of African Unity (OAU), African Charter on Human and Peoples' Rights (Banjul Charter), CAB/LEG/67/3 rev 5, 21 ILM 58 (1982), 27 June 1981 (African Charter).

32 African Charter on Human and Peoples' Rights: Initial to date following article of the Charter report submitted by Sierra Leone (2013) http://www.achpr.org/files/sessions/53rd/state-reports/1st-1983-2013/statrep_1983_2013_eng.pdf (accessed 16 September 2024).

33 African Commission on Human and Peoples' Rights 'Sierra Leone' <http://www.achpr.org/states/sierra-leone/> (accessed 19 September 2024).

34 Organisation of African Unity (OAU), African Charter on the Rights and Welfare of the Child, CAB/LEG/24.9/49 (1990), 11 July 1990 (African Children's Charter).

35 African Union 'Follow-up Mission in Sierra Leone (8-11 August, 2023)' <https://www.acerwc.africa/en/article/news/follow-mission-sierra-leone-8-11-august-2023> (accessed 19 September 2024).

36 Government of the Republic of Sierra Leone 'Initial Report on the African Charter and Welfare of the Child 2002-2014' <https://www.acerwc.africa/sites/default/files/2022-06/Sierra-Leone-GSL-State-Party-Report-on-the-ACRWC-Final-for-Web-Email.pdf> (accessed 19 September 2024).

Sierra Leone's courts ever considered this question? If so, cite the case(s).

Sierra Leone operates a dualist system, hence international law instruments have to be domesticated by its legislature as provided under section 40 of the Constitution of Sierra Leone, 1991. Sierra Leone enacted a Child Rights Act in 2007, which aims at protecting the rights of the child.³⁷ Sierra Leone has also passed disability legislation in 2011.³⁸ The government also set up a Human Rights Commission which has in turn established a Different Ability and Non-Discrimination Office (DANDO) to champion as well as foster human liberties of people living with disabilities.³⁹

Regarding court cases, as at the time of conducting this research, September-October 2024, no court case directly relating to disability issue/rights in Sierra Leone can be anecdotally confirmed.

2.5 With reference to 2.4 above, has the CRPD or any other ratified international instrument been domesticated? Provide details.

The CRPD has been domesticated through the 2011 Disability Act and is currently being reviewed.⁴⁰ As stated in 2.4, the 2007 Child Rights Act of Sierra Leone domesticates the African Children's Charter and the CRC.

3 Constitution

3.1 Does the Constitution of Sierra Leone contain provisions that directly address disability? If so, list the provisions, and explain how each provision addresses disability.

The Sierra Leonean Constitution does not particularly recognise discrimination on account of disability.⁴¹ Although article 27(3) of the Constitution mentions 'disabilities' the word is used in a different perspective and not in the context of preventing of discrimination against persons with disabilities.

3.2 Does the Constitution of Sierra Leone contain provisions that indirectly address disability? If so, list the provisions and explain how each provision indirectly addresses disability.

Chapter II of the Sierra Leone Constitution recognises that in order to realise the social order of the state, the government is expected to ensure 'that opportunities for securing justice are not denied any citizen by reason of economic or other disability'.⁴²

37 The Child Right Act 43 of 2007.

38 The Persons with Disability Act 22 of 2011 (Disability Act).

39 Statistics Sierra Leone 'Population and Housing Census. Thematic Report on Disability' (2017) Freetown: Government of Sierra Leone.

40 UNPRPD (n 1) 11.

41 Constitution of Sierra Leone, 1991.

42 Art 8(2)(a) of the Constitution.

4 Legislation

4.1 Does Sierra Leone have legislation that directly addresses issues relating to disability? If so, list the legislation and explain how the legislation addresses disability.

Indeed, there is a national legislation that specifically addresses the issue of disability.⁴³ It is currently being reviewed, apparently to strengthen it.⁴⁴ Considerably, the Disability Act⁴⁵ establishes a National Commission which is tasked⁴⁶ with ensuring the preservation and protection of the well-being of persons with disabilities.⁴⁷ The Disability Act further provides for the human rights of persons with disabilities, including promoting inclusive education of persons with disabilities.

