



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

Initial report submitted by Sierra Leone under article 35 of the Convention, due in 2012*

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List of abbreviations

AYV	African Young Voices
CBR	Community Based Rehabilitation
COMAHS	College of Medicine and Allied Health Sciences
CRA	Child Rights Act (CRA)
CRPD	Convention on the Rights of Persons with Disabilities
CSO	Civil Society Organisation
DMO	District Medical Officer
DPO	Disabled Person's Organisation
EVD	Ebola Virus Disease
FSU	Family Support Unit
GDU	Gender and Disability Unit
GDP	Gross Domestic Product
GLC	General Legal Council (GLC)
GoSL	Government of Sierra Leone
HDI	Human Development Index
HRCSL	Human Rights Commission of Sierra Leone
LAB	Legal Aid Board
MBSSE	Ministry of Basic and Senior Secondary Education
MDA	Ministries, Departments and Agencies
MFAIC	Ministry of Foreign Affairs and International Corporation
MoF	Ministry of Finance
MoHS	Ministry of Health and Sanitation
MSWGCA	Ministry of Social Welfare, Gender and Children's Affairs
MTHE	Ministry of Technical and Higher Education
MTCA	Ministry of Tourism and Cultural Affairs
MLGRD	Ministry of Local Government and Rural Development
MoS	Ministry of Sports
NaCSA	National Commission for Social Action
NADSP	National Assistive Device Supply Programme
NCC	National Commission for Children
NCISA	National Central Intelligence and Security Act
NCPD	National Commission for Persons with Disability
NCRRR	National Commission for Reintegration, Rehabilitation and Resettlement
NDP	National Development Plan
NEC	National Electoral Commission
PWD	Person(s) with disabilities
PWDA	Persons with Disability Act

RESSN	Rapid Ebola Social Safety Net
SDGs	Sustainable Development Goals
SLPHC	Sierra Leone Population and Housing Census
SLBC	Sierra Leone Broadcasting Corporation
SLUDI	Sierra Leone Union on Disability Issues
SSN	Social Safety Net (SSN)
TDCHS	Tonkolili District College of Health Sciences
TRC	Truth and Reconciliation Commission
UNCRPD	United Nations Convention on the Rights of Persons with Disabilities

General Introduction

1. The Republic of Sierra Leone Reporting Strategy is the Government of Sierra Leone framework through which its human rights obligations are reported to treaty bodies.
2. Human Rights were in a deplorable state before the war but have improved tremendously since the end of the country's civil war (1991–2002). This came about as the country experienced a boom in the ratification and domestication of human rights instruments.
3. Among the major human rights abuses in the country today are the use of excessive force to detainees by the security forces especially the police, harsh conditions in correctional centre, official impunity, arbitrary arrest and detention, protracted court cases, forcible dispersion of demonstrators, widespread corruption, human trafficking etc.
4. This report provides an overview of the progress Sierra Leone has made in improving the lives of persons with disabilities. The report also outlines the constitutional, legislative, judicial, administrative and other measures that the Government has taken to implement the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), since its ratification in 2009 and subsequent domestication in 2011. While recognizing the progress that Sierra Leone has made, the report also highlights the challenges experienced in giving effect to the provisions of the Convention and the strategies currently in place or underway to address any existing gaps.
5. Sierra Leone ratified the UNCRPD in 2009 but has not ratified the UNCRPD Optional Protocol. In addition, the rights of persons with disabilities are protected in other international human rights instruments that Sierra Leone has either ratified or domesticated.
6. The Constitution of Sierra Leone, Act No. 6 of 1991 contains provisions that protect the rights of PWDs in the areas of care, welfare and educational opportunities. Article 8 (3) (f) of the Constitution of Sierra Leone 1991 guarantees that the care and welfare of the aged, young and disabled shall be actively promoted and safeguarded. Additionally, Article 9 (1) (b) of that Constitution provides for the safeguarding of the rights of vulnerable groups, such as children, women, and the disabled in security and educational facilities. The legal framework concerning social protection programmes for PWDs and the promotion and protection of their rights has improved considerably with the enactment of the PWDA, 2011. This is a measure referred to in Article 4 of the UNCRPD. The Act provides rights and privileges to PWDs in key areas relating to dignity, autonomy, independence, non-discrimination, equality of opportunity, participation and inclusion.
7. It is globally believed that there is an increase in the number of persons with all categories of disabilities. This is particularly so in Sub-Saharan Africa where poverty, illiteracy, disease outbreak, limited access to immunization and other related health facilities, low levels of sensitization on health-related issues, and a high rate of accidents are prevalent. Since Sierra Leone is experiencing most, if not all, of the aforementioned challenges, it is apparent that the number of PWDs is increasing considerably.
8. The two Sierra Leone Population and Housing Censuses (SLPHC) that have compiled and analysed data on disability; the 2004 and 2015 censuses respectively show that there are more males with disability than females with disability in the country.¹ In the 2004 SLPHC, while females with disability recorded a total of 1.10 percentage, males with disability recorded a percentage of 1.30 in that same census.² This situation is not peculiar to Sierra Leone. War torn countries in Africa like the Democratic Republic of Congo, Somalia, Liberia also experienced a similar situation in which the number of males with disability surpasses that of their female counterpart.
9. In Sierra Leone, the increase in the number of PWDs can be largely attributed to the eleven (11) years civil war in which the fighting forces used innocent citizens as combatants. They were exposed to unbearable danger, ailment and amputation. The use of drugs during those years of civil conflict by these militias has a greater debilitating effect on them after the conflict has been resolved. In most cases it leaves them with mental challenges. The use

¹ Sierra Leone Population and Housing Census, 2015.

² Sierra Leone Population and Housing Census, 2004.

of heavy military weapons by combatants left them with hearing impairment. Unlike women, male combatants are often seen as threats during armed conflict, if not killed, they are left with serious injuries which result to disability.³

10. The outbreak of the Ebola Virus Disease in 2014, and the twin disaster of flash floods and mudslides in 2017 also increased the number of PWDs in the country. As a result of these disasters, some survivors have been left with various forms of disabilities including mobility impairment and mental health issues, which particularly increased due to the psychological impact of the disaster on the affected communities. The effects of these disasters have compounded the already existing psychosocial challenges experienced in the wake of the current financial difficulties that the citizenry is faced with. In response to these challenges, MSWGCA has strengthened the Psychosocial and Protection Desks at all levels for effective and efficient service delivery to the survivors.

11. After the civil war, which broke out in 1991 and ended in 2002, the Truth and Reconciliation Commission was established to critically assess the causes of the war to prevent a relapse into conflict. It recommended that all victims of the war, including PWDs, benefit from social protection programmes in order to facilitate their rehabilitation, resettlement and inclusion into national development processes.

12. Like the Millennium Development Goals, there has been increased appreciation of the Sustainable Development Goals (SDGs) in Sierra Leone. The country recently launched the Medium-Term National Development Plan (2019–2023) titled ‘Education for Development’. The people centred plan is aligned with the African Union Agenda 2063 and SDGs to strategically guide the delivery of services and ensure that no one is left behind in the development processes of Sierra Leone.

13. The current free and quality and inclusive education stands out as the principal development necessity for Sierra Leone. Since August 2018, the GoSL has allocated 21% of the national budget to Free Quality School Education Programme, to ensure that all children have access to basic and senior school education.

14. On addressing the health-related issues of vulnerable group as provided for in the SDGs, the GoSL has expanded the free health care facility to cover persons with disabilities as prescribed in the Persons with Disability Act 2011. Equally so, the capacity of Legal Aid Board has been enhanced to provide legal services to vulnerable groups and low-income Sierra Leoneans who, may not have the means to have legal representation in court or help dispense justice on his/her behalf without delay.

Background Information on Sierra Leone (Geography & Economy)

15. Sierra Leone is located along the West Coast of Africa bounded on the North and Northeast of Guinea and the East and Southeast of the Republic of Liberia. It covers an area of about 72,000 square kilometres (28,000 square miles) and extends from latitude 7 degrees north to 10 degrees north, and from longitude 10 degrees west to 14 degrees west. On the west and southwest, the Atlantic Ocean extends approximately 340 kilometres (211 miles).

Demographics

16. According to the last population and housing census conducted in 2015, Sierra Leone had a population of 7,092,113 with an annual population growth rate of 3.2%. The projected population is 10,038,361 by 2030. The sex ratio is 95 males per 100 females. In 2015, children below 15 years constituted 40.9% of the population.

17. The population is unevenly distributed among regions and districts of Sierra Leone. The Northern and Northwest Regions had 35.3%, followed by Eastern Region 23.2% and

³ Sierra Leone Truth and Reconciliation Commission Report 2002.

Western Rural and Urban Region had 21.2% of the population. The Southern Region recorded the least with 20.3% of the total population.⁴

18. There are variations in the sex ratio at the regional levels. The Eastern Region has a sex ratio of 98.3 compared to 95.3, 94.9 and 99.3 in the Northern, Southern and Western Regions respectively. The sex ratio at national level is estimated at 95.0 males per 100 females and compared to 94.7 in 2004.

Economy

19. The economy is currently faced with three major shocks: the collapse of iron ore prices on the international market, the outbreak of the Ebola Virus Disease in May 2014 and the August 14, 2017, twin disaster of flash floods and mudslides. The collapse in the price of iron ore has seriously affected the production of iron ore in the country, and consequently led to the shutdown of all iron ore mining companies in the country. This has undoubtedly affected the revenue stream of the Government from this source.

20. The outbreak of the Ebola Virus Disease disrupted key economic activities in the second half of 2015. The restrictions imposed on movement, border closures, cancellation of international flights and disruptions to agriculture, tourism, manufacturing and transportation negatively affected economic output in 2014 and 2015 respectively. The economic impact of the Ebola outbreak also translated into heightened inflationary pressures, depreciation of the Leone, and increased fiscal and balance of payments financing requirements. It is obvious that the outbreak of the Ebola Virus Disease (EVD) adversely affected the performance of the economy in the 2014.

21. Furthermore, the outbreak has exacerbated the poverty situation in the country. The country faces major development challenges as evidenced by its very low ranking on the Human Development Index (HDI) and the limited paid jobs available especially for the youths in the country. Although the poverty levels seem to have come down from 66.0% of the population in 2003 to 52.9% of the population whose expenditures fall below \$1 a day, yet poverty is still widespread among the population.

22. The August 14, 2017, twin disaster of mudslide and flash floods also posed unimaginable financial challenges to the country as funds meant for developmental activities had to be diverted to address the plight of the affected persons.

Labour force, employment and earnings

23. According to the Labour Profile 2017, labour productivity increased during the 2000s and a fast economic growth spurred in the beginning of 2010s which was largely due to the insurgence of mining companies. This phenomenon increased the labour force. The economic growth dropped rapidly when international prices on mining products collapsed and the outbreak of the EVD. This had a corresponding drop in the labour force.

24. In the informal sector, under employment range from 31% to 70% in the informal economy. The more regulated industrial sector had a narrow employment of 9% and it produced 6% of the total Gross Domestic Product (GDP).

25. Currently, the monthly minimum wage an employee is Five Hundred Thousand Leones (Le 500,000.00) which is about \$60.

26. According to the SLPHC, 2015 only 1.8% of the total number of 93,127 of PWDs are employed. The proportion of those employed is slightly higher among males with disabilities than females. In terms of occupation, most PWDs are engaged in Agriculture and fishing activities.

27. According to a verification exercise undertaken by the National Civil Registration Authority (NCRA) on the existing civil servants, out of 75,982 names submitted by the Accountant General's Department, only 72,464 civil servants went through the verification

⁴ Statistics Sierra Leone, Sierra Leone Population and Housing Census, 2015.

exercise including persons with disabilities.⁵ (Awoko Newspaper, December 11, 2018, Publication).

28. 70% of the population in Sierra Leone is below the UN notional \$2 per day threshold and 40% below the \$1 per day threshold. So, the average monthly household expenditure is \$40 or \$50.⁶

Governance

29. Administratively, Sierra Leone is currently divided into five regions: Northern, Northwestern, Southern, Eastern and Western Regions. Each region is subdivided into districts. Each district is divided into chiefdoms and wards. Overall, there are 16 districts and 190 chiefdoms.⁷

30. Sierra Leone is a Presidential republic, in which the President is both head of State and Head of Government. Sierra Leone is currently under a multi-party system as enshrined in the Constitution of Sierra Leone 1991 of the country.

31. Sierra Leone has three arms of governance: the Executive, the Legislature and the Judiciary.

32. The Executive: The Head of state in Sierra Leone is the President, who is elected by a popular vote to a five-year term. Sierra Leone's current head of state is Rtd. Brigadier Julius Maada Bio, who is also the Commander-in-Chief of the Armed Forces. The last presidential elections were in March 7 and 31, 2018. The Cabinet is appointed by the President. The Cabinet of Sierra Leone according to The Constitution of Sierra Leone, 1991, "shall consist of the President, the Vice President and such number of Ministers as the President to be reasonably my from time to time appoint".⁸

33. The Legislature – The Parliament of Sierra Leone derives its mandate and functions from the Constitution of Sierra Leone 1991 and the Standing Orders. The Constitution contains articles which provides for the establishment, composition and functions of the Parliament of Sierra Leone and empowers Parliament "to make laws on any matter for the peace, order, development and good governance of Sierra Leone".⁹

34. The Judiciary is a distinct and independent arm of Government entrusted with judicial authority and mandated to administer and deliver justice to the people of Sierra Leone. It plays a fundamental role in the promotion of law and order, human rights, social justice, morality and good governance.

Local Government

35. The Local Government Act, 2004 established the local councils. This Act is an Act to consolidate with amendments, the laws on local Government, and to provide for the decentralization and the devolution of functions, powers and services to local councils and for other matters connected therewith. In Sierra there are 22¹⁰ existing councils. Some of them are district while others are town and municipal councils. The Local Council is the highest authority in the locality and it shall have the legislative and executive powers to be exercised in accordance with the Act. Among its many functions is the mobilization of both human and material resources necessary for the overall development and welfare of the people of the locality.

36. The Ministry of Social Welfare, Gender and Children's Affairs is one of the ministries that have devolved key functions to the local Councils in compliance with the Local

⁵ Data is not available at the moment of report writing.

⁶ Source: <http://www.quora.com-cost of living in Sierra Leone>.

⁷ Information from Ministry of Local Government and Rural Development. Other sources http://www.clgf.org.uk/default/assets/File/Country_profiles/Sierra_Leone.pdf.

⁸ Constitution of Sierra Leone, 1991, Chapter V, Part II "Executive powers", section 59 (1).

⁹ Constitution of Sierra Leone, 1991, Chapter VI, Part I "Composition of Parliament", section 73 (3).

¹⁰ http://www.clgf.org.uk/default/assets/File/Country_profiles/Sierra_Leone.pdf.

Government Act, 2004. Precisely, disability issues have been devolved to Local Councils meaning that it is the responsibility of councils to address the issues of disability at local level.

37. With support from partners, since 2010 councils have been implementing a Decentralized Service Delivery Programme dubbed Special Assistance to the Disabled and other Vulnerable Groups. This programme has contributed in empowering PWDs in their respective localities in the areas of skills training and livelihood support.

Government Finance

38. Government finance to the National Commission for Persons with Disability in 2017 was 2.1 Billion Leones and in 2019, Government has allocated 2.6 Billion Leones (\$292,000)¹¹ This is in addition to the welfare grant to DPOs given from time to time.

39. More background information about the country will be presented in subsequent reports.

Preparation of the Sierra Leone UNCRPD Report

40. The Sierra Leone UNCRPD report has been prepared by the Government Ministry of Social Welfare, Gender and Children's Affairs, in collaboration with other relevant MDAs. Several activities were undertaken to ensure that a credible report is produced. These activities included:

- (a) Undertaking desk review of other States Parties' reports;
- (b) Engaging lead writers of sections of the UNCRPD to acquaint them with the various writing skills of UNCRPD;
- (c) Compiling and reviewing of Lead Writers' report on various articles of the UNCRPD;
- (d) Undertaking regional validation of the zero draft of the report to ensure national input into the report;
- (e) Sharing report with MFAIC and MOJ/AG to solicit concurrence and approval;
- (f) Compilation of comments from MFAIC and MOJ/AG;
- (g) Convening of final validation with key stakeholders to vet the comments from MFAIC and MOJ/AG;
- (h) Launching of the final report by the President of the Republic of Sierra Leone.

41. While the report is compiled by representatives of Ministries, Departments, and Agencies, interviews were also conducted with key officials in Government line ministries and departments at National and Local Government levels, Disabled Person's Organizations (DPOs), other Civil Society Organizations (CSOs) as well as people with disabilities in various communities in all parts of the country. Two Lead writers' sessions and two validation workshops were conducted in the Southeast and North, North West and western Regions with representatives of all the aforementioned stakeholders before the compilation of the final report for submission to the UN Committee of Experts through the Ministry of Foreign Affairs and International Cooperation (MFAIC).

Lay out of the Report

42. The report is presented as per the Articles in the UNCRPD.

¹¹ As per exchange rate in July 2019.

Challenges of CRPD implementation

43. The implementation of the UNCRPD posed enormous challenges because of some of these factors:

- (a) Nonexistence of a disability policy to set the framework for the implementation of the UNCRPD;
- (b) Weak MDAs and CSOs commitment to effectively and efficiently monitor implementation of CRPD;
- (c) Low budgetary allocation to relevant institutions dealing with disability issues;
- (d) Absence of a UN agency/mechanism to support the implementation of the UNCRPD;
- (e) Inaccurate disaggregated data on disability;
- (f) Non ratification of the Optional Protocol on the UNCRPD.

Articles 1–4

Purpose

44. The purpose of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for the inherent dignity.

Definition of disabilities in Sierra Leone

45. Disability has not been defined in The Constitution of Sierra Leone, 1991 although the concepts of disabled and disability are mentioned in some sections of that constitution; sections on social objectives 8 (2) (c), educational objectives 9 (b) and protection from discrimination 27(4) (g) respectively.

46. According to the Persons with Disability Act, 2011, Disability¹² is defined as a physical, sensory, mental or other impairment which has a substantial long-term adverse effect on a person's ability to carry out normal day-to-day activities. This definition of disability in the Persons with Disability Act, 2011 has a similar meaning to the one assigned under the Convention on the Rights of Persons with Disabilities which defines Persons with disabilities those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

47. Although the definitions are similar, it must be stated that the United Nation's definition recognizes the interaction between persons with disabilities, impairment and the environment. This is important as it recognizes that it is not only impairment but our environment that is unfriendly to persons with disabilities. The Persons with Disability Act, 2011 does not appear to recognize this interaction.

Disability Demographics in Sierra Leone

48. Though data on disability was compiled by Statistics Sierra Leone in both the 2004 and 2015 Population and Housing Census, it must be noted that the Washington Group Questions, which are a set of questions designed to identify in a census or survey persons with a disability using a UN tool, were not used and therefore there is still a lack of reliable national data on the prevalence of disability and the special needs of persons with disabilities,

¹² Page 2, PWD Act, 2011.

which hides the scale of the problem and hinders appropriate national planning to respond to the needs of PWDs. This is a critical challenge.

49. Despite the aforementioned challenge, the 2004 Sierra Leone Population and Housing Census recorded a prevalence rate of persons with disability at 2.4% while the 2015 census presented it at 1.3%. It should be noted that the 2004 census was conducted just after the civil war which could be a reason for the high number of persons with disabilities as many people, especially men, were amputated.

50. The total percentage of persons with disabilities in the 2004 census, which was the first to analyse disability as a critical development issue, was 2.4% while the 2015 PHC recorded it at 1.3% showing a drop. Several factors could be attributed to this numerical reduction among which is the increased awareness and coverage of the Expanded Programme of Immunization (EPI) across the country.

51. The 2015 Sierra Leone Population and Housing Census recorded 93,129 persons with disabilities in Sierra Leone. Of that figure 50,299 persons (54%) were males and 42,839 persons (46%) were females.

52. 27.5% of persons with disabilities are found in the Eastern Region, 35.3% live in the Northern Region and 24.4% live in the Southern Region 12.8% are found in the Western Region both Rural and Urban.

53. At district level, Kailahun in the Eastern Region recorded 9,666 persons with disabilities (PWDs), which is the highest followed by Bo 9,355 persons in the Southern Region. Kenema, which is also in the Eastern Region, recorded the third highest number of persons with disabilities with 9,155 persons in the country. Bonthe recorded the lowest number of PWDs in the country 2,726 persons. In the Western Region, the number of PWDs in the Western Urban is 7,807; this is almost doubled that of Western Rural with 4,126 PWDs. Pujehun in the South and Kambia in the North accounted for 4,843 and 4,489 persons respectively.

54. According to the 2015 PHC, 20,345 persons have physical disability/polio, which represents 21.8% of the 93,129 persons with disabilities in Sierra Leone. Among the total population of persons with disabilities, blindness and albinism accounted for 12.5% equivalent to 11,650 and 0.5% amounting to 501 respectively.

55. The World Health Organization (WHO) estimates that 15% of the global population experience some form of disability. This is a sharp contrast to the disability statistics in Sierra Leone, due to the low coverage of PWDs in the country.

Communication and Language

56. Although English Language is used as the medium of instruction in all learning institutions in Sierra Leone, the Constitution of Sierra Leone, 1991 does not have any specific section pinpointing on the use of English Language as the official language of the country. In section 9 (3) of the Constitution of Sierra Leone 1991, the section that speaks to educational objectives, the constitution provides that Government shall promote the learning of indigenous languages and the study and application of modern science, foreign languages, commerce and business. Under protection from arbitrary arrest or detention as enshrined in section 17 (2), the Constitution further provides that any person who is arrested or detained shall be informed in writing or in a language that he understands at the time of his arrest. Similarly, in section 23 (5) (a) on provision to secure protection of law, the Constitution of Sierra Leone 1991 guarantees that every person who is charged with a criminal offence shall be informed at the time he is charged in the language which he understands and in details of the nature of the offence charged.

57. As for qualifications for membership in Parliament, section 75 (d) of the Constitution provides that anyone elected to serve in Parliament should be able to speak and read English language with a degree of proficiency sufficient to enable him to take an active part in the proceedings of parliament. The use of English Language in Parliament is compulsory since the business of Parliament shall be conducted in the English language.

58. The Constitution of Sierra Leone, 1991 is silent on the use of sign language, braille and other communication formats and technologies accessible to persons with disabilities.

59. Under Part V of the Persons with Disability Act, 2011 on Rights and Privileges of persons with Disabilities, it is provided for in section 16 (1) that “educational institutions shall endeavour to introduce in their institutions sign language and braille”.

60. Similarly, in section 38 (1) the Act provides that “every television station shall provide a sign language inset or sub-titles in all newscasts and educational programmes, and in all programmes covering events of national significance”. Besides, “all persons providing public telephone services shall as far as possible, install and maintain telephone devices or units for persons with hearing disability and tactile marks on telephone sets to enable persons with visual disability to communicate through the telephone system”.¹³ Sadly, this is yet to be achieved.

61. Although sign language interpreters are not present in almost all public institutions, measures have now been put in place for the presence of a sign language interpreter in the Sierra Leone Broadcasting Corporation to interpret accurately to speech and hearing-impaired persons in order to keep them abreast with national issues.

62. Key national programmes are also enriched by the presence of sign language interpreters. Though the use of braille is not common yet, the existence of service providers sometimes supported by the Government to print documents in braille is worth noting. There is a will on the part of Government to move this process forward.

Discrimination on the basis of Disability

63. The Government of Sierra Leone is not oblivious of the prevalence of stigma and discrimination against persons with disabilities. Many people still believe that to be disabled is to be unable. In essence the society still looks at the disability instead of the ability of the person with an impairment. This has been demonstrated in several ways which include but not limited to preventing children with disabilities from accessing education and other importance social services.

64. Section 6 (2) of the 1991 of the Constitution of Sierra Leone provides that the State “shall promote national integration and unity and discourage discrimination on the grounds of origin, circumstance of birth, sex, religion, status, ethnic, or linguistic association or ties”.

65. Section 8 (3) (a) of that same Constitution provides that the State shall ensure that “every citizen, without discrimination on any grounds whatsoever, shall have the opportunity for securing adequate means of livelihood as well as adequate opportunities to secure suitable employment”, while section 9 (1) (b) of the Constitution safeguards the rights of vulnerable, such as children, women and the disabled in securing educational facilities.

66. The Persons with Disability Act, 2011 is also clear on the issue of discrimination against persons with disabilities. The short title of that Act speaks to prohibiting discrimination against persons with disability. Several other sections address the issue of discrimination in educational institutions, protection from discrimination in employment.

67. In section 15 (1), the Act criminalizes the “denial of admission to or expelled from an educational institution by reason only of his disability” and in section 20 (1) no employer shall discriminate a person with disability in relation to employment.

68. However, although frantic efforts have been made by the Government and other relevant stakeholders to reduce stigma and discrimination on the grounds of disability, persons with disabilities still face discrimination in several areas.

69. Awareness raising, sensitization and campaigns against discrimination and stigma have not yielded the required dividend.

¹³ Persons with Disabilities Act, 2011, 38 (2).

Reasonable Accommodation and Universal Designs

70. There are legal frameworks¹⁴ for the provision of reasonable accommodation to persons with disabilities. Notwithstanding that accessing reasonable accommodation for persons with disabilities is a huge challenge as most public buildings are not accessible and disabled unfriendly.

71. However, the Constitution of Sierra Leone, 1991 provides that the security, peace and welfare of the people of the country shall be the primary purpose and responsibility of the Government.¹⁵ Additionally, section 8 (2) (a) guarantees that every citizen shall have equality of rights, obligations and opportunities before the law and the state shall ensure that every citizen has an equal right and access to all opportunities and benefits based on merits.

72. Although the Constitution provides for the safeguarding of the rights of vulnerable groups such as children, women and persons with disabilities in securing educational facilities, it is unfortunate to mention that the same Constitution is not clear on the concept of reasonable accommodation for persons with disabilities.

73. The Persons with Disability Act, 2011 provides among other things to access educational institutions and facilities for persons with disabilities that are integrated into society to the extent compatible with the interests of the person, to reasonable access to all places, public transport and information; to use sign language, braille or other appropriate means of communication; and to access materials and devices to overcome constraints arising from the person's disability.

74. The Persons with Disability Act, 2011 further addresses the issue of reasonable accommodation but does not compel an employer to provide such facilities and effect such modifications, whether physical, administrative or otherwise, in the workplace "which the employer cannot be reasonably expected to provide"¹⁶.

75. Section 23 (3) provides that a private employer who employs or modifies his physical facilities or avails special services in order to provide reasonable accommodation for employees with disabilities may apply to the National Revenue Authority for additional deduction from his net taxable income an amount equivalent to fifty percent of the direct cost of the improvements, modifications or special services.

76. All proprietors of public buildings shall adapt them to suit persons with disabilities in such a manner as may be specified by the National Commission for Persons with disabilities (NCPD) as provided for in section 24 (2). Under section 24 (3) all proprietors of public buildings shall modify their buildings within five years of the coming into force of this Act.

77. Section 26 (1) provides that where the commission considers that any public premises are inaccessible to persons with disability by reason of any structural, physical or other impediment, the commission may serve on the proprietor of the premises concerned an adjustment order.

78. Section 25 (1) of the Persons with Disability Act, 2011 further provides that operators of public service vehicles shall adapt such vehicles to convey persons with disability, in such manner as may be specified by the Commission.

79. Under section 25 (2) of the same Act, it is provided that "the adaptation of the public service vehicles shall be affected within five years of the coming into force of this Act".

80. Section 33 (1) states that "materials, articles, equipment and motor vehicles that are modified or designed for the use of persons with disabilities shall be exempt from import duty, goods and services tax, demurrage charges, port charges and any other levy which would in any way increase their cost to the disadvantage of persons with disability".

81. In article 33 (2), the Act states that "all goods, items, implements or equipment donated to organizations of or for persons with disability shall be exempt from import duties".

¹⁴ Under the Convention on the rights of persons with disabilities.

¹⁵ Section 5 (2) of the Constitution.

¹⁶ PDW Act 2001, Section 20 (2) (c).

82. While most public buildings are yet to be modified, the Ministry of Social Welfare, Gender and Children's Affairs Conference Hall, the British Council, the Central Police Headquarters, National Electoral Commission, some District Hospitals have ramps built in 2017. Other Government buildings such as Statehouse, Youyi Building have lifts operating in these buildings which make them all accessible to PWDs. Public vehicles have not been adapted, no adjustment order has been served by the National Commission for Persons with Disabilities but exemptions from import duties are granted for goods, materials and vehicles modified or designed for the use of persons with disability.

83. For the purposes of seeking the rights, well-being and dignity of persons with disabilities as enshrined in the United Nations Convention on the Rights of Persons with Disabilities and the Persons with Disability Act, 2011, the Ministry of Social Welfare, Gender and Children's Affairs which is the national machinery for the coordination of all disability issues in the country has set up offices right across the country. These offices have disability officers to address issues on disability.

84. Similarly, section 39 of the Persons with Disability Act, 2011 provides that "every Government Ministry shall establish and maintain a disability issues unit for the purpose of facilitating the implementation and compliance of this Act".

85. Unfortunately, disability issues units are yet to be established in Government ministry's although the Ministries of Social Welfare, Finance, Youth and Sports, Health, Education, Employment, Transport and Tourism and Cultural Affairs are represented on the board of the National Commission for Persons with Disability to facilitate the implementation of the Act in their respective ministries.

86. Given the dire need to address disability issues, the National Commission for Persons with Disabilities also recruited Regional Coordinators to work collaboratively with the Ministry of Social Welfare, Gender and Children's Affairs and other relevant stakeholders to seek the welfare of persons with disabilities in the country.

The Constitution of Sierra Leone, 1991

87. The Constitution of Sierra Leone, 1991 is the supreme law of the country, so every citizen of the country shall abide by this Constitution, respect its ideals and its institutions, the National Flag, the National Anthem and authorities and offices established or constituted under this constitution or any other law.

88. The Constitution of Sierra Leone, 1991 recognizes the rights of all its citizens including vulnerable groups and provides the basis for the formulation of national legislations and development of policies that promote and protect the rights, dignity and well-being of persons with disabilities and seek to address their concerns. The Constitution guarantees the recognition and protection of the fundamental human rights and freedoms of the individual. Additionally, it provides that the care and welfare of the aged, young and disabled shall be actively promoted and safeguarded.

89. There are key provisions in the Constitution of Sierra Leone, 1991 which make direct reference to the promotion and protection of the rights of persons with disabilities. Some of them are but not limited to.

90. Under section 8 (3) (f) on the Social Objectives of the State, the Constitution of the Republic of Sierra Leone provides that the State shall direct its policy towards ensuring that the care, welfare of the aged, young, and disabled shall be actively promoted and safeguarded.¹⁷

91. In section 8 (1) (c) the Constitution guarantees that Government shall "secure and maintain the independence, impartiality and integrity of courts of law and unfettered access thereto, and to this end shall ensure that the operation of the legal system promotes justice on the basis of equal opportunity, and that opportunities for securing justice are not denied any citizen by reason of economic or other disability".

¹⁷ Section 8 (3) (f) of the Constitution of Sierra Leone, 1991.

92. Under the section on educational objectives of the state, Section 9 (1) (b) it is provided that “the Government shall direct its policy towards ensuring that there are equal rights and adequate educational opportunities for all citizens at all levels by safeguarding the rights of vulnerable groups, such as children, women and the disabled in security educational facilities”.

93. Given the commitment to address the issues of disability, the Government of Sierra Leone ratified the United Nations Convention on the Rights of Persons with Disabilities in 2009. Three years later, that international instrument was enacted by the Parliament of Sierra Leone in the form of the Persons with Disability Act, 2011.

94. The Persons with Disability Act, 2011 seeks to establish the National Commission for Persons with Disabilities, prohibit discrimination against persons with disabilities, achieve equalization of opportunities and to provide for other related matters.

95. Since the enactment of the Persons with Disability Act, 2011, there has been a significant progress in mainstreaming disability issues at all levels. As a prototype of the United Nations Convention on the Rights of Persons with Disabilities, the Persons with Disability Act, 2011 wholly encompasses/contains the general principles of respect of disability as part of human diversity, dignity of the individual, participation as equal citizens, elimination of all forms of discrimination and stigma on grounds of disability, full inclusion of persons with disabilities in national development processes and programmes, and the promotion of positive attitudes towards persons with disabilities.

96. Although the Persons with Disability Act, 2011 has been used as the national legal framework on disability in the country, it is worthwhile to note that some schools of thoughts especially members of Disabled Persons Organizations and Partners working on Disability Issues hold the view that the Act ought to be reviewed in order to address critical challenges therein. One key challenge bothers on the definition of a child which the Disability Act presents as a person under the age of sixteen. This needs to be reviewed in line with not only the global definition of a child but also in tandem with other existing national legislations on Child Protection.

97. The Ministry of Social Welfare, Gender and Children’s Affairs is working with relevant players to address this concern accordingly.

98. Consequent to the implementation of the provisions of the Persons with Disability Act, 2011 and positively responding to a clarion call by persons with disabilities, the National Commission was established by the Government of Sierra Leone in 2012. The Commission is a body corporate with perpetual succession and capable of acquiring, holding and disposing of movable and immovable property, suing and being sued in its corporate name and subject to this Act, of performing all such acts as bodies corporate may by law perform. It was established to seek the general well-being of persons with disabilities. The Commission consists of a Chairman who shall be a person with knowledge on disability issues. In our case the Chairman is a person with disability. In addition to the Chairman who is usually appointed by the Government, the Commission has four PWDs representing the disabled community in the country. Eight Key Government Ministries are also represented and two partners: one local and another international.

99. The Commission has a Secretariat and offices at regional level. Since its establishment, the National Commission for Persons with Disabilities has been working assiduously with disabled persons’ organizations and partners both local and international to empower persons with disabilities in line with the mantra of the sustainable development goal on inclusion-leaving no one behind.

100. By way of further implementing the key provisions of the Persons with Disability Act, 2011, the Ministry of Social Welfare, Gender and Children’s Affairs in collaboration with the National Commission for Persons with Disabilities set up the Sustainable Development Goals Vis à vis disability. This forum brought together representatives from Ministries, Departments and Agencies, Disabled Persons Organizations, Local and International Partners working on disability issues to develop an implementation framework whose activities will be rolled out and implemented by the respective institution while general coordination and

supervision is provided by both the Ministry of Social Welfare and the National Commission for persons with disabilities.

101. To further guide planning and budgeting, the National Commission for Persons with disabilities developed their strategic plan in 2013 to address a range of priority areas including but not limited to:

- Accessibility to Basic Services;
- Economic Empowerment;
- Participation in public life;
- Advocacy/ Awareness Raising;
- Capacity building;
- Coordination, Monitoring and Supervision.

102. The implementation of the strategic plan has given rise to the existence of regional offices, regional coordinators and their participation in community activities.

103. It is important to mention at this point that the rights of persons with disabilities are also recognized in the National Development Plans. These national development plans are detailed blueprints on how the country can eliminate poverty and reduce inequality within a five-year period. These plans are meant to unite Sierra Leoneans, unleash the energies of its citizens, grow an inclusive economy, build capabilities, and enhance the capability of the state and leaders working together to solve complex problems. In both the Agenda for Change and Prosperity, Pillar 6 was explicit on Social Protection Mechanisms for persons with Disabilities.

104. In the current development roadmap, the New Direction, which is the mantra of the new government which assumed power in April 2018 and is working on the development roadmap of the country for the next five years is the first to consider disability as a sub-cluster. In that plan, Government has committed to addressing the plight of persons with disabilities in four priority areas:

- Inclusive Education;
- Health and Wash;
- Economic Empowerment; and
- Participation in Public Life.

105. By all indications, this commitment coupled with the Global Disability Summit Charter for change commitment made by the Government in July 2018 in London in presence of representatives from the Sierra Leone disability community. Both are giant strides towards the amelioration of the lives of persons with disabilities.

Institutional framework; impact on persons with disabilities

106. The overarching responsibility of addressing issues of disability rests on the Directorate of Social Welfare under the Ministry of Social Welfare, Gender and Children's Affairs. The leadership of this directorate is provided by the Director of Social Welfare recruited by the Public Service Commission through a competitive academic process. There is also a visually impaired person working within the directorate to support the Director in achieving the directorate's mandate of improving the lives of persons with disabilities and maximizing their potentials. The Director is under the technical supervision of a professional head and political supervision of a Minister appointed by the President.

107. Quite recently, the Directorate of Social Welfare has facilitated the construction of a ramp at the precincts of the Ministry of Social Welfare, Gender and Children's Affairs for accessibility to persons with mobility challenges especially wheelchairs users.

108. The Directorate also worked with partners to develop a strategic framework which prompted the visibility of disability in the National Development Plan.

109. In collaboration with private partners, the Directorate in 2018 launched an empowerment project for persons with Disabilities. This project handed over a brand new “Keke” – tricycle to a physically challenged, for commercial use. Initial proceeds will be used for the purchase of another Keke to be assigned to another disabled while future proceeds are meant to be the economic empowerment of the person for his/her livelihood support.

110. The Directorate also coordinated the process of preparing Sierra Leone’s first report on the status of implementation of the UN Convention on the Rights of Persons with Disabilities.

111. The National Commission for Persons with Disabilities was established in 2012 to ensure the general well-being of persons with disabilities. Without prejudice to the generality of the Act, it shall be the function of the Commission to: formulate and develop measures in collaboration with the Ministry, designed to achieve equal opportunities for persons with disabilities by ensuring as far as possible that they obtain education and employment and participate fully in sporting, recreational and cultural activities and are afforded equal access to community and social services, co-operate with the Government during every national census to ensure accurate figures of persons with disabilities are obtained in the country, for purposes of planning, recommend measures to prevent discrimination against persons with disability, advise the minister on the provisions of any international treaty or agreement relating to the welfare or rehabilitation of persons with disabilities and its benefits to the country, register and maintain a database of persons with disabilities, institutions, associations and organizations, both public and private that provide services for the rehabilitation and welfare of persons with disabilities, and many other functions.

112. The Ministry of Education, Science and Technology now the Ministry of Basic and Senior Secondary Education is the first Government Ministry with a Special Needs Department to address all education related issues for persons with disabilities. This department ensures that persons with disabilities in Tertiary institutions accredited by the Tertiary Education Commission and approved by the Ministry responsible for education have a right to free education.

113. This Ministry has ensured structural adaptations of some educational institutions to make them accessible to persons with disabilities. For example, State House, Youyi Building (housing many Government ministries), Ministry of Foreign Affairs and International Cooperation are some public buildings which are accessible by means of elevators. Others like Ministry of Social Welfare, Gender and Children’s Affairs and the Central Police Headquarters have built ramps to allow wheelchair users to access some areas of the buildings.

114. The Ministry of Health and Sanitation in 1996 established a National Rehabilitation Centre to improve the accessibility, equality and quality of rehabilitation services in Sierra Leone. This centre was later replicated to other districts. Over the years, these centres have provided PWDs with the capacity to achieve physical, mental and social wellbeing. Some of these centres also have a Prosthesis and Orthosis workshop allowing them to fabricate prosthetics according to needs. However, the availability of materials remains an issue.

115. The Human Rights Commission since 2006 established a Disability Unit charged with the responsibility of coordinating all disability issues, as well as receive and process complaints that bordered on disability issues for the attention of the Commission. Since its inception, the unit has always been manned by a person with disability. The unit has since implemented a lot of activities such as monitoring disability issues, rolling out workshops country wide on the UNCRPD, Persons with Disability Act 2011, participation of persons with disability during elections and producing a thematic report on disability issues yearly.

116. The National Youth Commission that is established by an Act of Parliament has a governing body. Under Section 3 (1) of the National Youth Commission Act, 2009, the Act provides that the governing body of the Commission shall be the Board of Directors; out of the three persons representing youth groups, one of whom shall be a woman and another a person with disability.

117. The National Electoral Commission during the 2012 General elections established a Disability Desk in order to create equal electoral opportunities for persons with disabilities

thereby enhancing their full participation in the electoral processes. Today, that Disability Desk has been transformed into a performing Unit referred to as the Gender and Disability Unit (GDU). The GDU takes the lead in addressing electoral issues affecting Persons with Disabilities.

118. These institutions have all played instrumental role in the empowerment of persons with disabilities.

119. Since disability is a cross-cutting development issue, it is the responsibility of all ministries to mainstream disability in their programmes.

120. With the enactment of the Local Government Act, 2004 which gave birth to the establishment of governance at the local level, disability is part of the devolved functions so Local councils have been supportive in addressing the plight of persons with disabilities in the areas of education, agriculture, health, water, social welfare, etc.