4.2 Does Sierra Leone have legislation that indirectly addresses issues relating to disability? If so, list the main legislation and explain how the legislation relates to disability.

Sierra Leone has legislation that indirectly addresses the issues of disability. Some legislation includes: the Education Act, 2004; the Public Election Act 2012; the Sexual Offences Act 126; and the Right to Access Information Act, 2013. Article 4(2) of the Education Act recognises disability as a prohibited ground of discrimination. Article 74(1)(i) of the Public Election Act makes provision for the process which a person with visual disabilities or physical disabilities may adopt in order to vote. Accordingly, in line with this provision, a voter with visual disabilities or physical disabilities is required to make an application to the Presiding Officer who will provide assistance or information that the voter can append his 'fingerprint mark in the square corresponding to the name of the candidate'⁴⁸ he/she seeks to vote for. Article 8(1) of the Sexual Offences Act makes it an offence for any person to intentionally cause, incite, threaten or deceive another person with intellectual disability to engage in a sexual activity.⁴⁹ Such an offender is also liable to imprisonment.⁵⁰ Article 11(3) of the Access to Information Act provides that information and materials should be disseminated in consideration of the different needs of persons with disabilities.

43 Disability Act.

44 UNPRPD (n 1) 11.

45 As above.

46 Disability Act, art 2(1).

47 Disability Act, art 6(1).

48 Public Election Act 26 of 2012, art 74(1)(i).

49 The Sexual Offences Act, art 8(1).

50 As above.

5 Decisions of courts and tribunals

- 5.1 Have the courts (or tribunals) in Sierra Leone ever decided on an issue relating to disability? If so, list the cases and provide a summary for each of the cases with the facts, the decision(s) and the reasoning.**

As at the time of writing this report, there was no identifiable court case relating to the rights of persons with disabilities in Sierra Leone.

6 Policies and programmes

- 6.1 Does Sierra Leone have policies or programmes that directly address disability? If so, list each policy and explain how the policy addresses disability.**

Sierra Leone also has policies that directly reference persons with disabilities. Some of these policies are The Sierra Leone's Medium-Term National Development Plan 2019-2023 (MTNDP). It is a more recent policy and programme document. It lays down the blueprint for the country's systemic development policy, addressing a wide range of sectors. One of eight policy clusters under the MTNDP has plans for empowering women, children, and persons with disabilities.⁵¹

- 6.2 Does Sierra Leone have policies and programmes that indirectly address disability? If so, list each policy and describe how the policy indirectly addresses disability.**

The Strategic Plan (2014-2018) developed by the Ministry of Social Welfare, Gender and Children's Affairs also addresses disability issues. Significantly, the vision statement of the Strategic Plan is an inclusive Sierra Leonean society where women, men, children, the elderly and people with disabilities live a life of dignity and their human rights fully recognised and protected.⁵² One of the fundamental ideals of the Strategic Plan is 'equity and equality'. In this context, 'equal opportunities' for all persons including persons with disabilities is underscored.⁵³

In 2013, the President of Sierra Leone launched the Agenda for Prosperity,⁵⁴ which is Sierra Leone's Third Generation Poverty Reduction Strategy Document

51 UNPRPD (n 1) 11.

52 Ministry of Social Welfare, Gender and Children's Affairs 'Strategic Plan 2014-2018' (2013) para 2.2 <http://mswgca.gov.sl/attachments/Documents/MSWGCA%202014-2018%20Strategic%20Plan.pdf> (accessed 23 September 2024).