Non-State Actors

121. The Government of Sierra Leone considers non-state actors as strategic partners in the democratic dispensation of national policies and programmes. For that reason, the Government has provided the conducive platform for non-state actors to effectively contribute towards curbing down abuse and violation of the inalienable rights of the citizens.

122. The Ministry of Planning and Economic Development is the national machinery for the registration of all non-state actors; an activity that is informed by the Non-Governmental Policy passed into law by the Parliament of Sierra Leone in 2009. Consequent to that policy, several organizations both local and international working on disability issues have regularized their operations in Sierra Leone. Among the organizations that have registered are: the Sierra Leone Union on Disability Issues (SLUDI), One Family People, Disability Confidential Sierra Leone (DISCON-SL), Polio Persons Development Association (POPDA), Freetown Cheshire Home, United Polio Brothers and Sisters Association (UPBSA), Polio Women and Girls Development Association (PWGDA), Sierra Leone Association of the Blind (SLAB), Sierra Leone Association of the Deaf (SLAD), Sierra Leone Autistic Society (SLAS), Epilepsy Association of Sierra Leone (EASL), Mental Health Coalition, KITE and a host of many others.

123. At the international front, some of the organizations that have registered are UNDP, Dorothy Springer Trust, Westminster Foundation for Democracy (WFD), Sightsavers, Handicap International, Enable the Children (ETC).

124. It is no gainsaying that these organizations have played a tremendous role in improving the lives of persons with disabilities through responding to their specific needs and promoting respect for their dignity and fundamental rights in the areas of education, health, employment, accessibility, participation in public life, reducing stigma and discrimination, rehabilitation to name but a few.

Article 3–4 General Principles and Obligations

125. The Government of Sierra Leone has made tremendous strides towards the promotion and protection of the rights, well-being and dignity of persons living with disabilities in the country. The ratification and subsequent domestication of the United Nations Convention on the Rights of Persons with Disabilities in the form of the Persons with Disability Act is a glaring manifestation of Government's commitment to provide an enabling environment to persons with disabilities in the country. The existence of this legal framework in the country has provided the bedrock for the enhancement of the general well-being of persons with disability.

126. Additionally, the establishment of the National Commission for Persons with Disability speaks volume to the Government of Sierra Leone's unreserved dedication to

advocate for equalization of opportunities and fight against any form of discrimination on the basis of disability.

127. With the inclusion of disability in the draft National Development Plan of the New Direction, the national development roadmap, Government in a very vivid way has considered disability as a critical component of national development. It is important to note that this is the first since independence that disability is a standalone sub-cluster in national development plans.

128. Government support to the operations of organizations working on disability through the provision of duty waiver for disability related items, registering with those organization is providing the space for the provision of effective services to persons with disability. Assistive devices of various kinds are provided to persons with disability by both local and international organizations.

129. Worth noting also is the inclusion of disability specific questions on the questionnaire of the 2015 population and housing census. The information deduced from that survey can be used for effective planning for service provision to persons with disabilities.

130. Despite the tremendous strides made in making Sierra Leone a country friendly to all persons with disability, it must be noted that the road to disability friendly society is still bumpy.

Government's plan for full realization of Articles 1–4

131. With the incorporation of the empowerment of PWDs within the Government's Eight Priorities in the National Development Plan, it is abundantly clear that the Government of Sierra Leone is prepared to undertake several activities in order to accomplish the tasks set out in the aforementioned articles. Some of those activities are:

- The Government through the Ministry of Planning and Economic Development has consulted with PWDs and DPOs to fully provide for measures of reasonable accommodation as provided for in the PWD Act, 2011. The consultation brought about the visibility of disability in the medium-term national development plan;
- The Government will make it a priority to review the laws of Sierra Leone including the Inclusive Education Policy in comparison to the CRPD and identify any gaps and inconsistencies so as to eliminate any hindrances to the full implementation of the CRPD;
- All legislation to be enacted in the future and with reference to disability will incorporate the interpretation of disability as enshrined in the CRPD;
- Finalize the development of regulations and guidelines for the full implementation of all domestic laws in close reference to the CRPD;
- Government will strengthen its monitoring role to ensure that disability programmes are implemented as per the work plans at all levels;
- The Freetown City Council (FCC) has established new initiatives to make the municipality and other cities more inclusive and accessible for persons with disabilities in terms of education and skills development.

Article 5 Equality and Non-Discrimination

132. The Constitution of Sierra Leone 1991, Section 27 (1) subject to the provisions of subsection (4), (5), and (7) states that, no law shall make provision which is discriminatory either of itself or in its effect.

133. Sub-section (2) subject to the provisions of subsections (6), (7), and (8), also maintained that, no person shall be treated in a discriminatory manner by any person acting by virtue of any law or in the performance of the functions of any public office or any public

authority Sub-section (3), the expression “discriminatory” means affording different treatment to different persons attributable wholly or mainly to their respective descriptions by race, tribe, sex, place of origin, political opinions, colour or creed.

134. The legal framework for the protection and promotion of the rights of persons with disabilities improved considerably with the enactment of the Persons with Disability Act, 2011, which is seen as a measure referred to in article 4 of the CRPD. The Act provides rights and privileges for persons with disability in key areas relating to dignity, autonomy, independence, and non-discrimination, equality of opportunity, participation and inclusion. The law clarifies the concept of discrimination on the ground of disability, although it only prohibits discrimination in specific circumstances such as education, employment, access to public premises, services and other amenities rather than as a general clause.

135. In line with provisions on national implementation and monitoring contained in Article 33 (1) of the CRPD, the Act seeks to establish a National Commission for Persons with Disability to ensure the well-being of the persons with disabilities. The Act makes provision for the Commission, on the recommendation of a medical board, to issue a valid permanent Disability Certificate to persons with disabilities to make them eligible for all the rights and privileges provided for under the Act.

136. Section 41 (1) provides that the Attorney-General may, after consultation with the Commission and the General Legal Counsel, make regulations providing for free legal services for persons with disability in respect of the following:

- (a) Matters affecting the violation of the rights of persons with disabilities or the deprivation of the rights of persons with disabilities or the deprivation of their property;
- (b) Such other matters or cases as the Attorney-General may think fit;
- (2) The Rules of Court Committee shall make rules providing for:
 - (a) The exemption for persons with disabilities from the payment of fees in relation to matters or cases described in subsection (1); and
 - (b) The provision of sign language interpretation, braille services and physical guide assistance to persons with disability whenever they attend court.

137. In terms of substantive rights, the Act confers the right to free tertiary education to every person with disabilities and commits the Government to ensure the structural adaptation of educational institutions. The Government is also required to provide auxiliary services to enhance the learning process of persons with disabilities. Prohibition of discrimination at all levels of education on the basis of disability is also explicitly mentioned in the Education Act 2004, which provides for free primary education. The persons with Disability Act 2011, however, do not address the gaps regarding free secondary education, currently including only the girl child. Although the 2004 Education Act made no reference to affirmative action to prevent discrimination from occurring, the Government through its free education platform has provided free education to primary and secondary schools in order to promote inclusive education as provided by article 24 of the CRPD. The persons with Disability Act adds consistency in ensuring an inclusive education system at all levels through sponsoring students who specialize in courses for institution of persons with disability.

138. Institutions such as the Human Rights Institution of Sierra Leone, the Ministry of Social Welfare Gender and Children’s Affairs, the Ministry of Justice, Ministry of Health and Sanitation, etc. recognize the fundamental rights of persons with disabilities with a view to abolish all forms of discrimination and provide equal opportunities to enable persons with disabilities realize their full potential. Further, they seek to facilitate the development and implementation of legislation on equity in employment to protect job seekers and workers with disabilities against discrimination.

139. The Government seeks to establish special measures such as the expansion of the social safety net programme, providing access to education and employment, which are crucial in overcoming and ameliorating inequity, systemic denial, or infringement of a right or fundamental freedom.

140. Notwithstanding the successes made by the Government, there remains some challenges with access to health, accessibility, employment, education etc.

Article 6

Women with disabilities

141. The protection of the rights of vulnerable groups including women with disabilities is one of the cardinal principles of the Government of Sierra Leone. Under Section 9 (1) (b) of The Constitution of Sierra Leone, 1991, Government is specifically mandated to direct its policy to “safeguarding the rights of vulnerable groups, such as children, women and the disabled in securing educational facilities”.

142. Additionally, Section 8 (2) (c) of that same Constitution of Sierra Leone 1991 calls on Government to protect persons with disabilities by ensuring that opportunities for securing justice are not denied any citizen by reason of economic or other form of disability.

143. The protection of the rights of women with disabilities is also enshrined in the Persons with Disability Act, 2011. Part V of that Act speaks to several rights and privileges of persons with disabilities. For instance, Section 14 (1) states that “Every person with disability shall have a right to free education in tertiary institutions accredited by the Tertiary Education Commission and approved by the Ministry responsible for education. Section 17 equally provides that (1) “Every person with disability shall be provided with free medical services in public health institutions”.

144. Section 19 (1) says that “No person shall deny a person with disability having the requisite skills and qualifications, access to opportunities for suitable employment”. This speaks to the fact that women with disabilities are accorded certain rights and privileges as enshrined in the Persons with Disability Act, 2011.

145. Section 8 subsection (1) of the Sexual Offences Act, 2012 criminalizes “any action causing, inciting, inducing, threatening or deceiving another person with a mental disorder to engage in a sexual activity by penetrating the other person’s anus, vagina or mouth with his penis or other object in a sexual manner. That person commits an offence and is liable on conviction to a term of imprisonment not less than five years and not exceeding fifteen years. Where an offender is taken to court for wilfully allowing a person who is mentally ill to take part in any sexual activity, it would be believed that the person should know or is expected to have known that the other person has mental illness and cannot say or show by actions that he or she agrees to take part in the sexual act”.

146. Section 9 of that Act also proffers criminal liability upon a care worker causing or inciting person with mental disability to engage in sexual activity. A person whose main duty is to look after another person with a mental illness and who wilfully allows or tells the ill person to have sexual intercourse or any other sexual act, commits a crime and if it is found out that he or she did commit the crime, he or she would be sent to jail for not less than five years and not above fifteen years.

147. The Devolution of Estate Act, the Domestic Violence Act, and the Registration of Customary Marriage and Divorce Act have strong provision for the protection of women generally. They have by law and principle overturned the ills women borne and the situation has improved tremendously in the last decade. They however do not provide for the specific needs of Women with Disabilities

148. In the General Policy Content of the Advancement of Women Policy Sierra Leone, it recognizes that women’s rights are Human Rights and, in this respect, reiterates that: “Women who are victims of war and man-made disasters and who due to this, become the sole heads of households, disabled, displaced etc., shall have the right to short – term assistance from the Government”¹⁸.

149. To a very large extent, through the War reparation programme, Government has supported and continues to support women who are victims of man-made disasters and the

¹⁸ MSWGCA National Policy on Women, 2000 p. 10.

eleven-year war. Quite recently, Government through the National Commission for Social Action provided such support to the aforementioned categories. Government in collaboration with partners have also constructed houses for war wounded victims in Masiaka Town in the Northwest of the country.

150. Pillar 3 of the Agenda for Prosperity, Government's Development Plan 2012–2018: "Strengthening health services for the physically-challenged, generally made protective provision for persons with disabilities". To this effect, the following activities were lined up to be implemented to address the health needs of people with physical disabilities:

- Provide Free Health Care at the point of delivery for people with disabilities;
- Strengthen services aimed at providing rehabilitation equipment for people with disabilities;
- Make health facilities friendly for the physically challenged. For example, Makeni Regional Hospital, Port Loko Hospital, Princess Christian Maternity Hospital (PCMH).

151. In Part 3.3.3: of the present Government's Manifesto; The New Direction 2018,¹⁹ it is stated that Government acknowledges PWDs as the most disadvantaged group in Sierra Leone thereby committing itself to the following:

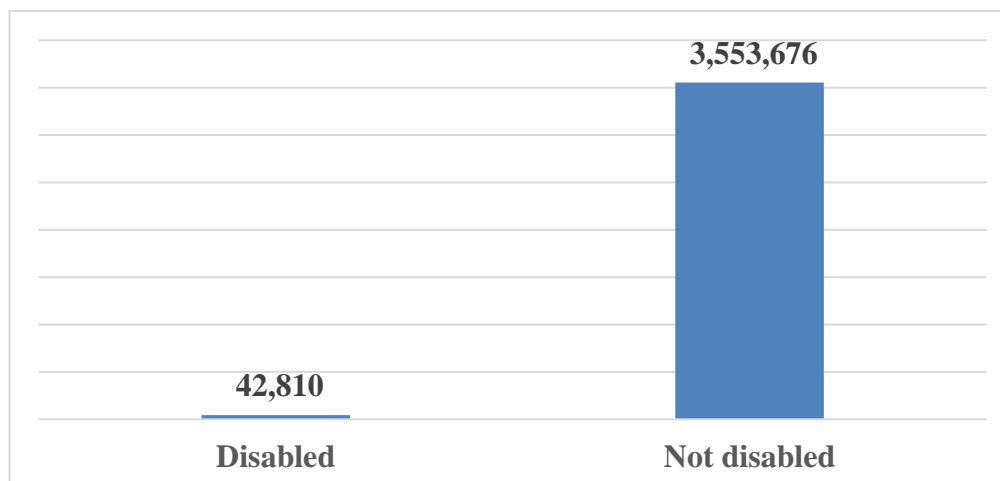
- Review and implement policies and laws relating to disability, especially making public facilities disability friendly;
- Revisit the administration and implementation of the Social Safety Net Programme to cover PWDs;
- Provide free education for PWDs at all levels pre-school, primary, secondary and tertiary level;
- Review and improve incentives for Teachers in Special Needs Institutions;
- Provide free health care for PWDs and the aged;
- Increase access of PWDs and aged to public housing;
- Provide welfare assistance to PWDs and the aged;
- Provide livelihood support to PWDs for economic empowerment. Government has factored the empowerment of PWDs as part of the clusters.

152. The current draft Gender Equality and Women's Empowerment Policy has developed a policy objective to raise awareness on the impediments women and girls with disabilities and special needs battle within relation to economic empowerment for their practical involvement in socio-economic and political activities. This policy objective has concrete strategic action for the empowerment of women with disabilities. To that end women with disabilities across the country were part of the validation of the draft policy.

153. The Sierra Leone Population and Housing Census, 2015 recorded a total number of 42,810 women with disabilities.

154. The Tables below show disability prevalence among women distribution of female 15 years or older by disability and employment status.

¹⁹ The Sierra People's Party Manifesto: The New Direction.

Disability prevalence among females

Source: Sierra Leone 2015 Population and Housing Census

Distribution of females 15 years or older by disability and employment status

	With Disability	Without Disability
Employment Status		
Paid employee	671	72 325
Self-employed without employees	15 442	1 059 628
Self-employed with employees (employer)	793	51 187
Unpaid family worker	1 357	73 300
Paid apprentice	69	3 378
Unpaid apprentice	166	10 536
Worked before but currently looking for work	84	6 027
Looking for work for the first time	380	34 904
Household work	5 270	258 606
Not working & not looking for work	6 709	106 657
Full time student	1 995	401 197
Retired/pensioner	991	10 150
Other (specify)	1 419	25 924
Don't know	404	9 366

Source: Sierra Leone 2015 Population and Housing Census.

Article 7

Children with disabilities

155. The Government of Sierra Leone is committed to promoting and protecting the rights, well-being and dignity of children with disabilities.

156. Under section 9 (1) (b) of the Constitution of Sierra Leone, 1991 it is stated that the Government shall direct its policy towards ensuring that there are equal rights and adequate educational opportunities for all citizens at all levels by safeguarding the rights of vulnerable groups, such as children, women and the disabled in securing educational facilities; and in section 13 (h) every citizen shall ensure the proper control and upbringing of his children and wards.

157. In Section 22 (e) of the Constitution of Sierra Leone, 1991 it is stated that the laws should make provision for the purpose of “affording such special care and assistance as are

necessary for the health, safety, development and well-being of women, children and young persons, the aged and the handicapped”.

158. Additionally, the rights to equality before the law, liberty and security of person, freedom from torture or cruel, inhuman or degrading treatment or punishment, freedom from exploitation, violence and abuse, right to acquire and change a nationality and freedom from arbitrary deprivation of nationality on the basis of disability are all enshrined in the Constitution of Sierra Leone, 1991. A child with disability also has a right to a name and to be cared for by his/her parents.

159. Part V of the Persons with Disability Act, 2011 provides for several rights and privileges of persons with disabilities. They include the right to free education, protection from discrimination in educational institutions, courses to be introduced in public educational institutions etc. provision of free medical services, compulsory screening at health centres, right to barrier-free environment, access to public transport, right of access to public premises, services and amenities, sports and recreation and so on.

160. In Section 14 (2) of the Persons with Disability Act, 2011, it is provided that, “the Government shall ensure the structural adaptation of educational institutions to make them easily accessible to persons with disabilities. The following sub-section (3) stated that “every school shall provide facilities for learning by people with disabilities”.

161. In Section 15 (1) of the same Act: “A person with disability shall not be denied admission to or expelled from an educational institution by reason only of his disability. (2) Educational institutions shall take into account the special needs of persons with disability with respect to the use of school facilities, class schedules, physical education requirements and other similar considerations. (3) A person who contravenes subsection (1) commits an offence”.

162. In Section 16 (1) “Educational institutions shall endeavour to introduce in their institutions sign language and Braille education”, especially through the creation of an “integrated system of formal and non-formal education for persons with disability and the establishment, where possible, of Braille and recorded libraries for persons with visual disability” (Article 6 (2) and (3)). The Act also establishes that “Every person with disability shall have a right to free education in tertiary institutions”²⁰. “Students in public educational institutions who specialize in courses for instruction of persons with disability shall be entitled to Government scholarships or grants”²¹.

163. In Section 17 (1) “Every person with disability shall be provided with free medical services in public health institutions”.

164. Sierra Leone ratified the Convention on the Rights of the Child in June 1990 and its two Optional Protocols in September 2001. These commitments were subsequently enshrined in the Child Rights Act, 2007 (CRA); being an act to promote and protect the rights of the child. Section 30 subsection (1 and 2) of the CRA condemns all forms of undignified manner on children and gives them equal opportunity to acquire education or training that would make them self-reliant and grow to their fullest potential. This is also applicable to children with disabilities.

165. The CRA of 2007 provides in Article 26 that: “(2) every child has the right to education.” With regard to PWDs, Section 30 states: “(1) No person shall treat a disabled child in an undignified manner. (2) A disabled child has a right to special care, education and training wherever possible to develop to their maximum potential and be self-reliant. Moreover, Article 32 specifies that; (1) No person shall subject a child to exploitative labour as defined in subsection (2). (2) Labour is exploitative of a child, if it deprives the child of its health, education or development.

166. To further emphasize the Government’s commitment to respond to the needs of children, it established the National Commission for Children (NCC) in 2012 as enshrined in the CRA, 2007.

²⁰ Section 14 (1).

²¹ Section 16 (2).

167. The Commission seeks to protect and promote children's rights and welfare through coordination, collaboration and monitoring of the implementation of the United Nations Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child, overseeing the implementation of Part III of the Child Rights Act 2007, support evidence-based policy aimed at the improvement of the condition and welfare of children in Sierra Leone and to advise Government on children's issues in conformity with the CRC and the African Charter on the Rights and Welfare of the Child.

168. Decentralization through the Local Government Act 2004 and the Child Rights Act of 2007 have given responsibilities to Local Councils to provide services for the protection of all children, including children with disabilities.

169. The Alternative Care Policy of 2014 has also been developed to make provision of alternative care for children especially those at risk of being abused.

170. The existence of special needs institutions across the country ranging from schools for the visual impairments, speech and hearing impairments, mobility impairments, mental health disorders and children with Autism have also responded to the special needs of children with disabilities. There are Fourteen (14) government-assisted special needs schools across the country. These schools are receiving some financial support from the government on a quarterly basis to run these schools.

171. The tools for the screening of children to detect any form of disability are currently being validated by the NCPD and relevant partners on disability. This effort will lead to the strengthening of the existing medical board to issue out certificates to children with disabilities to facilitate access to services.