53 Strategic Plan (n 52) para 2.3.

54 The Republic of Sierra Leone 'National draft policy framework for social protection in Sierra Leone' (2009) http://www.fao.org/docs/up/easypol/forum/31/31_National_Draft_Policy_for_Social_Protection_in_Sierra_Leone.pdf (accessed 23 September 2024); The Government of Sierra Leone 'The Agenda for prosperity: Road to middle income status' (2013) 107 http://www.undp.org/content/dam/sierraleone/docs/projectdocuments/povreduction/undp_sle_The%20Agenda%20for%20Prosperity%20.pdf (accessed 23 September 2024).

(2013-2018).⁵⁵ Part of the health sector objectives is to make available free healthcare at the point of delivery for people with disabilities and support services aimed at making available rehabilitation equipment for people with disabilities.⁵⁶ In 2012, the First Lady of Sierra Leone launched the Mental Health Policy.⁵⁷ One of the objectives of this policy is to 'promote the quality of life (eg good health status, social inclusion) of all people with mental disability and their families in Sierra Leone'.⁵⁸ In 2011, Sierra Leone adopted a National Social Protection Policy, which aims at providing social protection for vulnerable groups within the Sierra Leonean society.⁵⁹

7 Disability bodies

7.1 Other than the ordinary courts and tribunals, does Sierra Leone have any official body that specifically addresses violations of the rights of people with disabilities? If so, describe the body, its functions and its powers.

There is National Commission for Persons with Disability (NCPD) which was established by the Disability Act, 2011 to ensure the well-being of persons with disabilities (PWDs) and is mandated to:

- Engage in policy formulation for the protection of PWDs.
- Collaborate with government during national census to ensure that accurate figures of PWDs are documented.
- Proffer means of ensuring that discrimination against PWDs is prevented.
- Investigate allegations of discrimination against PWDs.
- Produce a report on the investigation and implementation of programmes aimed at employment or income generation for PWDs.
- Liaise with all stakeholders that implement programmes relating to PWDs.⁶⁰

The Ministry of Social Welfare (MOSW) is another national coordinating body for all disability issues and has the statutory mandate to protect persons with disabilities.⁶¹

55 This policy builds on Sierra Leone's Second Poverty Reduction Strategy titled 'Agenda for Change'. See The Republic of Sierra Leone 'Agenda for change: Second poverty reduction strategy (PRSP II): 2009-2012' (Agenda for Change) http://unipsil.unmissions.org/portals/unipsil/media/publications/agenda_for_change.pdf (accessed 23 September 2024); 'Agenda for prosperity road to middle income status' *Mysierrialeoneonline.com* 12 April 2013 http://mysierrialeoneonline.com/sl_portal/site/news/detail/1553 (accessed 23 September 2024); the REDD Desk 'The agenda for prosperity: Third generation poverty reduction strategy paper (2013-2018)' <http://theredddesk.org/countries/plans/agenda-prosperity-sierra-leones-third-generation-poverty-reduction-strategy-paper> (accessed 23 September 2024).

56 Agenda for Prosperity (n 55) 67.

57 Mental Health Coalition in Sierra Leone 'Sierra Leone Mental Health Policy launched by first lady' 15 October 2012.

58 Ministry of Health and Sanitation, Republic of Sierra Leone 'Mental Health Policy' 9 http://www.whosierraleone.org/1_docs/mohpartnersdocs/mental_health_policy.pdf (accessed 23 September 2024).

59 Agenda for Prosperity (n 55) 101.

60 'Sierra Leone Development Encyclopedia 2023' https://www.sldevelopmentencyclopaedia.org/2_gov/2_4ncpd.html (accessed 22 September 2024).

61 UNPRPD (n 1) 8.

7.2 Other than the ordinary courts or tribunals, does Sierra Leone have any official body that though not established to specifically address violations of the rights of persons with disabilities, can nonetheless do so? If so, describe the body, its functions and its powers.

The Human Rights Commission of Sierra Leone (HRCSL) was established in 2004 by an Act 9 of Parliament. The primary objective of the Commission is to protect and promote human rights for everyone throughout the country, including persons with disabilities. This the Human Rights Commission of Sierra Leone does through investigations, public education, monitoring, advising government, reviewing draft & existing legislation and producing an annual state of human rights report to President, Parliament and the public.⁶²

8 National human rights institutions, Human Rights Commission, Ombudsman or Public Protector

8.1 Does Sierra Leone have a Human Rights Commission, an Ombudsman or Public Protector? If so, does its remit include the promotion and protection of the rights of persons with disabilities? If your answer is yes, also indicate whether the Human Rights Commission, the Ombudsman or Public Protector of Sierra Leone has ever addressed issues relating to the rights of persons with disabilities.

In 2017, the Human Rights Commission of Sierra Leone worked in close collaboration with the National Commission for Persons with Disability to implement activities geared towards awareness raising and advocacy for the realisation of the human rights of persons with disabilities. The Human Rights Commission of Sierra Leone (HRCSL) and National Commission of Persons with Disabilities (NCPD) also constructed a ramp at the Central Police Station to remind government and other stakeholders of their obligation under the CRPD to ensure the rights of persons with disabilities are respected with regards to accessibility.

On the 24 July 2024, the HRCSL and NCPD signed a Memorandum of Understanding with particular focus on collaboration in the area of Complaints Handling Mechanism and Production of Joint Thematic Report on disability issues. The HRCSL considered that in order to build the confidence and trust of persons with disabilities, on the operations of the NCPD, its complaints handling procedure should be able to provide remedies after an investigation for a violation of human rights. The remedies available as described by its legal framework range from reporting and referring the matter to a higher authority such as Parliament, the Attorney General or other government MDAs for appropriate action to be taken by that body, awarding compensation or damages to the complainant or making an order for a reversal of the action complained.

62 Human Rights Commission of Sierra Leone 'Business and human rights in Sierra Leone' <https://www.ohchr.org/sites/default/files/Documents/Issues/Business/ForumSession2/HRCSierraLeone.pdf> (accessed 22 September 2024).

9 Disabled peoples organisations (DPOs) and other civil society organisations

9.1 Does Sierra Leone have organisations that represent and advocate for the rights and welfare of persons with disabilities? If so, list each organisation and describe its activities.

Yes, Sierra Leone has organisations that represent and advocate for the rights and welfare of persons with disabilities. One of such organisations is Sierra Leone Union of Disability Issues (SLUDI).⁶³ SLUDI is one of the oldest and most influential DPOs in the country and it operates as a broad federation, and individual DPOs register with SLUDI to become members. It has been highlighted that in principle, all DPOs are members of SLUDI, but in practice, not all of them feel equally well-represented.⁶⁴

Sierra Leone Association for the Blind (SLAB) is another DPO that advocates for equal rights and opportunities for blind and low vision people. The organisation also facilitates the empowerment of persons with visual disabilities to achieve independence and social inclusion.⁶⁵

Sierra Leone Union of Polio Persons (SLUPP) was developed under the guidance and support of Mercy Ships/New Steps. SLUPP plays an advocacy role in promoting the rights of persons with disabilities.⁶⁶

The Sierra Leone Red Cross Society (SLRCS) promotes rights of persons with disabilities through radio programmes, television slots, and promotion of their main programmes (job aid for war amputees).⁶⁷

Sierra Leone Association of the Deaf (SLAD) has as its vision and mission to promote, advocate, and serve children and adults with hearing disabilities in Sierra Leone. The main purpose is to help support and satisfy needs regarding the communication access, human rights, disability rights, and social justice rights.⁶⁸

9.2 In the countries in Sierra Leone's region (West Africa) are DPOs organised/coordinated at national and/or regional level?