172. Government and a team of local and expatriate partners provide Physical Therapy and Occupational Therapy, care, and Behavioural support services to approximately 800 children living with disabilities in Freetown, Sierra Leone. Staff visit patients in their homes and teaches families and caregivers how to support children with disabilities using exercises, play, developmental positioning, and behavioural therapy. This allows families the opportunity to learn to provide at-home care and treatment to children in a manner that is sustainable in their everyday lives. Partner organisations through the MSWGCA also provides support for the family unit as they learn to look after the child and provide a loving, nurturing home life. This is done in the home and through 12 Family Support Groups across Freetown, that are facilitated by local community leaders. As cultural beliefs lead many mothers to place blame upon themselves when a child is born with a disability. The work involves engaging mothers so they understand each child's medical case and to reassure parents that they've done nothing wrong. Work with local carpenters, tailors, and technicians to provide specialized equipment for patients including specially-designed chairs, standing frames, leg gaiters (to support standing and walking), and drop-foot supports. The program also provides wheelchairs to patients in need.

173. In the 2015 SLPHC, Sierra Leone recorded a total number of 20,457 children living with disabilities. Of that number 11,441 are boys while 9,016 are girls. This indicates that there are more boys with disabilities than girls.

174. Figure 1 shows the spread of children and their types of disabilities, whereas figures 2 and 3 indicate the children by sex and types of disabilities.

Figure 1
Statistics Sierra Leone

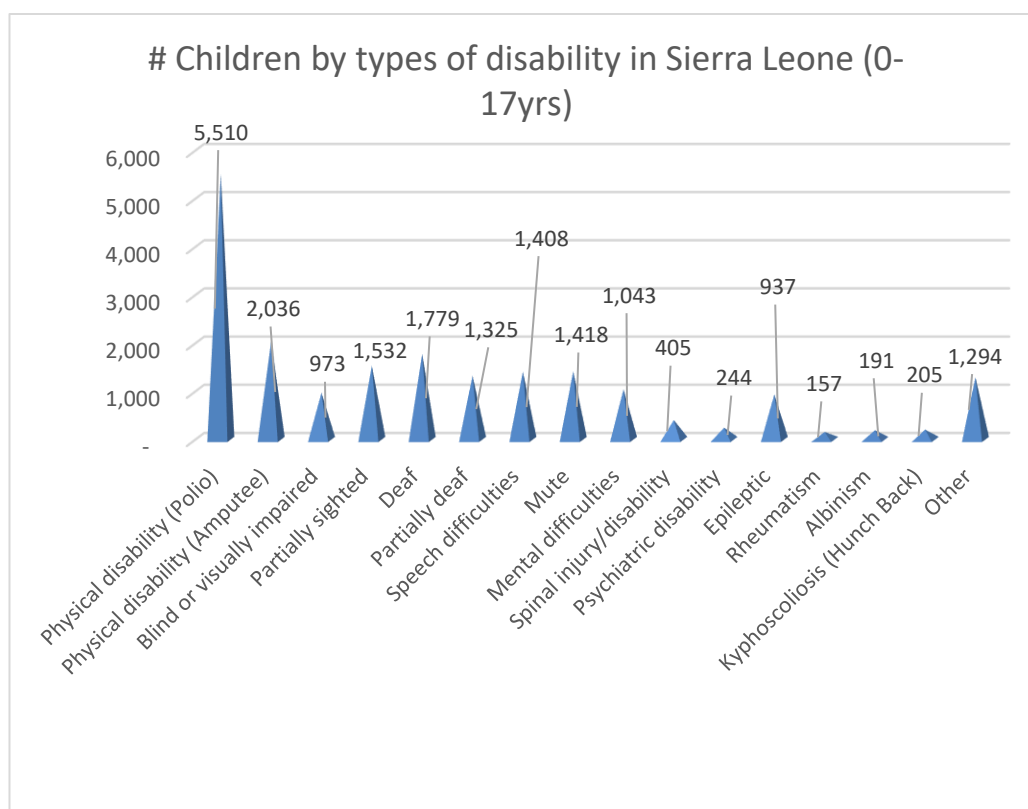


Figure 1
Number and Types of Disability among Male Children

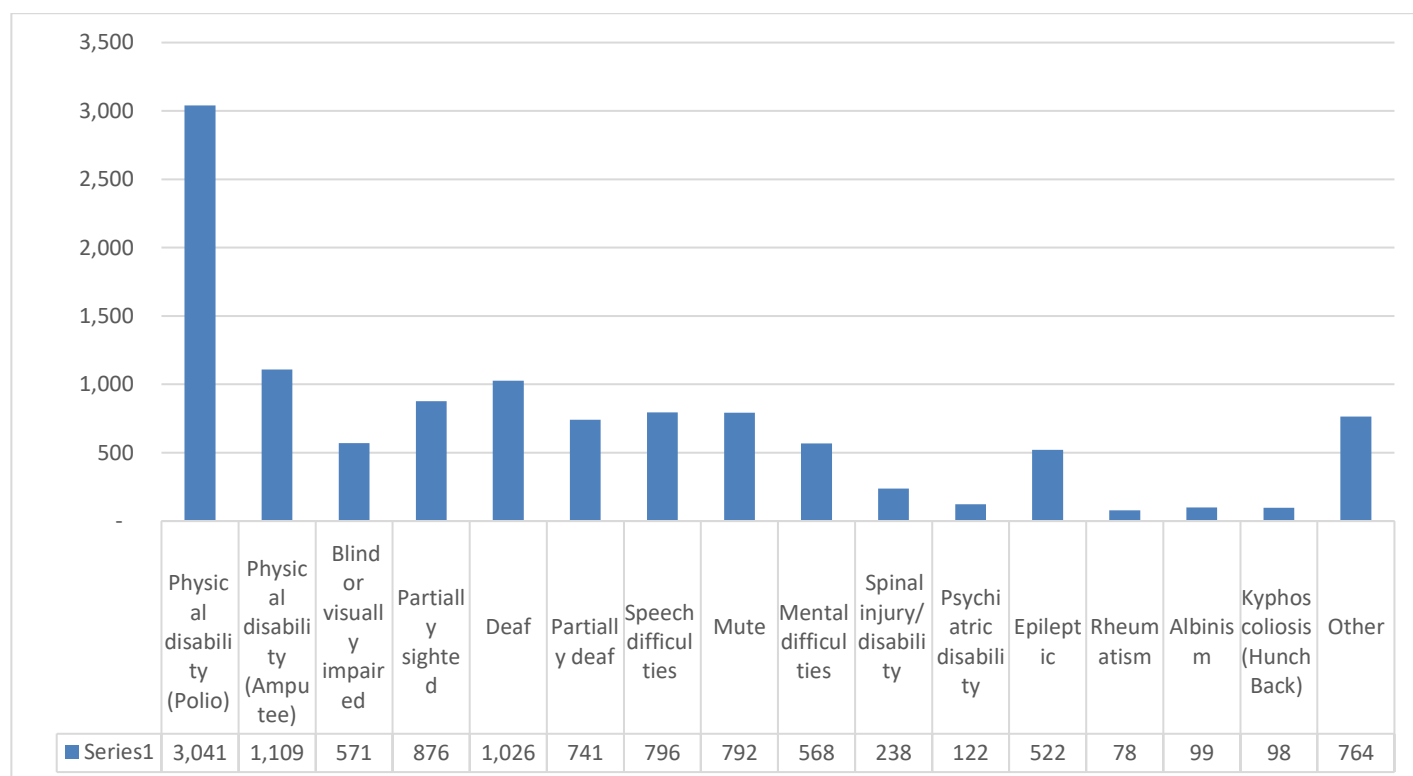
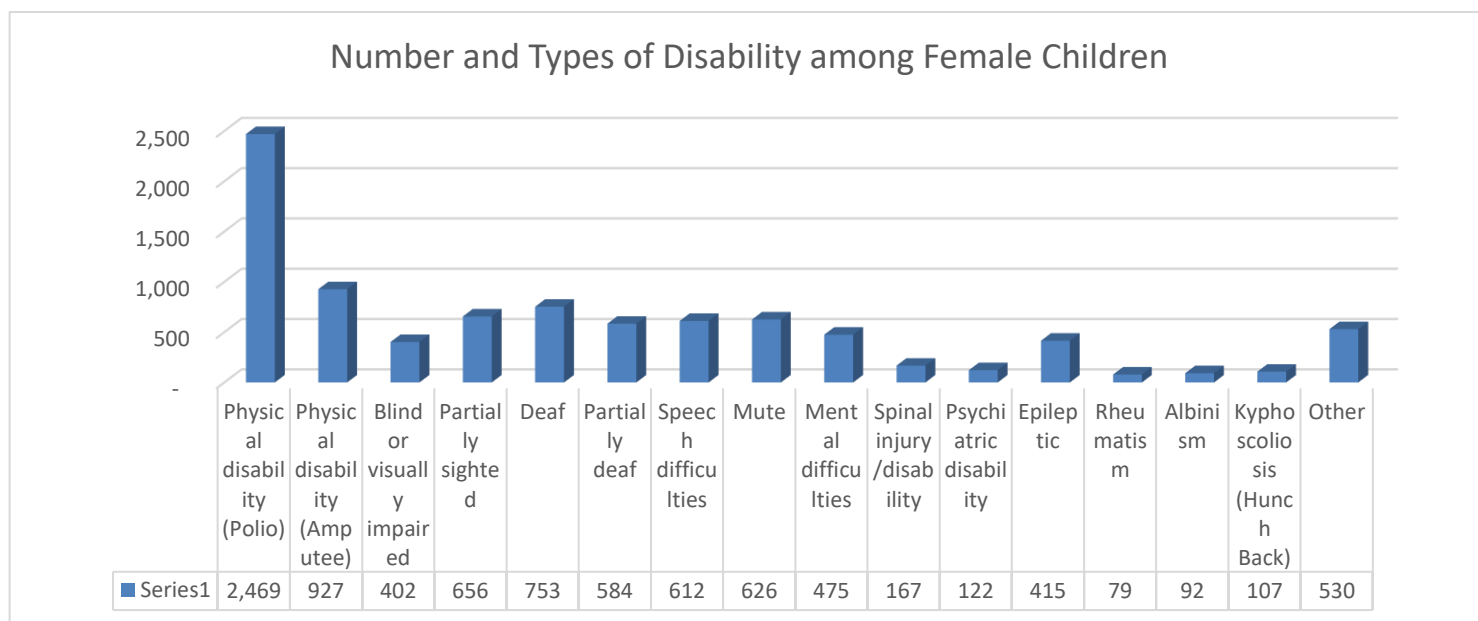


Figure 2
Number and Types of Disability among Female Children



175. Despite the successes recorded so far in seeking the best interest of children with disabilities, there still remain challenges in the areas of access to basic social services: education, healthcare, transport, stigma and discrimination.

Article 8 Awareness raising

176. Sierra Leone is committed to implementing a series of measures which are designed to raise public awareness and combat negative stereotypes of persons with disabilities. As a result, efforts to publicize the fundamental rights of persons with disabilities have been made by the Government.

177. Section 25(1) of the Constitution of Sierra Leone, 1991 guarantees that “except with his own consent, no person shall be hindered in the enjoyment of his freedom of expression, and for the purpose of this section, the said freedom includes the freedom to hold opinion and to rescue and impact ideas and information without interference, freedom from interference with his correspondence, freedom to own, establish and operate any medium for the dissemination of information, ideas and opinions, and academic freedom in institutions of learning”.

178. The Persons with Disability Act, 2011 made several provisions on awareness raising. The Act also made provisions for media houses in the country to make their buildings accessible to persons with disabilities. By so doing PWDs can access their facilities to raise awareness of the citizenry on disability issues. The Act in Section 38 also said, “all television media houses should have inset or subtitles on sign language in all newscasts and educational programmes and in all programmes covering events of national significance”.

179. In fulfilment of these legal frameworks, the Government of Sierra Leone through the Ministry of Social Welfare, Gender and Children Affairs and the NCPD has supported numerous awareness raising activities on PWDs Act targeting both duty bearers and right-holders as a whole and as an essential step towards achieving equality, inclusiveness and participation.

180. The Ministry of Social Welfare, Gender and Children’s Affairs in collaboration with the National Commission for Persons with Disabilities has also collaborated with other MDAs to roll out and popularize events on the PWD Act to sensitize PWDs and the public on the rights and privileges of PWDs.

181. The Ministry has also taken the lead in using among others the International Day of Persons with Disabilities (IDD), December 3rd each year as a vehicle for raising awareness on issues of disability. Other awareness raising initiatives include the National Day for the Deaf in September; the Polio Day in October; the White Cane Safety Day in October; and the UN Women's Day in March.

182. Civil Society with support from the Government is also heavily involved in raising awareness of the rights of persons with disabilities, and there are a number of registered DPOs engaged in advocacy and awareness-raising.

183. With support from Government, DPOs have given technical and material support to media houses to create and design programmes on awareness raising and sensitization on rights-based issues for PWDs.

184. Through the Ministry of Information and Communications, the SL Parliament in 2013 enacted the Rights to Access Information Act. Section 2 sub section 1&2 of the Act gives rights to every Sierra Leonean to access information from every public office. Persons with disabilities are no exception to the enjoyment of this right.

185. The Right to access information Act 2013 also gives right to all citizens to access information "held by or is under the control of a public authority".²²

186. Despite these concrete actions, however, a lot more still needs to be done to ensure that Sierra Leoneans recognize and uphold the rights of persons with disabilities and develop initiatives to address disability issues through mainstreaming.

187. Government plans to strengthen the coordination of both its activities and those of other stakeholders through the creation of a National Steering and Technical committee on Disability to bring together all Government sectors/departments and civil society for regular discussion on disability issues.

Article 9 Accessibility

188. The Government of Sierra Leone is fully aware of the transformative power of accessibility in the lives of persons with disabilities and their contributions to national development processes and the necessity for a country to establish appropriate and accessible services to facilitate access for PWD in the areas of education, health, employment, etc.

189. The Constitution of Sierra Leone, 1991 under Chapter 2 – Fundamental Principles of State Policy – Section 8 (2) (a) mentions that the Government "shall make sure that every citizen shall have equality of rights, obligations, and opportunities before the law, and the State shall ensure that every citizen has an equal right and access to all opportunities and benefits based on merit". Section 8 (2) (a) provides that the Government "shall secure and maintain the independence, impartiality and integrity of the Courts of Law and unfettered access thereto, and to this end shall ensure that the operation of the legal system promotes justice on the basis of equal opportunity, and that opportunities for securing justice are not denied any citizen by reason of economic or other disability".

190. Part V of the Persons with Disability Act, 2011 contains rights and privileges of Persons with Disabilities to access various services such as employment Section (21), right to a barrier-free environment Section (24), public transport Section (25), adjustment orders Section (26), right of access to public premises, services and amenities Section (27) and on access to voting Section (29).

191. Under Section 14 (2) of the Persons with Disability Act, 2011, access to education is guaranteed. It states "The Government shall ensure the structural adaptation of educational institutions to make them easily accessible to persons with disabilities".

²² Part II, Section (2) (1) of the Act.

192. Access to free medical services, information, sports and recreation are key aspects of the Persons with Disability Act, 2011.

193. In order to ensure that persons with disabilities have access to employment, the Persons with Disability Act, 2011 throws light on tax deductions for employers of persons with disabilities. It also covers the role of the National Revenue Authority pointing out that materials, articles, equipment and motor vehicles that are modified for the use of persons with disabilities shall be exempted from import duty, goods and services tax, demurrage charges, port charges and any other levy which would in any way increase their cost to the disadvantage of persons with disabilities.

194. Similarly, access to information is guaranteed in Section 38 (1) of the Act, every television station shall provide a sign language inset or sub-title in all newscasts and educational programmes and in all programmes covering events of national significance.

195. Furthermore, the Persons with Disability Act, 2011 stipulates penalties for individuals and institutions that pose challenges to the enhancement of accessibility to persons with disabilities.

196. These Sections speak volume to the Government of Sierra Leone's commitment to ensure accessibility to persons with disabilities in areas of health, education, employment, transport, information etc.

197. Pursuant to the provisions regarding accessibility in the Constitution and considering that the opportunity or the right to facilities is wide ranging, the Government of Sierra Leone have over the years taken actions on several fronts:

- Through the Ministry of Lands, Housing and Environment developed the draft National Building Code in 2016/17. The Code contains sections which promote access by Persons with Disabilities to buildings through construction of ramps and rails;
- Some Government institutions, including MSWGCA, MOHS, HRCSL, MBSSE, LCs have constructed ramps for accessibility to their premises;
- Through the MBSSE, a draft policy on Inclusive Education was developed in 2017. The policy indicates among others, the need to fully implement the relevant provisions of the Persons with Disability Act, 2011 and the necessity to capacitate institutions of higher learning, to provide better understanding of inclusive education. Apart from the policy, the Ministry also distributes Braille text books to the visually impaired, and provides sign language books and assistive devices to persons with disabilities in Government Assisted schools;
- Enacted the Right to Access to Information Act in 2013. Section 2 of the Act provides that every person has the right to access information held by public or private entities. Further, the Act makes provision for appeals in case of denial to access information and, stiff penalties in the event of a wilful denial; now a sign language interpreter is providing the weekly national news on television programmes on SLBC and AYV.

198. Through the Ministry of Information and Communication, a draft Communications Bill,²³ currently with the Law Officers Department for vetting, which when passed into law, will make provision for the promotion of access to information, communication and technology for PWDs.

199. Currently, frantic efforts are being made by the Government and partners to raise awareness on the importance of accessibility of persons with disabilities to national development. They are also engaging the Ministry of Works and Public Assets and other related departments to ensure that all newly constructed roads and public buildings are accessible to persons with disabilities.

200. In view of the critical challenges faced by persons with disabilities in accessing services, Government is working on appropriate strategies to address them.

²³ Ministry of Information and Communications.

Article 10

Right to life

201. Every person in Sierra Leone, including persons with disabilities, has a right to life. This is guaranteed under the Constitution of Sierra Leone 1991, Section 16 (1) which states that “no person shall be deprived of his life intentionally except in execution of the sentence of a court in respect of a criminal offence under the laws of Sierra Leone, of which he has been convicted”.

202. No person can therefore be deprived of their right to life on account of their disability. For example, the 1861 Offences against the Persons Act criminalizes abortion as illegal as a means of preventing people from taking life unjustifiably.

203. There is a moratorium on death penalty in the country since 2014. Sierra Leone has not carried out any executions since 1998 and has been moving towards abolition for several years, all death row prisoners were commuted to life imprisonment. This is in compliance with treaty obligations on right to life.

204. Persons with disabilities require more health care and medical attention. According to the 2015 Population and Housing Census, 93,129 out of a population of 7,092,113 people are living with some form of disability in Sierra Leone. With this in mind and pursuant to section 17 of the Persons with Disability Act, 2011 which talks about right to free health care services and Section 18 which talks about compulsory screening of children, the NCPD engaged the Ministry of Health and Sanitation on the strengthening of the existing medical board to implement section 7 (1) of that Act. Meanwhile, although the process of issuing out certificates of disability is yet to commence, the medical board in collaboration with NCPD, has developed and validated screening tools for this purpose. Also, in 2017, the Chief Medical Officer at the Ministry of Health and Sanitation issued out a directive to all district Medical Officers to give free medical services to persons with disabilities. In addition, the supplementary budget of 2018 made allocation to ensure that all PWDs benefit from the free health care services in all public health facilities.

205. The Ministry of Health and Sanitation’s approach to health care is promotional, preventive, curative and rehabilitative. Therefore, in addition to its rehabilitative services, the GoSL has provided specialized services for persons with disabilities which include the provision of assistive devices and occupational and physiotherapy. Eye care and mental health care units have been established in all districts and regional hospitals to provide services to PWDs.

206. The Government through the Human Rights Commission of Sierra Leone is undertaking awareness raising campaigns on the rights of persons with disabilities including their right to life. These campaigns seek to among other things, encourage families with persons with disabilities to promote and protect their right to life.

Article 11

Situation of risk and humanitarian emergency

207. Sierra Leone has gone through a turbulent political history which led to one of the most brutal conflicts in Sub-Saharan Africa: arms and limbs were mutilated and/or chopped off, torture and rape used as terror tactics and as a means of troop mollification especially during the 1996 presidential elections and the January 6, 1999 invasion of the capital Freetown. Health epidemics such as cholera, Lassa fever and Ebola Virus Disease have plagued the country. Environmental disasters such as the September 16, 2015 flood disaster and the most recent August 14, 2017 mudslide/ flooding disasters took its toll on the nation. As a result, vulnerable groups particularly Persons with Disabilities were severely hit. These emergencies have exacerbated the prevalence of physical, sensory, psychosocial and mental disorders on a large number of the country’s population.

208. As part of the post-war peace-building mechanism, the Government of Sierra Leone with support from development partners instituted a rehabilitation and reintegration programme for the severely affected. The National Commission for Reintegration,

Rehabilitation and Resettlement (NCRRR) now the National Commission for Social Action (NaCSA) was set up in 2002 to provide reintegration, rehabilitation and resettlement services to victims such as amputees and war wounded. The services were inclusive of cash transfer, skills acquisition and start up kits for livelihood and empowerment, employment, housing facilities, medical surgery and prosthesis.

209. The Constitution of Sierra Leone, 1991 Section 29 (2) (c) gives executive powers to the President to issue proclamation of a State of Emergency when there is an occurrence of imminent danger, or the occurrence of any disaster or natural calamity affecting the community or a section of the community in Sierra Leone. During the Ebola Virus Disease outbreak in 2014, this provision of the Constitution was evoked to ensure compliance to health tips and regulations geared towards combating the prevailing scourge. Tougher measures were imposed on citizens, consequently affecting their socio-economic livelihood of which PWDs suffered the most. To that end, the Government through the Ministry of Social Welfare, Gender and Children's Affairs and the National Commission for Persons with Disabilities and other development partners cushioned the situation by providing food and non-food items to persons with disabilities.

210. Sierra Leone enacted into law, the National Central Intelligence and Security Act (NCISA) in 2002, which considers disaster management crucial within an expanded security framework and provided for the Office of National Security (ONS) the statutory framework to coordinate disaster issues in the country.

211. The Ministry of Social Welfare, Gender and Children's Affairs, which provides policy direction on disability issues, is a member of the National Platform for Disaster Risk Reduction (NPDRR) which was established as a result of the need to strengthen coordination among MDAs and partners to respond to humanitarian emergencies. MSWGCA is also the chair of the Child Protection, Gender, Psychosocial and other Vulnerable Groups pillar in the Flood Response Policy developed in 2016 to address issues of flooding and disaster. This pillar guarantees proper response to disability in situation of risk and emergencies. This was particularly evident during the advent of the EVD outbreak, the September 16, 2015, flood Disaster, and the 2017 mudslide and flood disasters in which the Ministry of Social Welfare, Gender and Children's Affairs in collaboration with the National Commission for Persons with Disability identified persons with disabilities among the affected and provided assistive devices alongside the traditional support in the form of food and non-food items. Those who experienced disability as a result of the disaster were given special attention, such as free medical services and relocation to Freetown Rural. The National Commission for Social Action (NaCSA) rolled out Rapid Ebola Social Safety Net (RESSN) programme targeted at population with high-risk vulnerability including PWDs to absorb the shock and trauma of the EVD outbreak.

212. Section 17 of the Persons with Disability Act of 2011 accorded PWDs free medical services in public health institutions. This provision of the PWDA, 2011 is implemented by the GOSL to cut down on health risks of PWDs during disaster as evident in the EVD outbreak in 2014.

213. In spite of efforts by Government to address the situation of PWDs in humanitarian disaster, the need to provide more support to affected PWDs still remains.

Article 12

Equal recognition before the law

214. Section 23 of the Constitution of Sierra Leone, Act No. 6 of 1991 is the equivalent to Article 12 of the UNCRPD, couched under the rubric "Secure Protection of the Law". It recognizes that every person is equal before the law and has the right to equal protection and equal benefit of the law. Section 23 further recognizes that every person has a right to a fair and public hearing.

215. By section 23 aforesaid, every citizen of Sierra Leone generally, has equal legal capacity in both civil and criminal proceedings. The exceptions are where a minor is involved or a person with mental health issues. Where the said exceptions are involved the law

provides sufficient safeguards for equal recognition before the law. Order 14 Rules (1) to (3) of the High Court Rules, 2007, and the Child Rights Act 2007 make provisions with regard to instances where a person and/or a child is considered not to have legal capacity. Where a person is incapable of protecting their interests when suing or being sued, then a case may be filed or defended on their behalf under the concept of “Next Friend”²⁴.

216. With regards to mental health issues, Sections 3 and 18 respectively of the Lunacy Act of 1902 (Cap 157 of the Laws of Sierra Leone of 1960) provides that it is for the Court to adjudge a person to be of unsound mind on the separate certifications of 2 Medical Practitioners, in which case it is further provided in Order 14 of the High Court Rules 2007 that the consent to act as “Next Friend” to the mentally ill must be in writing, signed and filed. Where there is no other person fit and willing to act as a “Next Friend”, the Court may appoint any of its officers to act as one.

217. Whereas Section 23 does not specifically mention PWDs as beneficiaries to the right enshrined therein, Section 28 (5) of the Constitution of Sierra Leone, 1991 provides that Parliament shall make provision for the rendering of financial assistance to indigent citizens of Sierra Leone generally (which include PWDs) who wish to enforce or seek redress of their rights that may have been violated and/or infringed upon. Section 41 (1) (a) and (b) of the Persons with Disability Act No. 3 of 2011 (PWDA) specifically provides for free legal services for PWDs in matters relating to the violation of their rights or the deprivation of their rights. The Legal Aid Act No. 6 of 2012, which establishes the Legal Aid Board pursuant to Section 2 of the Act, further provides for free legal services to indigent citizens of Sierra Leone in both civil and criminal matters. Furthermore, Section 41 (2) (b) of the (PWDA) provides for the provision of sign language interpretation, sound computers, braille and tactile services during court proceedings, and the provision of physical guide assistance to blind PWDs when attending court. Sections 24, 25, 26 and 27 of the (PWDA) further provides for the physical accessibility to all public buildings by PWDs, including the court premises.

218. Further, the High Court Rules 2007 and the Child Rights Act 2007 respectively, recognize that children and/or children with disabilities may sue and be sued through their guardian ad litem whose role, in the legal proceedings, is to safeguard the interests of the minor or the mental health disorder. The Court must grant orders for the “Next Friend” to receive any money or other movable property on behalf of the persons in whose behalf they are acting. The same also applies in instances where the “Next Friend” is seeking to enter into any agreement or compromise on behalf of the person they act for. Thus, the role of the “Next Friend” is regarded as that of an agent or officer of the Court to protect the rights of the child or person with disabilities (PWD).

219. As a pilot phase, the GoSL has recently recruited Police sign language interpreter to provide services for litigants in the courts system. In collaboration with the MSWGCA and partners, through the Family Support Unit (FSU) a programme “You and the Police” is being implemented in three districts; namely, Western Area, Moyamba and Kambia to raise awareness on how the community including PWDs, especially young women and girls with disabilities can access justice. This is a significant step to enable persons with PWDs to access justice.

220. However, despite all the said legal safeguards put in place by Government, due to lack of awareness on the rights of PWDs, the existence of archaic laws such as the Lunacy Act, limited number of sign language interpreters and/or the provision of hearing aids for the speech and hearing impaired and partially deaf persons to service the various courts within the judicial structure in the country, unavailability to the judiciary, and by extension the courts, Braille Embossers to facilitate communication and/or sound computers, inaccessibility of physical court buildings, the issue of legal capacity still remains a challenge to particularly PWDs with intellectual and cognitive disabilities resulting to decisions being made on their behalf without consulting them.

²⁴ A Person standing on behalf of a minor/juvenile.

Article 13

Access to justice

221. This article must be read in tandem with section 23 of the Constitution of Sierra Leone Act No. 6 of 1991 which deals with “*Secure Protection of the Law*”. This recognizes that every person generally must have equal access to the criminal and civil justice system of Sierra Leone. It recognizes that every person is equal before the law and has the right to equal protection and equal benefit of the law; that justice must be done to all generally irrespective of status; that justice shall not to be delayed and that justice should be administered in public and without undue regard to procedural technicalities; and every citizen must have access to a lawyer to conduct his case and must be informed of the nature of the case against him.

222. By section 23 aforesaid, every citizen of Sierra Leone generally, has equal legal capacity in both civil and criminal proceedings.

223. Article 13 of the UNCRPD further provides for unhindered access to free legal service. Section 23 (5) (c) of the Constitution of Sierra Leone, 1991, which is the corresponding provision to Article 13 also mentions unhindered access to a legal practitioner by every Sierra Leonean generally.

224. In support of that provision, Sections 41 (1) (a) and (b), and Section 41 (2) (a) of the PWDA 2011 provides for free legal services to PWDs in matters affecting the violation or deprivation of their rights or the deprivation of their property, and the exemption of PWDs with respect to the payment of court fees in matters concerning the violation or deprivation of their rights.

225. Section 2 of the Legal Aid Act No. 6 of 2012 creates the Legal Aid Board which by Section 20 (1) and (2) of the Act is empowered to dispense free legal services to indigent Sierra Leoneans generally both in criminal and civil matters, either by instituting actions or defending actions by or against indigent Sierra Leoneans, as the case may be.

226. The creation of the Legal Aid Board has also increased PWDs’ access to justice. In spite of measures taken to enable them to access justice, some key challenges still prevent them from enjoying this. Some of them are: failure to specifically mention persons with disabilities as beneficiaries of free legal services, the silence of the Persons with Disability Act, 2011 on the issue of the rules of evidence and procedure, the challenge of lack of specialized training on the handling of cases involving PWDs for stakeholders in the justice sector – Judges, Magistrates, and judiciary support staff, the Bar Association, the General Legal Council (GLC), the Rules of Court Committee, police investigators and/or prosecutors and correctional service officers.

Article 14

Liberty and security of the person

227. Part III, Section 17 (1) (2) and (3) of the Constitution of Sierra Leone, 1991, provides that no person shall be deprived of his personal liberty and security of his person except as may be authorized by law in any of the following cases, in the execution of a sentence or order of a Court whether in Sierra Leone or elsewhere in respect of a criminal offence of which he has been convicted; or, in the execution of an order of the High Court or the Court of Appeal or the Supreme Court or such other court as may be prescribed by Parliament on the grounds of his contempt of any such court or of another court or tribunal or commission of inquiry as the case may be; or, in the execution of an Order of a court made in order to secure the fulfilment of any obligation imposed on him by law; or, for the purpose of bringing him before a court or tribunal, as the case may be, in execution of the order of a court; or, upon reasonable suspicion of his having committed or of being about to commit a criminal offence; or, in the case of a person who has not attained the age of twenty-one years, for the purpose of his education or welfare; or, for the purpose of preventing the spread of an infectious or contagious disease; or, in the case of a person who is, or is reasonably suspected to be, of unsound mind, addicted to drugs or alcohol, or a vagrant, for the purpose of his care or treatment or the protection of the community; and for the purpose of preventing the

unlawful entry of that person into Sierra Leone, or for the purpose of effecting the expulsion, extradition or other lawful removal of that person from Sierra Leone or the taking of proceedings thereto. In instances where the liberty of a person may be deprived then the same must be in accordance with the laid down law. A person with disabilities therefore cannot have his liberty and security of persons curtailed on the mere basis that she/he has a disability.

228. The Persons with Disability Act, 2011 provides rights and privileges for persons with disability in key area relating to dignity, autonomy, independence, non-discrimination, equality of opportunity, participation and inclusion.

229. The Government of Sierra Leone has implemented several activities aimed at promoting the liberty and security for all citizens of Sierra Leone including PWDs. Through its national institutions like the Sierra Leone Police, Office of the National Security, etc, the Government has ensured that all citizens including persons with disability are assured of their individual liberty and security. In 2018, the Police provided specific protection to PWDs who were about to be illegally evicted by landowners in Freetown.

Article 15

Freedom from torture or cruel, inhuman or degrading treatment or punishment

230. Chapter 3 of the Constitution of Sierra Leone, 1991 guarantees fundamental human rights and freedoms that are designed to respect and maintain human dignity, with specific reference to Section 20 (1), of the Constitution, “no one shall be subjected to torture, cruel, inhuman or degrading treatment”.

231. The Child Rights Act, 2007 also provides for protection for children living with disabilities, section 30 (1) affirms that “No person shall treat a disabled child in an undignified manner” and (2) continues that “A disabled child has a right to special care, education and training wherever possible to develop his maximum potential and be self-reliant”.

232. In addition, the Sexual Offence Act 2012 recognizes the vulnerability of Persons with Disability to sexual abuse; therefore, section 40 of the Act provides for special measures for vulnerable victims and witnesses.

233. The Ministry of Social Welfare, Gender and Children Affairs in collaboration with the National Commission for Persons with Disabilities and the Human Rights Commission of Sierra Leone has been undertaking awareness raising campaigns on the rights of persons with disabilities at the national, provincial and district level targeting DPOs, persons with disabilities, the community and government Ministries, Departments and Agencies (MDAs) on the promotion and protection of the rights of Persons with disability with specific reference to freedom from torture or cruel, inhuman or degrading treatment or punishment bearing in mind the practice to subject them to inhumane practices.

234. PWDs, for example, children with mental health disorders and epilepsy tend to suffer abuse, exploitation and economic shock from their communities. To this effect, the GoSL through the Sierra Leone Police, MSWGCA and NCPD have deployed personnel in various communities to closely monitor and ensure that these abuses are addressed.

Article 16

Freedom from exploitation, violence and abuse

235. Persons with disabilities in developing countries continue to face huge challenges in accessing social services. Those in Sierra Leone are no exception to this sad reality.

236. However, in spite of existing challenges, the Government of Sierra Leone has expressed commitment in protecting its citizen from exploitation, violence and abuse through the formulation of policies and legislations which cover persons with disabilities. Sections 19 (1) and 20 (1) of the Constitution of Sierra Leone, 1991 explicitly talk about

protection from slavery and forced labour noting that no person shall be held in “slavery or servitude or be required to perform forced labour or traffic or deal in human beings” and protection from inhuman treatment, “no person shall be subject to any form of torture or any punishment or other treatment which is inhuman or degrading” respectively.

237. In Section 8, the Constitution of Sierra Leone 1991 sets forth social policy objectives for the state emphasizing that the care and welfare of the disabled shall be actively promoted and safeguarded.²⁵

238. In its strides to further prevent all forms of abuse, exploitation and violence against persons with disabilities, the Government through the Parliament of Sierra Leone enacted the Disability Act, 2011 which makes provision for the establishment of the National Commission for Persons with Disabilities. The Act encompasses rights and privileges which protects persons with disabilities from violence, abuse and exploitation.

239. Part VIII of the Child Rights Act, 2007, article 11 (e) eliminates forced marriage for girls, female genital mutilation, sexual abuse and economic exploitation of children.

240. The Child Rights Act 2007 makes provision for the setting up of the family courts, child panels, child welfare committees and the Family Support Unit (FSU), a branch in the Sierra Leone Police that deals with issues of abuse, exploitation and violence of children, girls and women. They have the responsibility to investigate cases of violence, abuse and exploitation and charge to court. These units have helped in ensuring perpetrators are prosecuted. From the establishment of the FSU in 2001, it has contributed in reducing all forms of abuse against women and children including the disabled.

241. To further address the issues of exploitation, Government in collaboration with its partners has set up five Rainbow Centres in five districts across the country which handle medical examination of sexual penetration and rape on a free of cost basis so that legal action could be taken against perpetrators.

242. The Ministry of Social Welfare, Gender and Children’s Affairs has set up a Case Management System (Primer) that helps to track number of cases of abuse, exploitation and violence against women and children including persons with disabilities. From 2016 to 2018, the MSWGCA and partners have recorded 15,510 abuse cases.

243. A monthly coordination meeting is organized by the MSWGCA and its Child Protection partners to make follow-ups on abuse cases of women and children. This has helped in ensuring that cases of abuse are not compromised by the communities.

244. The Ministry of Social Welfare, Gender and Children’s Affairs has also trained and deployed social workers to monitor cases of abuse and provided awareness raising on the laws that speak against abuse.

245. Additionally, as part of Government’s decentralisation and devolvement programmes, the Local Councils created by the Local Council Act, 2004 gives them the mandate to implement government programmes at local council levels. The local councils monitor disability issues including violence, abuse and exploitation against persons with disabilities to ensure perpetrators are brought to book. This has considerably helped in reducing the number of cases of abuse and violence against persons with disabilities.

246. The establishment of Legal Aid Board has contributed in the fight against abuse through the provision of free legal services to the vulnerable, including persons with disabilities.

247. The GoSL has agreed to the age of consent on Female Genital Mutilation (FGM) a practice which has contributed to the abuse and exploitation of women and girls below the age of consent.

248. With support such as the provision of grants, accreditation, providing a level playing field from Government, Disabled Persons Organizations continue to undertake advocacy roles against abuse and violence. They have organized themselves into a formidable force to monitor cases of violence and abuse ensuring that suspects are prosecuted, and cases are not

²⁵ Section 8 (3) (f).

compromised. This has arisen the awareness of the communities to uphold the rights of persons with disabilities.

249. In spite of conscious efforts to ensure freedom from violence, abuse and exploitation, challenges are still enormous. Cases are still being compromised either by the local authorities or the justice system.

250. The Parliament of Sierra Leone has a number of functioning committees; Human Rights and Social Welfare Committees. This Committee tasked with renewing human rights legislations is working with other relevant players to review draft disability legislations.

Article 17

Protecting the integrity of the person

251. The recognition and protection of the fundamental human rights and freedom of the individual are enshrined in the highest legal framework of the land. Chapter 3 of the Constitution of Sierra Leone, 1991 provides for a range of rights and freedom that encompass the protection of the integrity of the person. Section 17 speaks to the protection of the individual from arbitrary arrest or detention while Section 20 of that same constitution provides for protection from inhuman and degrading treatment and Section 22 on the protection for privacy of home and other property.

252. Part V of the PWD Act 2011 echoes the rights and privileges of persons with disabilities and their right to education, barrier-free environment, right to public transport, access to public premises, services and amenities, protection from discrimination in educational institutions, employment and so on. Section 15 (1) of the PWD Act, 2011 states that a person with disability shall not be denied admission to or expelled from an educational institution by reason only of his disability and (2) requires all educational institutions to take into account the special needs of persons with disabilities with respect to the use of school facilities, class schedules, physical education requirements and other similar considerations. Section 19 (1) of the PWD Act 2011 states that no person shall deny a person with disability having the requisite skills and qualifications, access to opportunities for suitable employment and (2) maintain that an employee with a disability shall be subject to the same terms and conditions of employment and the same compensation, privileges, benefits, incentives or allowances as employees without disability.

253. The establishment of the Legal Aid Board; an institution that provides accessible, credible and sustainable legal aid services to indigent persons and for other related matters has immensely supported in protecting the integrity, dignity and respect of persons with disabilities.

254. However, despite these Constitutional provisions and related legal frameworks, there still remain challenges by PWDs to access basic social services, right to privacy, right to be treated with dignity and respect.

255. To respond to these challenges, there is an ongoing awareness raising campaign to sensitize the public including Government officials, institutions, medical personnel, implementing partners and community stakeholders through rolling out of the PWD Act, 2011 for effective inclusion of persons with disabilities in national development processes.

Article 18

Liberty of movement and nationality

256. Section 18 (1) of the Constitution of Sierra Leone, 1991 guarantees every Sierra Leonean protection of freedom of movement as one of the fundamental rights of the human being. It states that 'no person shall be deprived of his freedom of movement, and for the purpose of this section the said freedom means the right to move freely throughout Sierra Leone, the right to reside in any part of Sierra Leone, the right to enter or leave Sierra Leone, and immunity from expulsion from Sierra Leone'. Sections 75 and 76 of the Constitution of

Sierra Leone 1991 also makes provisions for one who can be a citizen of Sierra Leone and which category of citizen can vote or be voted for into political office.

257. Part II of the 1973 Citizenship Act of Sierra Leone speaks to several ways of attaining citizenship in Sierra Leone. They are citizenship by birth, citizenship by birth in Sierra Leone, citizenship by birth outside Sierra Leone, citizenship by descent and other category of citizenship covering every person whose mother is or was a citizen of Sierra Leone by virtue of sections 2, 3, 4 and 5 and who does not or do not acquire the citizenship of another State shall be deemed to be a citizen of Sierra Leone by birth.

258. Under part III of the same Citizenship Act, citizenship can be acquired by naturalization, by naturalization of other persons ‘Every person of negro African descent born in Sierra Leone after the eighteenth day of April 1971, may on application being made by him in the manner prescribed, be granted a certificate of naturalization’.

259. The 1976, 2006 and 2017 Citizenship Acts as amended equally speak to citizenship. Part IV of the same Act deals with the issue of Dual Citizenship pointing out that ‘No person shall have Sierra Leone citizenship and any other citizenship at one and the same time. This clause was evoked during the 2018 multi-tier elections whereby Sierra Leoneans with dual citizenship were prevented from contesting to serve as members of Parliament.