Within the African region, DPOs are usually organised at the national level.⁶⁹ For example in Sierra Leone, SLUDI and SLUPP as earlier highlighted⁷⁰ are national bodies for persons with disabilities in Sierra Leone. Accordingly in Nigeria, the Joint National Association of Persons with Disabilities (JONAPWD) is the umbrella body for persons with disabilities in Nigeria. In Liberia, the National

63 UNPRPD (n 1) 9.

64 As above.

65 'Organisations of Persons with Disabilities in Sierra Leone' https://rodra.co.za/images/countries/sierra_leone/LIST_OF_ORGANIZATIONS_WORKING_ON_DISABILITIES_IN_SIERRA_LEONE.pdf (accessed 22 September 2024).

66 As above.

67 As above.

68 As above.

69 Anecdotal evidence.

70 See sec 9.1 of this report.

Union of the Disabled (NUOD), an umbrella DPO, protects the rights of persons with disabilities in Liberia. In Senegal, there is the Senegalese Federation of Associations of Persons with Disabilities (FESAPH). In Togo, there is a Togolese Federation of Associations of Persons with Disabilities (FETAPH). In Benin, there is the Benin Federation of Associations of Persons with Disabilities (FAPHB). In Niger, there is the Niger Federation of Persons with Disabilities and also in Mali there is a Malian Federation of Associations of Persons with Disabilities (FEMAPH). Ghana has a Ghana Federation of the Disabled (GFD), which is a national umbrella organisation for persons with disabilities in Ghana.⁷¹

9.3 If Sierra Leone has ratified the CRPD, how has it ensured the involvement of DPOs in the implementation process?

As part of their obligation to support the Government of Sierra Leone, in the area of protecting and promoting the rights of persons with disabilities, the Human Rights Commission of Sierra Leone (HRCSL) and National Commission of Persons with Disabilities (NCPD) have increased attention to the rights of persons with disabilities through DPOs on several activities ranging from awareness raising, complaints handling and redress mechanisms for persons with disabilities.⁷²

The Human Rights Commission of Sierra Leone (HRCSL) and National Commission of Persons with Disabilities (NCPD) has rolled out a series of training and capacity building with the NCPD, DPOs and communities of persons with disabilities. All these engagements are geared towards protecting and promoting the rights of persons with disabilities.⁷³

The NCPD and DPOs usually play a vital role in the treaty body process which involves, verification of information that has been collected on the status of disability in Sierra Leone, participating in the national consultations and lobbying members of the Working Group. The HRCSL realising the unique role of the NCPD and DPOs in the United Nations Treaty Body System and its impact thereon, particularly in reporting on the CRPD, often organise capacity training workshops.⁷⁴

9.4 What types of actions have DPOs themselves taken to ensure that they are fully embedded in the process of implementation?

Several DPOs in Sierra Leone focus on advocacy. Recently, efforts have been extended towards collaborations and partnerships to reach the persons with disabilities community across Sierra Leone. For instance, the World Federation of Deaf (WFD) supported the Sierra Leone Union of Disability Issues (SLUDI) to develop the PWDs National Agenda which was used to advocate for the inclusion and voice of persons with disabilities in the electoral and political process of the 2018 elections and beyond. The PWD Agenda was the first document that articulated the priorities of persons with disabilities to be used to engage political parties, parliament, electoral bodies, and Civil Society Organisations in making

71 R Adeola 'Country report: Sierra Leone' (2015) 3 *African Disability Rights Yearbook* 225.

72 HRCSL & NCPD 'Opening minds to disability rights in Sierra Leone: Thematic Report' (2017) 1 https://rodra.co.za/images/countries/sierra_leone/Annexe%205.5%20-%20Opening%20Minds%20To%20Disability%20Rights%20in%20Sierra%20Leone%20-Human%20Rights%20Commission%20SL%20Thematic%20Reports%20on%20Persons%20with%20Disability.pdf (accessed 22 September 2024).