260. The Persons with Disability Act, 2011 also expresses its commitment to the rights to movement of persons with disabilities. Under article 24 (1) of the Persons with Disability Act 2011, the right to barrier free environment is guaranteed. The Act provides that persons with disability shall be entitled to a barrier-free environment to enable them to have access to buildings, roads and other social amenities and assistive devices and other equipment to assist their mobility.

261. Several efforts have been made by the Government of Sierra Leone to protect the liberty of movement of persons with disabilities. With the establishment of key institutions such as Immigration Department, National Civil Registration Authority (NCRA) formerly National Registration Secretariat (NRS), Office for Births and Deaths, Statistics Sierra Leone (SSL) and the National Commission for Social Action (NaCSA) which handles issues of refugees, service provision to persons with disabilities has considerably increased. These institutions are supervised by the Ministry of Internal Affairs.

262. The National Civil Registration Authority has decentralized its services thereby reducing the distance covered by persons with disabilities to access registration centres for the issuance of identification cards which is a testament to their citizenship. Similarly, the National Electoral Commission (NEC) did not only increase the number of polling centres for the 2018 multi-tier elections, it also made a conscious effort to make polling centres disabled friendly thereby facilitating the movement of persons with disabilities to participate in the electoral process.

263. Despite these achievements recorded so far, attaining liberty of movement for persons with disabilities still remains a challenge due to inaccessible roads, buildings and transports.

264. Government through the Accessibility Committee of the Ministry of Works and Public Assets is engaging contractors to impress on them that all subsequent public infrastructure should be constructed in a manner that is accessible to persons with disabilities. Also, the pronouncement of the 2018 Financial Appropriation Act allocated money for the construction of rails and ramps in all public schools and health facilities.

Article 19

Living independently and being included in the community

265. The commitment of Sierra Leone to ensure that its citizens live independently and are included in communities cannot be overemphasized. This commitment is demonstrated in key provisions of the supreme law of the land. The Constitution of Sierra Leone 1991 dedicates the whole of Chapter 3 to recognition and protection of fundamental human rights and freedom of the individual. Provisions to Secure Protection of Law, Protection of Freedom of Conscience, Protection of Freedom of Expression and the Press, Protection of Freedom of

Assembly and Association Protection which are critical components of living independently and being included in community are in the aforementioned chapter of the Constitution of Sierra Leone, 1991.

266. The “Short Title” of the PWD Act, 2011 indicates that prohibiting discrimination against persons with disabilities is one of the principal reasons for the enactment of the Disability Act. By prohibiting discrimination and stigma, persons with disabilities can then be part of their communities and so live within their communities. In addition, articles on protection from discrimination in educational institutions, protection from discrimination from employment, right to barrier-free environments and many others in the Persons with Disability Act are a testimony to Government’s commitment to ensure that persons with disabilities live independently in their communities.

267. Community rehabilitation programmes for persons with disabilities that train on vocational and trade skills, independent living skills and capacity building of children and persons with disabilities are organized by development partners in collaboration with the Government to enhance effective rehabilitation, independent living and inclusion within the community.

268. The Sierra Leone Government has also undertaken several activities, programmes and projects to promote the independent living of persons with disabilities. These programmes include but not limited to the provision of various assistive devices, economic empowerment through the provision of livelihood skills and education and the modification of some public buildings including the MSWGCA, Central Police Headquarters, Princess Christian Maternity Hospital (PCMH).

269. Despite the progress made in these areas, negative societal perception and limited disability awareness continue to pose serious challenges in the inclusion of persons with disabilities in their communities.

270. Government is working with partners to train local technicians to assemble, distribute and repair mobility carts to enhance independent living.

271. The Government in collaboration with the National Commission for Persons with Disability and Disabled Persons Organizations is rolling out awareness raising and sensitization programmes to change negative societal perception thereby promoting the acceptance of persons with disabilities in their communities. Further, the Government through the Ministry of Health and Sanitation is strengthening the capacity of medical practitioners for occupational therapists, physiotherapists and orthopaedic technicians all of whom play a major role in helping persons with disabilities to live independently.

272. The Government through the Ministry of Social Welfare, Gender and Children’s Affairs and the National Commission for Persons with Disabilities on a periodic basis support the independent living of persons with disabilities within their communities by providing them with Welfare Grants. To further empower PWDs to live independently, through NaCSA Government is working out modalities to factor them in the Social Safety Net (SSN) programmes as a way of influencing acceptance in their communities and changing the societal perception for the promotion of independence.

273. Government through its partners has been promoting the rehabilitation of persons with disabilities through inclusive education of both disabled and non-disabled children from the community, supporting them through provision of vocational skills training. After their training, the residents are integrated within the community to live an independent life, through Home’s Community Based Rehabilitation programme.

Article 20

Personal mobility

274. To give effect to the right of persons with disabilities to freely access public premises, services and amenities and to participate in sports and recreation with independence, as stated in Sections (27) and (28) of the Persons with Disability Act, 2011, the Government of Sierra Leone through the Ministry of Health and Sanitation (MOHS) in collaboration with other

national and international partners continues to provide assistive devices to aid the movement of persons with disabilities. Acknowledging the very high cost of assistive devices beyond the financial reach and affordability of many persons with disabilities, the Government continues to grant tax exemption on these devices and other mobility related items for persons with disabilities. Efforts are being made by the MOHS and its partners to develop a National Assistive Device Supply Programme (NADSP) in Sierra Leone. This programme will facilitate the adequate distribution of the assistive devices to persons with disabilities especially those in hard-to-reach areas.

275. With support from the Government, development partners are operating a training and manufacturing centre with a workshop that is producing assistive devices and mobility appliances such as crutches and manual wheelchairs nationwide. Plans are underway for this initiative to be replicated in every district.

276. There are currently five Prosthetic and Orthotic workshops in five districts across the nation. Five workshops were constructed and equipped by development partners through Government's supervision and oversight. These centres are currently being run by Government through the MOHS. These centres produce prosthetic and orthotic devices at a cost recovery amount. There are also few repair workshops run by persons with disabilities to enhance their mobility.

277. The Government has also recently initiated negotiation through the Ministry of Foreign Affairs and International Cooperation to run the Jaipur Foot Project in Sierra Leone to provide cheap and affordable means of mobility for people who would otherwise not be able to afford them.

278. The Government has made great efforts in collaborating with NGOs, INGOs and the private sector to overcome the challenge of mobility for persons with disabilities. The Government is working with partners to establish Orthopaedic and Physiotherapy services in every District hospital that train on personal mobility and assess the suitability of devices for use of a person with disability. The Ministry of Health and Sanitation in collaboration with its partners have trained a number of Clinicians to carry out proper assessment of clients for wheelchairs allocation and Technicians to do proper fitting/ assembling of wheelchairs.

279. Government is also supporting special needs institutions in providing the required education and mobility skills that equip visually impaired persons to enhance their mobility. However, the provision of some assistive devices, for example white cane hearing aids for the blind and hearing impaired remains a challenge.

280. The Government through the Ministry of Works and Public Assets in partnership with corporate companies, international and local Non-Governmental Organizations and the community is now taking the drive towards making the environment accessible and inclusive.

Article 21

Freedom of expression and opinion, and access to information

281. Freedom of expression and opinion, and access to information are fundamental human rights that must be promoted and protected by every society. The Government of Sierra Leone has expressed its commitment to upholding these indispensable human rights through the incorporation of the protection of these rights in the Constitution of Sierra Leone, 1991.

282. The Constitution of Sierra Leone, 1991 guarantees a wide range of fundamental rights and freedom of the person in Sections 11, 24 and 25, 124, 127 and 171(15). Section 5 (1) of the Constitution states that "The Republic of Sierra Leone shall be a State based on the principles of Freedom, Democracy, and Justice".

283. Section 11 of the Constitution of Sierra Leone, 1991, speaks to the foundation for the right to press freedom pointing out that: "The press, radio and television and other agencies of the mass media shall at all times be free to uphold the fundamental objectives contained in the Constitution and highlight the responsibility and accountability of the Government of the people of Sierra Leone".

284. Freedom of expression and of the press is also guaranteed in Section 25 of the Constitution which states “ Except with his own consent, no person shall be hindered in the enjoyment of his freedom of expression, and for the purpose of this section the said freedom includes the freedom to hold opinions and to receive and impart ideas and information without interference, freedom from interference with his correspondence, freedom to own, establish and operate any medium for the dissemination of information, ideas and opinions and academic freedom in institutions of learning”.

285. Section 24(1) of the Constitution of Sierra Leone, 1991 brings to the fore the protection of the right to freedom of conscience. The section states “Except with his own consent, no person shall be hindered in the enjoyment of his freedom of conscience and for the purpose of this section the said freedom includes freedom of thought and of religion, freedom to change his religion or belief, and freedom either alone or in community with others and both in public and in private to manifest and propagate his religion or belief in worship, teaching, practice and observance”.

286. Section 14 (1) of the Persons with Disability Act, 2011 though not specific on freedom of expression and opinion however lays emphasis on the right to free education. Section 27 of the same Act provides for the right of access to public premises, services and amenities. These are the hallmarks of the right to access information and even freedom of expression and of the press. One cannot be guaranteed of his or her right to freedom of expression, of the press, or opinion or even the right to access information if he or she cannot be accorded the unfettered right to access public premises, services and amenities.

287. The Government of Sierra Leone gives persons with disabilities the right to voice their opinion and to access information about national development processes through different media instrument. Presently there is a renowned media outlet called Voice of the Handicap operating in the capital Freetown that is owned by a popular visually impaired broadcaster who has just been appointed as the Chairman of the NCPD. The radio has been in existence since 1996 and has played a significant role in the revolution of broadcasting in Sierra Leone.

288. Government has enacted the Rights to Access to Information Act, 2013 which should enable every member of the public to access information without any undue hindrance. The Government has also established the Independent Media Commission Act, 2000 to register and regulate media houses.

289. The Government has made improvement regarding the promotion of freedom of speech, freedom of the press and of opinion and access to information through the provision of sign language interpreter in the Sierra Leone Broadcasting Corporation Television Programmes three times a week. However, challenges still exist in the limited sign language interpreters for speech and hearing impaired and limited Braille materials for the visually impaired coupled with inaccessible infrastructure.

Article 22

Respect for privacy

290. The Government of Sierra Leone respects the fundamental rights of privacy and dignity of a person as guaranteed in the Constitution of Sierra Leone 1991. The Constitution provides for the protection and right to privacy of a person and property. Section 8 (2) (b) of the Constitution of Sierra Leone, 1991 mandates the state to recognize the sanctity of the human person and dignity. Section 22 (1) of the Constitution of Sierra Leone, 1991 further notes that “no man shall be subjected to the search of his person, or his property, or the entry by others on his premise, or interfere with his correspondence, telephone conversations and telegraph and electronic communications”. The privacy of persons with disabilities is equally protected by those provisions of the Constitution.

291. Section 41 (1) (a) of the Persons with Disability Act, 2011 protects not only the deprivation of the rights of persons with disabilities but also their property. Furthermore, section 29 of the same Act makes provision for the National Electoral Commission to provide accessibility and assistive devices for PWDs to vote independently. Part VII of the Public Elections Act and the National Electoral Commission’s Disability Policy protects the rights

of persons with disabilities to independent voting and recognizes their diversity in electoral processes.

292. As a Country, the Government has made progress and demonstrated commitments in respecting the right to privacy in electoral processes. In the 2007 and 2018 Presidential, Parliamentary and Local Councils Elections, persons with disabilities especially the visually impaired voted independently using the Tactile Ballot Guide.

293. Despite such strides made by the Government, there are still challenges with respect to privacy of persons with disabilities. These challenges mostly border on limited accessibility to services and the physical environment.

294. Notwithstanding these challenges, the Government of Sierra Leone is working with partners to provide assistive devices such as wheelchairs, crutches and white canes, hearing aids and modify the physical environment for the purposes of accessibility to persons with disabilities.

Article 23

Respect for home and family

295. The right to home and respect for one's family including persons with disabilities is guaranteed under the Constitution of Sierra Leone 1991. Section 13 (h) of the Constitution of Sierra Leone, 1991 empowers the citizens to own family, get proper control and upbringing of children. Furthermore, Section 15 (c) & (d) emphasizes respect for privacy, family life and protection from deprivation of property without compensation.

296. The Persons with Disability Act, 2011 Section 6 (2) (n) provides as one of the functions of the National Commission for Persons with Disabilities, to consult with the Government on the provision of suitable and affordable housing for persons with disabilities. Section (35) of the Persons with Disability Act, 2011 prohibits the concealment of a child with disabilities.

297. The Child Rights Act 2007 and the just launched twin 2014/2015 policies of Child Welfare and Alternative Care also speak to respect for the family as the best place to raise a child including one with disability.

298. In compliance with these legal provisions, the Government of Sierra Leone has provided some houses and parcels of land to persons with disabilities. Documentation to ascertain ownership of these parcels of land has been supported both morally and financially by the Government through the National Commission for Persons with Disabilities.

299. The Government has also established the Family Support Unit (FSU) within the Sierra Leone Police to support vulnerable families especially persons with disabilities who face social injustice such as domestic violence, parental neglect and sexual abuse.

300. The introduction of the Free Health Care initiative to provide free health care services to children under five, pregnant women and lactating mothers is an indication of respect for family life. The Government is also providing maternal and reproductive health services that allow women to determine and use contraceptives and family planning services in the referral and peripheral health units across the country to better plan their families.

301. However, there are still challenges in this area as most persons with disabilities do not have a conducive place to call a home.

Article 24

Education

302. The Constitution of Sierra Leone, 1991 guarantees the right to education for all citizens. This provision is enshrined in Section 9 (1) of the Constitution of Sierra Leone, 1991. It provides that the Government shall direct its policy towards ensuring that there are equal rights and adequate educational opportunities for all citizens at all levels by – (a) “ensuring that every citizen is given the opportunity to be educated to the best of his ability, aptitude

and inclination by providing educational facilities at all levels and aspects of education such as primary, secondary, vocational, technical, college and university”; (b) “safeguarding the rights of vulnerable groups, such as children, women and the disabled in securing educational facilities; and (c) providing the necessary structures, finance and supportive facilities for education as and when practicable”.

303. In Section 9 (2) of that same Constitution, it is mentioned that “the Government shall strive to eradicate illiteracy, and to this end, shall direct its educational policy towards achieving – (a) free adult literacy programmes; (b) free compulsory basic education at primary and junior secondary school levels; and (c) free senior secondary education as and when practicable”.

304. Section 9(3) states that “the Government shall promote the learning of indigenous languages and the study and application of modern science, foreign languages, technology, commerce and business”.

305. Section 12 stipulates that “The Government shall –(a) promote Sierra Leonean culture such as music, art, dance, science, philosophy, education and traditional medicine which is compatible with national development”.

306. These provisions and many others in the Constitution of Sierra Leone, 1991 are testament to the Government’s commitment to provide education to all its citizens.

307. The Education Act, 2004 is an Act of the Sierra Leone Parliament which provides for the reform of the education system, including provision for pre-primary education, technical and vocational training, adult and non-formal education and the role of universities. The reform was necessitated by the seeming lack of the incorporation of the needs of learners with disabilities in previous educational frameworks.

308. The Inclusive Education Policy, a proposed policy and actions for the promotion of inclusive education in Sierra Leone sets out a process of addressing and responding to the diversity of needs of all learners through inclusive practices in learning, cultures and communities and reducing exclusion within and from education. It involves changes and modifications in content approaches structures and strategies, with a common vision which covers all children of the appropriate age range and a conviction that it is the responsibility of the regular system to educate all children. “The Inclusive Education policy has been informed by current international priorities and existing national policies and initiatives, which aim to improve access and quality in the education provided for all children and young people in Sierra Leone”.

309. Inclusive education asserts the rights of all children to receive an education that is appropriate to their needs. It promotes the attendance of all students in age-appropriate classes in schools, where they are encouraged and supported to participate in every aspect of the life of the school and to make both academic and social progress regardless of their needs or abilities.

310. The promotion of inclusive education has particular importance for those individuals and groups who have been marginalised within society as a result of poverty, gender, disability or social class. This recognition has led to the establishment of interrelated goals aimed at combating educational inequality.

311. The object of the policy is that All children of school going age in Sierra Leone have a right to attend school- and to have their educational needs addressed through teaching that takes into cognizance of individual needs of the learners.

312. Section 6 (3) of the Inclusive Education Policy provides that all teachers, both in their initial training and through focused continuous professional development courses will be equipped with the understanding, skills and knowledge that enable them to address the needs of a diverse school population. This will include specific training related to disability, and to the development of effective differentiated teaching approaches, the use of formative and summative assessment and the effective management of resources. All teachers undertaking initial teacher training will complete compulsory modules on the education of children with disabilities and from other marginalised groups, including girls and those living in remote

regions of the country, and will be provided with practical experiences of teaching children with disabilities in mainstream schools.

313. Many other provisions of the Inclusive Education Policy speak to the rights to education for all children.

314. The Persons with Disability Act, 2011 also highlights the rights to education for persons with Disabilities. Section 6 (1) states that the object for which the Commission is established is to ensure the well-being of persons with disability. It shall be the function of the Commission to – (2) (a) “formulate and develop measures in collaboration with the Ministry, designed to achieve equal opportunities for persons with disability by ensuring as far as possible that they obtain education and employment and participate fully in sporting, recreational and cultural activities and are afforded equal access to community and social services”.

315. Section 14 (1) of the PWD Act, 2011, states that “Every person with disability shall have a right to free education in tertiary institutions accredited by the Tertiary Education Commission and approved by the Ministry responsible for education. (2) The Government shall ensure the structural adaptation of educational institutions to make them easily accessible to persons with disability. (3) Every school shall provide facilities for learning by persons with disability”. Section 5 (1) adds that “A person with disability shall not be denied admission to or expelled from an educational institution by reason only of his disability. (2) Educational institutions shall take into account the special needs of persons with disability with respect to the use of school facilities, class schedules, physical education requirements and other similar considerations. (3) A person who contravenes subsection (1) commits an offence”.

316. Section 16 (1) of the same PWD Act, 2011 provides that “educational institutions shall endeavour to introduce in their institutions sign language and braille. (2) Students in public educational institutions who specialize in courses for instruction of persons with disability shall be entitled to Government scholarships or grants”.

317. Section 26 (2) of the child Rights Act, 2007 guarantees that every child has the right to life, dignity, respect, leisure, liberty, health, including immunisation against diseases, education and shelter from his parents.

318. In section 30 (2), the CRA, 2007 provides that a disabled child has a right to special care, education and training wherever possible to develop his maximum potentials and be self-reliant.

319. The Tertiary Education Commission Act also reaffirms actions to access tertiary education by PWDs. It emphasizes that there should be no discrimination on the basis of disability in any institution of learning especially when they possess the requisite requirement.

320. In fulfilment of these legal provisions, the Government of Sierra Leone has undertaken the following: the introduction of the free quality education programme, the designing of a new curriculum by the Ministry of Education to incorporate the needs of learners with disabilities, budgetary allocation to the Ministry of Education to procure learning and teaching materials for PWDs, Procurement bidding already launched at the ministry of Education, Core text books for special needs learners have been provided by Government and Braille and other assistive devices such as clutches procured.

321. The GoSL has in August 2018 conducted a detail statistic of pupils in main schools as well as special needs institutions for effective service delivery. A department for special needs Education is found at the University of Makeni in the North of Sierra Leone to train teachers on special needs education.

322. Coupled with the free tertiary education for all PWDs, GoSL is also providing subsidies to 14 special needs schools in the country. Currently, all public schools are being constructed with rails and ramps for accessibility to learners with disabilities.

323. Additionally, the Government of Sierra Leone is working with local partners in order to adopt the twin track approach for learners with confounding disability/complex cases, i.e. while embracing the need to provide for inclusive education at all levels. It is imperative that special schools are available for learners with confounding disabilities/complex cases.

Considering this, Sierra Leone has begun to address effective education for the afore-mentioned children via collaboration with several partners who are commendable for their role in augmenting government's efforts to provide education to children with special needs. These partners have pioneered a holistic service of health, education and social support structures for children with confounding disabilities/complex cases in relation to mental health issues/learning disabilities which have long been gaps, and support for their families and carers. There is also an on-going epilepsy management training conducted by Government and partners.

324. GoSL has also divided the Ministry of Education, Science and Technology to the Ministries of Basic and Senior Secondary Education and Technical and Higher Education. This is to enhance effective teaching and learning at all levels. One of the newly transformed ministries, MBSSE conducted a survey which recorded 32,165 persons with disabilities in Government and Government assisted primary and secondary schools (17,097 boys and 15,068 girls)²⁶.

325. However, in spite of Government's efforts to provide education to PWDs, there is still a challenge in modifying existing learning institutions, the limited number of teachers of special needs, limited number of learning materials/assistive devices and the corresponding unavailability of stipend to them.

Article 25 Health

326. Making all Sierra Leoneans live healthier, happier and more productive, the GoSL prioritise the right to life. Section 8(3) (c) of the Constitution of Sierra Leone, 1991 provides that "the health, safety and welfare of all persons in employment are safeguarded and not endangered or abused, and in particular that special provisions be made for working women with children, having due regard to the resources of the State" and Section 8 (3) (d) provides that "the State shall ensure there are adequate medical and health facilities for all persons, having due regard to the resources of the State". In Section 22 (2) (e) of the Constitution of Sierra Leone 1991 of Sierra Leon, it is mentioned that "the State shall afford such special care and assistance as are necessary for the health, safety, development and well-being of women, children and young persons, the aged and the handicapped".

327. The PWD Act, 2011 provides for right to health for PWDs. Section 17 (1) of that Act states that "every person with disability shall be provided with free medical services in public health institutions". Section 17 (2) "Where disability is detected in the course of a medical examination, the attending medical practitioner shall submit to the medical board established under Section 7, a preliminary certificate of disability showing the kind of disability the person is afflicted with or likely to be afflicted with". In section 18 of the PWD Act, 2011, it is provided that any child who visits a health centre for medical treatment shall be screened for the purpose of detecting early signs of disability.

328. Section 38 (1) of the CRA, 2007 states that any health worker, teacher, or social development worker, and all other governmental and non-governmental service providers shall discharge their duties to children and communities with diligence, fairness, without being swayed by personal interest and without discrimination, respecting people's dignity and worth and taking into account the short and long term interests of the children and Section 11 (c) of the same CRA, 2007 stipulates that to contribute to the process of the decentralization of authority to the districts and other local levels with regard the process of ensuring that every child is registered at birth, and has access to health-care and free basic education, including the provision of adequate school facilities, materials and trained teachers in the rural areas.

329. The 2014 Child Welfare Policy also recognizes that birth registration has important benefits for promoting children's rights to education, health and welfare.

²⁶ Survey done in 2018 on enrollment of PWDs in public schools.

330. The Mental Health Policy, 2010–2015 sets out to promote the quality of life of all people with mental disability and their families in Sierra Leone. It recommends promotion, prevention, treatment and rehabilitation as areas for action to address mental disability. The Policy further sets out to provide quality, affordable, acceptance and accessible mental health services including rehabilitation at all levels as an integrated part of the comprehensive health services package available in Sierra Leone, with a view to achieving a continuum of care. It calls on communities to be actively involved in the promotion, prevention and rehabilitation of people with mental disorders.

331. To respond to these legal provisions, GoSL introduced the free health care in 2010. It was limited to children under five, lactating mothers and pregnant women, a memo from the Chief Medical Officer was dispatched to all District Medical Officers regarding the provision of free health care services to Persons with disabilities. With the introduction of the Ebola Virus Disease recovery strategy all persons who as a result of natural disaster have experienced various forms of disability are able to access free health care services. Capacity building trainings received by health workers has helped them to change negative perception on persons with disabilities accessing their facilities. Currently, all nurses are trained on provision of services to persons with special needs such as reproductive, maternal, neonatal and child health, nutrition, and Rehabilitation. MOHS collaborates with various ministries such as Social Welfare, Gender and Children's Affairs, Ministry of Finance (MoF) Planning and economic Development (MOPED), Education, Local Government and Rural Development (MLGRD), Agriculture and Forestry in providing effective and efficient health related services to the citizens.

332. The implementation and monitoring of the Mental Health Strategic Plan is underway, the existence of the Sierra Leone Psychiatric Home, the availability of mental health facilities across the country, the introduction of a community health worker (CHW) programme that brings preventive care and high impact lifesaving interventions to household level, the launching of a National Emergency Medical Service (NEMS) also referred to as the Ambulance Service has increased accessibility to health facilities for the people of Sierra Leone, the development and subsequent implementation of policies and programmes such as immunization, nutrition, EVD, Eye care, Physiotherapy and rehabilitation have all facilitated the provision of health care services to all Sierra Leoneans.

333. In spite of the achievements recorded so far, existence of an out-dated Lunacy Act, limited number of health-related experts and limited budgetary allocations still pose challenges.

Article 26

Habilitation and rehabilitation

334. The Constitution of Sierra Leone, 1991 is silent on the concepts of Habilitation and Rehabilitation.

335. However, Section 6 (2) of the Persons with Disability Act, 2011 guarantees that “without prejudice to the generality of subsection it shall be the function of the Commission to – (c) advise the Minister on the provisions of any international treaty or agreement relating to the welfare or rehabilitation of persons with disabilities and its benefits to the country”.

336. Section 6 (2) (g) of the same Act provides that “it shall also be the function of the commission to support and secure the rehabilitation of persons with disabilities within their own communities and social environment”; Section 6 (i) (i) states that the commission shall register and maintain a database for places at which services for the rehabilitation of persons with disability are provided; and in section 6 (k) the commission “shall assist the Government in the formulation of suitable curricula for teacher training institutions, vocational rehabilitation centres and other training facilities, for persons with disability”.

337. Section 34 (1) of the PWD Act, 2011 states that “any donation, bequest, subsidy or financial assistance which may be made to the Commission or Government agency or organization involved in the rehabilitation of persons with disability shall be allowed as a deduction from the donor's gross income for the purpose of computing taxable income”.

338. These provisions of the Persons with Disability Act, 2011 manifest Government's commitment to provide habilitation and rehabilitation services to persons with disabilities.

339. In Sierra Leone, Rehabilitation services are provided by the Ministries of Health and Sanitation, Education, Social Welfare, Gender and Children's Affairs (MSWGCA), International Non-Governmental Organizations (INGOs) and Local Non-Governmental Organizations including organisations of and for persons with disabilities. Rehabilitation services offered by the Ministry of Health and Sanitation are guided by the Physical Rehabilitation Medicine Policy, 2012. This policy adopts Community Based Rehabilitation as the philosophy underlying the provision of rehabilitation services.

340. The Government is working with partners to create Physiotherapy and rehabilitation centres and programmes in every District Governmental Hospitals in addition to the existing 4 centres and also embarking on community rehabilitation and outreach programmes especially for hard-to-reach areas. This will facilitate the detecting of early signs of disability in both adults and children for early intervention, which is a right to every Sierra Leonean as stated in section 18 of the PWD Act, 2011.

341. Additionally, Government through MOHS has introduced the teaching of Allied Health Programmes including Physiotherapy, Occupational Therapy etc. into the College of Medicine and Allied Health Sciences (COMAHS) curriculum.

342. The number of qualified rehabilitation practitioners registered and working in the public service as at April 2018 is: 5 Physiotherapists and 9 Mid-level Therapists; 1 Occupational therapist, 1 Medical Orthotics and Prosthetics and 14 Orthopaedic Technicians.

343. To further provide rehabilitation services, the Tonkolili District College of Health Sciences (TDCHS) in collaboration with the Sierra Leone Physiotherapy Association and other partners are currently in the process of introducing a Bachelor's degree programmes in Physiotherapy that will equip students with knowledge on rehabilitation. The TDCHS is in the process of obtaining accreditation from the College of Medicine and Allied Health Sciences (COMAHS).

344. With support from GoSL, special needs schools have been providing rehabilitation services for various categories of disabilities. The 14 subverted special needs schools have been actively engaged in the prevention of any form of disability and promoting the education and rehabilitation of persons with disabilities. The special needs schools have also contributed in creating an environment that encourages the inclusion of persons with disabilities, preventing avoidable blindness through collaboration with corporate companies, Government, international and local Non-Governmental Organizations and the community.

345. In spite of these efforts, the limited number of qualified rehabilitation practitioners in the public sector in general, and in rural districts and communities in particular remains a challenge.

Article 27

Work and employment

346. The Constitution of Sierra Leone 1991, under Fundamental Principles of state policy makes provision for ensuring the following: Section 8 (3) (a) provides that "the State shall direct its policy towards ensuring that every citizen, without discrimination on any ground whatsoever, shall have the opportunity for securing adequate means of livelihood as well as adequate opportunities to secure suitable employment". Section 8 (3) (b) "conditions of service and work are fair, just and humane and that there are adequate facilities for leisure and for social, religious, and cultural life". The sub sequent sections ensure that safety and welfare of all persons in employment are safeguarded and not endangered or abused, and in particular that special provisions be made for working women with children, having due regard to the resources of the State. Section 8 (3) (e) that there is "equal pay for equal work without discrimination on account of sex, and that adequate and satisfactory remuneration is paid to all persons in employment".

347. Further, Section 19 (1) of the Constitution of Sierra Leone, 1991, under the recognition and protection of fundamental human rights and freedoms of the individual, stipulates that: “No person shall be held in slavery or servitude or be required to perform forced labour or traffic or deal in human beings; including the right to belong to trade unions. No person shall be hindered in enjoying his freedom of assembly and association”.

348. Section 19 (1) of the Persons with Disability Act, 2011 guarantees that “No person shall deny a person with disability having the requisite skills and qualifications, access to opportunities for suitable employment. (2) An employee with a disability shall be subject to the same terms and conditions of employment and the same compensation, privileges, benefits, incentives or allowances as employees without disability. (3) A person who contravenes subsection (1) or (2) commits an offence. (4) The Commission shall endeavour to secure employment for persons with disability”.

349. Section 20 of the same Act indicates that subject to subsection (2), no employer shall discriminate against a person with disability in relation to (a) the advertisement of employment; (b) the recruitment for employment unless the disability makes it impossible for the person to perform the particular type of employment; (c) the creation, classification or abolition of posts (d) the determination or allocation of wages, salaries, pensions, accommodation, leave or other such benefits; (e) the choice of persons for posts, training, advancements, apprenticeships, transfer, promotion or retrenchment; (f) the provision of facilities related to or connected with employment; or (g) any other matter related to employment.

350. Section 21 of the Persons with Disability Act, 2011 further states that an employer shall: “(a) retain an employee at his position; or (b) re-deploy the employee at a place or position within the establishment, if the employee acquired the disability while working in the establishment”.

351. In fulfilment of the legal provisions regarding work and employment, the Ministry of Labour and Social Security has been engaged in a number of activities. These activities include the: development and launching of the National Employment Policy in 2015, the policy provides that special effort shall be made to ensure persons with disability are gainfully employed on equal basis and in tandem with the Convention on the Rights of Persons with Disability, conduct of labour inspections nationwide-albeit inspections have not been regular, registration of job seekers, including persons with disability, at the Ministry’s Employment Centre on a daily basis, review of all the labour laws in 2008, the draft Labour Bill 2018 is currently with the Law Officers Department in the Ministry of Justice. Part 3 (on Employment), of the draft bill has several Sections that hinge on fundamental principles of state policy and on, basic human rights and freedoms of individuals. For instance, Sections 23, 24, 32, and 33 deal with freedom of association, rights of an employee, prohibition of forced labour, discrimination and inequality in employment respectively.

352. Section (36) relates to the notification of job vacancies by employers, while Sections 44 and 45 focus on vetting and attestation of contracts of employment and cancellation of contract of employment respectively. Additionally, the draft bill contains at least ten Sections that address employment in respect of persons with disability particularly. For example, Sections (114), (115), (116), (117), (118), (119), (122) focus on registration of persons with disabilities, special incentives for employers employing persons with disabilities, notification of employment, particulars of contract of employment, persons with disabilities in public service posts, not ceasing employment upon disablement and training of persons with disability respectively. Further, Section 123 empowers the Minister of Labour and Social Security, to make regulations governing the employment of persons with disability.

353. Further, the National Commission for Persons with Disabilities, in accordance with Section 7 (1) of the PWD Act 2011, established an Employment Committee in 2017 to facilitate the gainful employment of PWDs. Since its establishment, the Committee has engaged employers on the recruitment of Persons with Disabilities.

354. Despite these measures taken so far, there still remain challenges for PWDs to secure employment such as limited accessibility and employers attitude towards PWDs.

355. In order to overcome these challenges, Government is planning to do the following:

- (a) Collaborate with relevant stakeholders to review the National Employment Policy;
- (b) To capacitate PWDs through the provision of logistics, including vehicles and motor bikes, to facilitate regular inspections at workplaces nationwide;
- (c) Support the deployment of labour officers in all district headquarter towns of the country; d. expedite the vetting of the draft labour bill;
- (d) Utilize the opportunity of the labour law review process, to mainstream aspects of Article 27 of the CRPD that are not captured in the draft Labour Bill 2018, foster cooperation and collaboration with relevant Ministries, Agencies and Departments in ensuring that more rehabilitation centres are established in government hospitals around the country and;
- (e) Work with the National Commission for Persons with Disability, the Ministry of Social Welfare, Gender and Children's Affairs and other relevant stakeholders in strengthening the Employment Committee and in promoting the training and employment of persons with disability. Awareness raising to change employer's attitude.

Article 28

Adequate standard of living and social protection

356. The Government of Sierra Leone notes the increasing relevance of social protection in engendering citizens' rights to a life of dignity and promoting human and economic development. The Constitution of Sierra Leone, 1991 under the fundamental principles of state policy Chapter 2 (Sections 8 and 9) provides the basis for social protection in Sierra Leone.

357. Sierra Leone has made some strides in addressing the Social Protection needs of Persons with disabilities taking into cognizance legal frameworks such as the Constitution of Sierra Leone 1991 of Sierra Leone, 8 (2) (c) on social objectives and 9 (c) on educational objectives 9 (b) that provides protection for safeguarding the rights of vulnerable groups including the disabled.

358. The Agenda for Prosperity (2013–2018), section 3.6.1 provides for the needs of PWDs amongst which are: providing adequate specialized medical care, supporting skills development and economic participation. Pillar 6 of the Agenda for Prosperity (2013–2018) provides strategic priority interventions including provision of cash and in-kind transfer packages as appropriate in education, health, nutrition and shelter.

359. The Sierra Leone Social Protection Policy (2017) section 1.7(c) provides that PWDs are among the most vulnerable who require social protection and section 2.3 of the same policy provides for mainstreaming of disability in all social protection programmes, including social assistance, social insurance, labour market interventions, education, health, microfinance and traditional social protection interventions. These frameworks are designed to socially protect the rights of PWDs as these documents provide policy direction for the Government of Sierra Leone to address issues relating to PWDs.

360. To respond to the Social Protection needs of PWDs, the Ministry of Social Welfare Gender and Children Affairs (MSWGCA) has provided and continues to provide welfare and livelihood grants, when funds available to persons with disabilities for economic empowerment and self-reliance. From 2015 to 2018, the Ministry has provided grants to the tune of 4 billion Leones (\$529,000 roughly) to approximately 50 DPOs. The Ministry in collaboration with the NCPD also provided food and non-food items to DPOs during the EVD outbreak.

361. Public and Private institutions such as the Milton Margai School for the Blind, National School for the Deaf, Sierra Leone Psychiatric Home, Freetown and Bo Cheshire Homes, etc are provided with subventions by the Government of Sierra Leone and several national and international Non-Governmental Organizations and Development Partners. Such provisions are in the areas of education, health, housing, livelihood support (micro-credit & support for income generation), vocational and technical skills training.

362. The National Commission for Social Action, with Support from the World Bank, Sierra Leone is implementing a national social safety net programme which is generally providing social protection through unconditional quarterly cash transfers to 28,538 extremely vulnerable households. NaCSA is also implementing the War Reparations Programme which is a response recommended by the Truth and Reconciliation Commission (TRC) report 2004 rolled out by the Government of Sierra Leone with the support of the UN. This Programme provided a total of 33,863 war affected persons with cash grants, training in business development, medical facilities and shelter for amputees and severely war wounded who continue to bear the scars of the country's eleven years' civil war.

363. The Ministry of Education, Science and Technology (MEST) in its Education Sector Plan (2014–2018). Chapter 1 on Access, Equity and completion provides children with disabilities who are particularly disadvantaged when it to access because many of them are unable to freely and safely enter and navigate through a school structure. In addition, the same chapter provides that there is a need to train teachers to teach students with disabilities and a need for learning materials for students who are differently abled whether they are blind or deaf.

364. The National Social Security Insurance Trust (NASSIT) which provides social security and pensions to those employed in the formal sector including PWDs. However, the current available data is yet to disaggregate to show the percentage of PWDs supported by the scheme.

365. Notwithstanding the above achievements, there is still the big challenge of having a reliable national statistic on persons with disabilities which impacts on planning and delivery of social protection interventions. The National Social Protection Secretariat (NSPS) which is managing a national registry on beneficiaries of social protection interventions by donors, private partners and government is yet to disaggregate available data based on disability. In order to address these challenges, Government is working with partners to provide reliable data on persons with disabilities benefitting from Social Protection programmes.

Article 29

Participation in political and public life

366. The Government of Sierra Leone is committed to ensuring the participation of PWDs in political and public life. This is manifested in the formulation of legislations and the subsequent implementation of the provisions contained therein.

367. In the recognition and protection of fundamental human rights and freedoms of individuals, the Constitution of Sierra Leone, 1991 makes provision for representation of the people and states that: "Every citizen of Sierra Leone being eighteen years of age and above and of sound mind shall have the right to vote, and accordingly shall be entitled to be registered as a voter for the purposes of public elections and referenda"²⁷. Chapter 3 of the Constitution of Sierra Leone 1991 also guarantees the freedom of assembly and association²⁸ which unreservedly gives the right to Persons with Disabilities to belong to any political party or group of their choice and can also participate in any political and public platform of any nature.

368. In fulfilling the provision that guarantees voting access for Persons with Disabilities in the Persons with Disability Act, 2011,²⁹ it is mentioned that the "National Electoral Commission shall ensure that during elections, polling stations are made accessible to persons with disabilities and shall provide such persons with the necessary assistive devices and services to facilitate the exercise of their rights to vote".

369. Part VII of the Public Elections Act, 2012 provides for the process which a visual or physically impaired voter may employ in order to vote.³⁰ In light of this provision, a visually

²⁷ Section 31 Of the Constitution of the Republic of Sierra Leone, 1991.

²⁸ Section 26 (1) of the mentioned Constitution.

²⁹ Article 29 of the Disability Act of 2011.

³⁰ Article 74 (1) (i) of the Public Elections Act of 2012.

or physically impaired voter is required to make an application to the Presiding Officer who will provide assistance in the case of a physically impaired voter or inform the visually impaired voter that he can append his 'fingerprint mark in the square corresponding to the name of the candidate' s/he seeks to vote for.

370. Section 11 (3) of the Access to Information Act provides that materials should be disseminated taking into account the needs of PWDs.

371. The Code of Conduct of Political Parties, Candidates and Supporters developed by the Political Parties Registration Commission (PPRC) and All Political Parties Association (APPA) clearly stipulates the rights and obligations of parties and candidates in Section 5 (i) that "Equal opportunity for youth, persons with disabilities and women candidates in particular, to contest and campaign in a conducive and violence – free environment and with full access to and support of all party machinery". It further condemns intimidation and violence in Section 7 (c) thus; "Use of derogatory language and statements on the basis of gender, ethnicity, religion, disability or socio-economic status and region that may cause intimidation and fear or incite violence in any form".

372. In keeping with these legal frameworks, the Government of Sierra Leone through the National Commission for Persons with Disability and the Sierra Leone Union on Disability Issues prior to the 2018 general elections, engaged the National Electoral Commission on the challenges faced by Persons with Disabilities which are, but not limited to, inaccessibility to polling stations, and the inclusion of persons with disabilities for recruitment as electoral staff during elections. The outcome of the meeting accounted for an accessibility survey for PWDs to access polling stations on polling day. To enhance electoral participation, with support from UNDP, NEC constructed 265 (two hundred and sixty – five) ramps nationwide to aid the accessibility of persons with disabilities during elections. Additionally, sixteen (16) persons with disabilities were recruited as Assistant Voter Education Training Officers across the country.

373. The National Electoral Commission developed alternate formats of Information Education and Communication for different categories of Persons with Disabilities during the registration, exhibition and voting processes as guaranteed in Article 29 of the PWD Act, 2011.