73 HRCSL & NCPD (n 72) 9-10.

74 As above.

sure that inclusion became a priority issue in shaping the debate around the 2018 elections.⁷⁵

WFD also helped to link up SLUDI with the Human Rights and Social Services Committee in Sierra Leone's Parliament. SLUDI then made presentations to the Committee, and this has enhanced immediate support for Parliament to push the Ministry of Social Welfare, Gender and Children's Affairs to release funds to support the NCPD.⁷⁶

9.5 What, if any, are the barriers DPOs have faced in engaging with implementation?

One major challenge faced by DPOs in engaging with implementation relates to funding.⁷⁷ Most time DPOs are not given the opportunity to make their views and priorities known before the articulation of laws and policies. DPOs always struggle to access, lobby, influence and engage members of the parliament on key public policy issues affecting persons with disabilities.⁷⁸ There is also limited support and coordination within the disability umbrella body and other DPOs which compete to effectively mobilise its membership to articulate their voices on critical issues affecting persons with disabilities.⁷⁹

9.6 Are there specific instances that provide 'best-practice models' for ensuring proper involvement of DPOs?

The establishment of the NCPD and the National Development Fund for persons with disabilities is considered essential. This is an indication that Sierra Leone is committed to the SDGs and the CRPD. Relying on the 2021 Common Country Analysis report produced by the UN Country Team, the UNCT carries out programme activities to support disability inclusion under the UN Sustainable Development Cooperation Framework (2020-2023).⁸⁰ Disability inclusion as observed, continues to be a strong priority for the government and development partners.⁸¹

9.7 Are there any specific outcomes regarding successful implementation and/or improved recognition of the rights of persons with disabilities that resulted from the engagement of DPOs in the implementation process?

The enactment of the Persons with Disability Act in 2011 and establishment of the NCPD is a specific outcome of DPOs engagement in the disability rights advocacy

75 WFD 'Advancing disability rights in Sierra Leone' (2020) <https://www.wfd.org/story/advancing-disability-rights-sierra-leone> (accessed 22 September 2024).

76 As above.

77 A van den Brink, W Elbers & A Ibrahim 'Breaking down barriers: The disability movement in Sierra Leone – Fragmented yet together' (2022) <https://www.barriersfree.org/uploaded/2022/02/disability-movement-sierra-leone.pdf> (accessed 22 September 2024)

78 WFD (n 75).

79 As above.

80 UN Sierra Leone 'United Nations Sustainable Development Cooperation Framework Sierra Leone 2020-2023' <https://sierraleone.un.org/en/100608-united-nations-sustainable-development-cooperation-framework-sierra-leone-2020-2023> (accessed 22 September 2024).

81 UNPRPD (n 1) 21.

and struggle. The NCPD does raise awareness within DPOs and communities and is considered the first point of contact for any claims and grievances on the ground of disability.

9.8 Has your research shown areas for capacity building and support (particularly in relation to research) for DPOs with respect to their engagement with the implementation process?

Yes, notwithstanding that DPO members know that discrimination is prohibited by law, they do not necessarily know how to recognise and prove it and how to seek protection or justice. Persons with disabilities who are not part of any disability organisation most times know less about their rights and usually have only a vague understanding of the concept of discrimination.

9.9 Are there recommendations that come out of your research as to how DPOs might be more comprehensively empowered to take a leading role in the implementation processes of international or regional instruments?

Coordination among DPOs in Sierra Leone does not seem to be fully effective and some of the groups lack the material, human and technical capacity to fulfil disability-related tasks. The NCPD could play a coordination role among DPOs, but resources must be made available given the significant expertise and many responsibilities it is expected to provide and carry out. In turn, the DPOs could offer constructive criticism of NCPD operations and the government in general on disability-related issues, suggesting appropriate alternative approaches to improve the general well-being of persons with disabilities.

9.10 Are there specific research institutes in the region where Sierra Leone is situated (West Africa) that work on the rights of persons with disabilities and that have facilitated the involvement of DPOs in the process, including in research?

The Independent School of Disability Studies is a research centre in West Africa that offers courses, research, and consultancy in intellectual and developmental disabilities, learning disabilities, mental health and more. There is also Foundation for Environmental Rights, Advocacy and Development (FENRAD) and International School of Disability Studies (ISDS), Sierra Leone Urban Research Centre (SLURC). These institutes promote research and training of all kinds on disability and its environment, and to take all action in favour of inclusive development, with a view to the social involvement of individuals with disabilities.

10 Government departments

10.1 Does Sierra Leone have a government department or departments that is/are specifically responsible for promoting and protecting the rights and welfare of persons with disabilities? If so, describe the activities of the department(s).

The key government departments responsible for implementing and monitoring the CRPD are highlighted below:

NCPD is expected to ensure the well-being of persons with disabilities and is mandated to accelerate the participation and inclusion of persons with disabilities in decision making and governance. Its affairs are managed by a chairperson appointed by government and the Commission's membership includes four representatives of DPOs.⁸²

The Ministry of Social Welfare is the national coordinating body for all disability issues and has the statutory mandate to protect persons with disabilities.⁸³

Other key line ministries that operate programmes essential to persons with disabilities include the Ministry of Health and Sanitation (MOHS) and relates to both primary and secondary health care. The Ministry of Basic and Senior Secondary Education is responsible for special needs schools and inclusive education in mainstream schools, including implementation of the 'Radical Inclusion Policy'. The Ministry of Works is in charge of implementing the provisions of the law concerning building accessibility. The Ministry of Finance creates the budget that enables disability-related public expenditures. The Ministry of Labour oversees social protection programmes and the Ministry of Communication ensures that persons with disabilities can access public information.⁸⁴

11 Main human rights concerns of people with disabilities in Sierra Leone

11.1 Contemporary challenges of persons with disabilities in Sierra Leone (eg in some parts of Africa is ritual killing of certain classes of PWDs such as persons with albinism occurs)

In Sierra Leone, persons with disabilities face higher rates of discrimination at all levels of society. Some examples include the higher degree of unemployment, restricted social integration, limited access to health care and higher degrees of violence and abuse. Most times families do not prioritise education for children with disabilities. Women with disabilities also face higher rates of homelessness

82 Sierra Leone Development Encyclopedia 2023 (n 60).

83 UNPRPD (n 1) 8.

84 As above.

and discrimination. In terms of political participation, the visibility of persons with disabilities, their voices and priorities remain low.

11.2 Describe the contemporary challenges of persons with disabilities, and the legal responses thereto, and assess the adequacy of these responses to:

In principle, several laws prohibit discrimination against persons with disabilities in Sierra Leone, such as the Constitution, the Persons with Disability Act 2011, Education Act 2004, the 2007 Prevention and Control of HIV and AIDS Act, the Domestic Violence Act and more. In reality, however, monitoring mechanisms to oversee violations and continued discrimination are fragmented. This is basically connected to the fact that various government departments specifically responsible for promoting and protecting the rights and welfare of persons with disabilities are directly subordinate to the government. Sierra Leone's Medium-Term National Development Plan 2019-2023 (MTNDP) is a more recent framework document. It lays down the blueprint for the Sierra Leone's overall development policy which addresses a wide range of sectors. The MTNDP includes language that specifically addresses challenges affecting persons with disabilities in the following areas: education; health and hygiene; livelihood; and participation.

11.3 Do people with disabilities have a right to participation in political life (political representation and leadership) in Sierra Leone?

Voting rights of persons with disabilities are assured by accessible polling stations equipped with tactile ballots, but not all persons with disabilities know how to use them.⁸⁵ Moreover, the Disability Act mandates the National Election Commission to make sure that during elections, polling stations are made accessible to persons with disability and such persons ought to be provided with the necessary assistive devices and services.⁸⁶ By virtue of the Constitution of Sierra Leone, persons with disabilities, can participate in political life in Sierra Leone.

11.4 Are persons with disabilities' socio-economic rights, including the right to health, education and other social services protected and realised in Sierra Leone?

Persons with disabilities right to health, education and social protection are included and protected in Sierra Leone. However, the conditions for effective implementation are still lacking. While there are laws and policies in existence to protect the right to health for persons with disabilities in Sierra Leone, there are still considerable challenges to be addressed. Many healthcare workers in Sierra Leone often lack the necessary training and capacity to provide needed services to persons with disabilities. There is also limited accessibility of healthcare facilities as well as limited assistive devices which can prevent persons with disabilities from accessing healthcare services.

Regarding education, the right to education for persons with disabilities in Sierra Leone is not fully protected and realised. Although there have been progressive developments in promoting education in Sierra Leone, a lot of work is still required to ensure it is fully protected. Many schools lack the necessary accommodations. Regular education teachers also need special education training

85 UNPRPD (n 1) 18.

86 The Persons with Disability Act 22 of 2011, art 29.

to support students with disabilities. Parents too require orientation on the benefits of education for children with disabilities. Labelling and exclusion remain notable challenges.

Similarly, other social services for persons with disabilities, including social protection, accommodation, assistance with living expenses, transportation and employment are recognised by law, but their actualisation is yet to be seen. The persons with Disability of 2011 specifically made provisions on social protection for persons with disabilities but accessing these services is still a significant challenge for persons with disabilities in Sierra Leone. Anecdotal evidence shows that social services for persons with disabilities are usually not funded or underfunded.

11.5 Specific categories experiencing particular issues/vulnerability.

Persons with intellectual disabilities are often excluded from social protection measures available to persons with disabilities. For example, rehabilitation services for persons with intellectual disabilities are essentially non-existent.⁸⁷

Many persons with disabilities are often homeless and homeless women with disabilities are more vulnerable than their male counterparts, exposing them to risk of sexual abuse and violence. Sexual and reproductive services are also underdeveloped. Many women with disabilities have children they raise in undignified conditions due to poverty, with no material support from the father. Single parenthood places an additional burden on women with disabilities, especially for the most vulnerable among them. There is also no specific commission charged with protecting women against gender-based discrimination. There is a conspicuous lack of protection for the LGBTQ community of persons with disabilities as well.⁸⁸

Disability groups whose members consist of physical disabilities and persons with visual impairment tend to be strongest in Sierra Leone.⁸⁹ Persons with hearing disabilities and groups that are still fighting to be recognised as a disability group, such as the albinos, people with intellectual disabilities or cognitive impairments, tend to be weaker capacity-wise.⁹⁰ These groups often have more problems organising themselves, managing their organisations effectively and mobilising assistance.⁹¹

87 UNPRPD (n 1) 19.

88 UNPRPD (n 1) 18.

89 A van den Brink 'Together yet fragmented: A comparative case study of the women and disability movements' collective identity formation and maintenance in Sierra Leone' RESMA-thesis, Leiden: Leiden University, 2018.

90 Persons with physical disabilities, who are in the majority group in Sierra Leone due to the civil war, often do not consider themselves to be disabled. They are generally seen as being more educated than other groups and have had more financial aid to access education.

91 Van den Brink (n 89).

12 Future perspective

12.1 Are there any specific measures with regard to persons with disabilities being debated or considered in Sierra Leone at the moment?

Yes, the Persons with Disability Act is currently being revised and this is probably based on the need to strengthen the contents of the Act towards ensuring holistic protection for persons with disabilities in Sierra Leone.⁹² Sierra Leone's Medium-Term National Development Plan 2019-2023 (MTNDP) is a more recent framework document that lays down the blueprint for the country's overall development policy and it included in its eight policy clusters is the policy on 'Empowering women, children, and persons with disability'.⁹³

12.2 What legal reforms would you like to see in Sierra Leone? Why?

Revise the Persons with Disability Act to comply with CRPD provisions regarding gender equality and provisions that would also extend protection towards marginalised and under-represented groups of persons with disabilities.

I would like to see a legal revision of other priority laws, policies, and systems that are undergoing review for compliance with CPRD and Persons with Disability Act.

92 UNPRPD (n 1) 11.

93 As above.