374. NEC also provided Tactile Ballot Guide (TBG) for visually impaired persons and those suffering from Parkinson Disease to vote independently. To further ensure that these set of people understand and independently vote using the TBG, mock elections were held in every district prior to the 2018 elections.

375. During the 2012 General elections, a Disability Desk³¹ was established by NEC as a way of creating equal electoral opportunities for persons with disabilities, in order to enhance their full participation in the electoral processes. Today, this Disability Desk has been transformed into a performing Unit referred to as the Gender and Disability Unit (GDU). The GDU is expected to take the lead in addressing electoral issues affecting Persons with Disabilities. Voting gives People with Disabilities a stronger political voice and supporting them to vote independently during elections is an ample testimony of their political participation.

376. Furthermore, the Government through NCPD has been engaging political parties on inclusion of PWD's in their internal governance frameworks. The NCPD has successfully advocated in the employment of persons with disabilities in the Sierra Leone Police Force, Sierra Leone Correctional Services, National Revenue Authority and other public institutions.

377. Advocacy on the participation in public life by persons with disabilities has borne positive fruits with the appointment of a visually impaired person as Deputy Minister of Social Welfare, Gender and Children's Affairs in 2012 and the election of one disabled Member of Parliament in 2007.

³¹ NECDiP Ensuring the Right to Election Participation for Persons with Disabilities.

378. In 2008, Makeni City Council produced the first councillor with a physical disability for that city. In 2012 two councillors, a female with visual disability and a male with physical disability were also elected for the same council.

379. In 2018, the Fifth Parliament of the Second Republic, there are three PWDs representing two political parties and Eleven (11) PWD Councillors in the various Local Councils across the country.

380. With support from development partners, SLUDI through the National Commission for Persons with Disability (NCPD) launched the first National Persons with Disability Agenda and also worked with them to ensure that political parties include PWD's into their manifestoes prior to March 2018 elections. "We Voice 4 Space" was a nationwide theme SLUDI used to advocate to political parties for political inclusion of persons with disabilities.

381. In spite of the progress recorded in PWDs participation in political and public life, the road to full participation is still rugged. However, commitment has been made by all political parties in Sierra Leone to adopt the inclusion of PWDs in political and public life. For instance, political parties include disability issues in their parties' constitutions and manifestoes.

Article 30

Participation in cultural life, recreation and sports

382. Participation in Cultural life, sports and recreation are all vital aspects of being part of one's community. Unfortunately, people with disabilities have often been denied the right to partake in wide cultural life, recreational and sporting activities that the rest of society participate in, and all too often, children with disabilities are denied their right to play.

383. However, the Government of Sierra Leone recognizes and upholds the rights of its citizens to participate in cultural life, recreation and sports. This is manifested in Chapter III of the Constitution of Sierra Leone 1991 that speaks to the fundamental rights and privileges of the citizens. "All Sierra Leoneans can access public places of sports and recreation without discrimination".

384. The Constitution of Sierra Leone, 1991 was silent on the issue of Disability Sports but the provision in Section 8 (f). "The care and welfare of the aged, young and disabled shall be actively promoted and safeguarded" serves as a driving clause for the promotion of Sports for persons with disabilities.

385. Chapters 1, 2, 8 and 11 of the Constitution of Sierra Leone, 1991 borders on the social order of the State noting that the state shall be founded on the ideals of Freedom, Equality and Justice. In furtherance to the social order: every citizen shall have equality of rights, obligations and opportunities before the law and the state shall ensure that every citizen has an equal rights and access to all opportunities and benefits based on merits, the State shall recognize, maintain and enhance the sanctity of the human person and human dignity.

386. In section 12 of the same Constitution, Government's commitment is further guaranteed. "The Government shall (a) promote Sierra Leonean culture such as music, art, dance, science, philosophy, education and traditional medicine which is compatible with national development; (c) protect and enhance the cultures of Sierra Leone; and (d) facilitate the provision of funds for the development of culture in Sierra Leone".

387. The participation of persons with disabilities in sports and recreation is also recognized in the Persons with Disability Act, 2011. Sections 27 and 28 of that Act guarantee the right of access to public premises, services and the entitlement to the use of public recreational or sports facilities for their social, sporting or recreational activities free of charge, subject to the prior approval of the management of the facilities. Persons with disabilities shall be entitled to participate in all national and international sports events organized solely for persons with disabilities. The Ministry responsible for sports shall after consultation with the Commission, provide the necessary and suitable environment including-architectural infrastructure; apparatus and equipment; training and medical

personnel; and transportation facilities, for the effective participation of persons with disabilities.

388. The 2011 Cultural Policy of Sierra Leone seeks to establish national identity, strengthen cultural understanding and inculcate consciousness and appreciation of the arts among the citizens. It also seeks to incorporate essential elements of the culture into the national development framework with a view to contributing to the alleviation of poverty and to stimulate and foster creativity in all aspects of national life.

389. In the past years, the GoSL through the Ministry of Tourism and Cultural Affairs (MTCA) has been supporting and facilitating programmes to ensure the rights of PWDs to participate in mainstream and disability specific tourism and cultural activities. These include the following: providing the space for existing cultural and performing groups such as the Kenema PWDs cultural group, Alimamy Keita aka the Paper Man, a physically challenged writer and musician, Bounce Back dance group, a performing dance group headed by a visually impaired to showcase their talents during annual national cultural festivals organized by MTCA.

390. MTCA has also engaged community members where cultural and heritage sites are located to ensure accessibility to such places by PWDs. The Ministry engages with tourism and the hospitality sectors (hotels, tour operators, heritage officers and curators) to ensure that their facilities are accessible to PWDs.

391. Frantic efforts have been made to enhance the participation of persons with disabilities in cultural life, sports and recreation. The National Sports Council Act of 1964 even though was silence on Sports for persons with Disability but motivated all sports organizers not to discriminate on whatever grounds. This was why the National Paralympic Committee incorporated sports for persons with disabilities in their programmes.

392. To this end, the Government and the National Paralympic Committee have provided free and unhindered access to persons with disabilities to use the sports facilities at all stadia in the country. Regular training exercises have progressed steadily at these venues. Today there are disabled sports athletes in a myriad of sports including Swimming, Para Powerlifting, Table Tennis, Para handball, Para Judo, Para Taekwondo, visually impaired football, Single Leg Amputee Football, Cerebral Palsy Football 7 – aside, speech and hearing impaired Football.

393. In fact, a storage facility is made available at the Siaka Stevens stadium, which is the nation's principal sporting facility, for athletes with disabilities to safely keep their equipment and training gears.

394. Furthermore, the Government encourages persons with disabilities to participate in sporting activities through the provision of an enabling platform whereby persons with disabilities can develop and utilize their creative, artistic and intellectual potential. This is mainly done within the National Paralympic Committee. Sierra Leone continues to participate in the Paralympics Games that are held every four years and organized by the International Paralympic Committee and those organized by the African Paralympic Committee.

395. In the 2012 Paralympic Games held in London, Sierra Leone participated with a single leg/arm athlete who ran in the 100Meters T46.

396. In the 2016 Paralympic Games in Rio – Brazil, a wheelchair/physically challenged athlete participated in the Table Tennis and he also participated in the 2017 Islamic Games held in Baku, Azerbaijan.

397. In 2015, three Disabled athletes represented Sierra Leone in the All African Games held in Brazzaville, Congo.

398. In the same vein, the nation had an impressive participation in the World Para Power Lifting Competition for athletes with disabilities held in Algeria in August 2018.

399. The Single Leg Amputee Football Team has also travelled extensively across Africa and the World. The Single Leg players have travelled to Liberia, Ghana and Kenya for the African Nations Cup Single Leg Football competition where they excelled. As a matter of

fact, the first edition was held in Freetown. Sierra Leone Singe Leg Football Team was well known in the advocacy for sustainable peace in Sierra Leone. They have travelled to France, USA and Brazil on Football friendlies.

400. The speech and hearing impaired have also had a share of participation in international competitions. In 2015 a formidable team was put in place to participate in the West Africa competition held in Abidjan. The team secured second position and was well received in Freetown by the National Commission for Persons with Disability and the Ministry of Sports.

401. Officials of the Paralympic Committee have also had several international trainings in Administration, Coaching and Classification. In 2017 an international seminar on Cerebral Palsy Football was held in Freetown which attracted many participants across the nation. The head of the Paralympic Committee of Sierra Leone has also organized series of trainings on organizational capacity which attracted PWDs and their promoters.

402. In recognizing the need for teachers that can train persons with disabilities to enable them take part in these sporting activities, the National Paralympic Committee has established a training programme for teachers and coaches of sports for persons with disabilities. There is also a well-trained Classifier to ensure that each class of disability participates in the same games, thereby ensuring that persons with disabilities are treated equally.

403. The National Paralympic Committee is in regular contact with Special needs schools to either provide technical support or supply readily available equipment. In 2017 a delegation of the committee visited the Milton Margai School for the Blind in Freetown and in October 2018 visited the Bombali School for the Blind in Makeni and the St. Paul School for the Blind in Bo City to donate Bell Balls and teach the pupils the techniques involved in Football 5 – aside for the visually impaired. It was a great event witnessed by key stakeholders from the abilities for the visually impaired and the Ministry of Education. The visit also witnessed the introduction of visually impaired Judo and Taekwondo to the schools.

404. Building upon international effort on the rights of person with disabilities, for the past three years the NCPD has been supporting and facilitating programmes to ensure the right of people with disabilities to participate in mainstream and disability-specific sporting activities are upheld. The NCPD also works with the Ministry of Sports and other institutions in delivering disability sports programmes and services to persons with disabilities and in providing accommodations to make programmes and services accessible to person with disabilities. The International Day of Persons with Disabilities sport activities organized in 2013 is an example of disability sport at the highest level of sporting competition in Sierra Leone facilitated by the NCPD. The Commission has also funded and facilitated the organization of numerous community-based sporting and recreational activities, often championed by disabled people's organizations, to promote inclusion in mainstream sports or to promote disability-specific programming. That event on the IDD is an example of effective advocacy to promote disability inclusion in sport.

405. The talents of persons with disabilities in the area of music and arts have been supported by Government through the NCPD. At the moment, a couple of persons with disabilities are actively engaged in music.

406. Sierra Leone Government provides budgetary allocation and financial rewards for youth with disabilities to improve on various talents including music and those who compete in international competitions.

407. In spite of these achievements, there is still discrimination in the area of cultural life, recreation and sports in Sierra Leone. Recreational venues, restaurants, Movie theatres, Tour buses are usually inaccessible and restrict movement of disabled athletes and others with various talents. The negative attitude of hotel owners and show promoters also compounds the problem.

408. However, frantic efforts are being made by the Ministries of Sports, Tourism and Cultural Affairs to provide an enabling environment for the effective participation of persons with disabilities in cultural life, recreation and sports in their communities.

Article 31

Statistics and data collection

409. The Government of Sierra Leone acknowledges the importance of statistics and data collection for effective and efficient planning processes hence the establishment of Statistics Sierra Leone. This is the statutory body charged with the responsibility of coordinating, collecting, compiling, analysing and disseminating high quality and objective official statistics to assist in informed decision-making and discussion within the Government, business and media as well as the wider national and international community.

410. As part of the commitment of the Government of Sierra Leone to collect and compile data on both the categories and the number of persons with disabilities in the country, the 2004 Sierra Leone Population and Housing Census contained survey questions exclusively on disability. That census was the first national survey that considered disability as a development issue. A similar trend was observed in the 2015 Population and Housing Census which compiled and analysed data on disability for informed decision making on gaps and challenges to support policy formulation.

411. The 2015 SLPHC recorded a population of 7,092, 113 Sierra Leoneans, of which 93,129 are persons with disabilities representing 1.3% of the total population. Of that figure, 50,299 persons (54%) were males and 42,839 persons (46%) were females. 27.5% of persons with disabilities are found in the Eastern Region, 35.3% live in the Northern Region and 24.4% live in the Southern Region 12.8% are found in the Western Region including Rural and Urban.

412. Here are some of the findings of the 2015 Sierra Leone Population and Housing Census.

Table 1.1

Percentage distribution of disability prevalence by age-group and sex

	<i>Both Sexes</i>	<i>Male</i>	<i>Female</i>
Total Country	93 129	54.0	46.0
0–4	3 133	1.9	1.5
5–9	6 704	4.1	3.1
10–14	6 271	3.7	3.0
15–19	7 161	4.2	3.5
20–24	5 866	3.4	2.9
25–29	6 596	3.7	3.4
30–34	5 728	3.1	3.0
35–39	6 680	3.8	3.4
40–44	5 774	3.5	2.7
45–49	5 595	3.7	2.3
50–54	5 466	3.4	2.5
55–59	3 816	2.4	1.7
60–64	5 000	2.8	2.6
65–69	3 909	2.2	2.0
70–74	4 606	2.4	2.5
75–79	3 271	1.9	1.6
80–84	3 058	1.5	1.8
85–89	1 680	0.9	0.9
90–94	1 295	0.6	0.7
95+	1 520	0.8	0.8

413. The Table above shows 93,129 persons with disabilities in all households in the country. Males accounted for 54% of this disabled population whilst the females constitute 46%. There are more persons with disabilities within the age bracket 15–19 years (7,161) than the other age-groups. This age group (15–19) also has the highest number of persons with disabilities for both sexes. The disabled population is low at the initial stage of life (0–4 years) and the later stages of life (80–95+). The least figures in the later stages of life (80–95+) could not be disconnected with the low number of people within these age groups.

414. The table below shows the count and percentage distribution of disability prevalence by region, district and sex.

Table 1.2

Count and percentage distribution of disability prevalence by region, district and sex

<i>Region/District</i>	<i>Total</i>		<i>Male</i>		<i>Female</i>	
	<i>Count</i>	<i>%</i>	<i>Count</i>	<i>%</i>	<i>Count</i>	<i>%</i>
SIERRA LEONE	93 129	100	50 319	54.0	42 810	46.0
EASTERN	25 577	27.5	14 150	15.2	11 427	12.3
Kailahun	9 666	10.4	5 194	5.6	4 472	4.8
Kenema	9 155	9.8	5 163	5.5	3 992	4.3
Kono	6 756	7.3	3 793	4.1	2 963	3.2
						0.0
NORTHERN	32 849	35.3	17 337	18.6	15 512	16.7
Bombali	8 797	9.4	4 669	5.0	4 128	4.4
Kambia	4 489	4.8	2 322	2.5	2 167	2.3
Koinadugu	4 125	4.4	2 233	2.4	1 892	2.0
Port Loko	9 050	9.7	4 725	5.1	4 325	4.6
Tonkolili	6 388	6.9	3 388	3.6	3 000	3.2
						0.0
SOUTHERN	22 770	24.4	12 207	13.1	10 563	11.3
Bo-south	9 335	10.0	5 021	5.4	4 314	4.6
Bonthe	2 726	2.9	1 461	1.6	1 265	1.4
Moyamba	5 866	6.3	3 099	3.3	2 767	3.0
Pujehun	4 843	5.2	2 626	2.8	2 217	2.4
						0.0
WESTERN	11 933	12.8	6 625	7.1	5 308	5.7
Western Area Rural	4 126	4.4	2 361	2.5	1 765	1.9
Western Area Urban	7 807	8.4	4 264	4.6	3 543	3.8

415. The table below shows the count and percentage distribution of disability by domain and sex.

Table 1.3

Count and percentage distribution of disability prevalence by domain and sex

	<i>Both Sexes</i>		<i>Male</i>		<i>Female</i>	
	<i>Count</i>	<i>%</i>	<i>Count</i>	<i>%</i>	<i>Count</i>	<i>%</i>
Physical disability (Polio)	20 345	21.8	11 255	12.1	9 090	9.8
Physical disability (Amputee)	8 305	8.9	4 890	5.3	3 415	3.7
Blind or visually impaired	11 650	12.5	6 799	7.3	4 851	5.2
Partially sighted	14 184	15.2	7 517	8.1	6 667	7.2

	<i>Both Sexes</i>	<i>%</i>	<i>Male</i>	<i>%</i>	<i>Female</i>	<i>%</i>
Deaf	6 313	6.8	3 089	3.3	3 224	3.5
Partially deaf	4 734	5.1	2 279	2.4	2 455	2.6
Speech difficulties	3 604	3.9	2 010	2.2	1 594	1.7
Mute	3 264	3.5	1 708	1.8	1 556	1.7
Mental difficulties	4 376	4.7	2 393	2.6	1 983	2.1
Spinal injury/disability	2 869	3.1	1 609	1.7	1 260	1.4
Psychiatric disability	1 285	1.4	646	0.7	639	0.7
Epileptic	2 261	2.4	1 168	1.3	1 093	1.2
Rheumatism	1 556	1.7	637	0.7	919	1.0
Albinism	501	0.5	267	0.3	234	0.3
Kyphoscoliosis (Hunch Back)	669	0.7	347	0.4	322	0.3
Other	7 213	7.7	3 705	4.0	3 508	3.8

416. Considering the grave concerns raised by the community of persons with disabilities when the 2015 census findings were pronounced, discussions are ongoing for Statistics Sierra Leone to conduct a disability exclusive survey in order to present a realistic picture of disability in the country.

417. To further address the issues of data collection in the country, Statistics Sierra Leone has established a disability unit within the demographic, health and social statistics division that is solely responsible for the production and utilization of disability data within and without the country. It has also attached Statisticians to key Ministries, Departments and Agencies. It has also conducted a Multi Indicator Cluster Survey to address some of the heinous concerns raised by various sectors of society. Findings of that survey are not analysed in this report because of unavailability of that data at the time of the report.

418. Though strides have been taken by the Government of Sierra Leone to compile data on disability, the lack of a reliable data on the prevalence of disability and the situation of persons with disabilities which hides the scale of the issue and hinders National Planning to respond to the needs of persons with disabilities remains a huge challenge.

Article 32

International cooperation

419. The Ministry of Foreign Affairs and International Cooperation of the Republic of Sierra Leone is the principal advisory agency within the GoSL on matters relating to the formulation and implementation of the foreign policy objective of the country. The Foreign Ministry is deeply committed to the pursuit of the national interests of the country as well as the advancement of the welfare of the people of the Republic of Sierra Leone at sub-regional, regional and global levels and, with its international and development partners, for the consolidation of global peace and security.

420. The Ministry works towards the realization of the nation's Foreign Policy objectives set out in Section 10 of the Constitution of Sierra Leone 1991 of the Republic of Sierra Leone. The Ministry is also dedicated to the promotion and enhancement of democratic values and legitimacy in global governance at the social political and economic levels.

421. The GoSL is a party to 6 core international treaties. Sierra Leone has signed several other human rights international instruments, some of them are yet to be ratified. By ratifying an international treaty, Sierra Leone assumes the obligation to implement the provisions of the treaty at the national level, and to submit reports periodically to the treaty bodies on the status of implementation of these treaties.

422. According to the Reporting Strategy of the Republic of Sierra Leone, the role of the reporting process is designated to the GoSL through the Ministry of Foreign Affairs and

International Cooperation (MFAIC), as lead agency, to carry out the function of coordinating the overall report writing process.

423. Sierra Leone acknowledges the importance of International Cooperation in support of national efforts towards addressing the needs of its citizens. Against that backdrop, Sierra Leone has ratified and domesticated several regional and international human rights instruments to align with international human rights standards. It is through international cooperation that Sierra Leone in 2009 ratified the Convention on the Rights of Persons with Disabilities embracing a document that postulated the protection of citizens and avowed to assure persons with disabilities of their human dignity and integrity.

424. Through International cooperation, Sierra Leone has implemented several activities and programmes aimed at empowering persons with disabilities. Letters of notifications for conferences on disability are sent to the country and persons with disabilities have participated in those capacity building sessions, the eleventh session of conference to states parties on the UNCRPD and the Global Disability Summit in London being the most recent.

425. Through the Ministry of Foreign Affairs and International Cooperation, diplomatic missions and international non-governmental organizations are fully informed about their responsibility to complement Government's efforts in addressing the needs of vulnerable groups. Such discussions have given birth to the implementation of various programmes on disability. Some of those programmes border on education, capacity building and skills acquisition, health, employment, participation in international conferences, accessibility, awareness raising and sensitization, participation in decision making processes etc.

426. In the Sierra Leone's national development roadmap dubbed the 'New Direction', the concept of International Cooperation is explicit as resource based can only be expanded through partnership and international cooperation.

427. The Ministry of Foreign Affairs and International Cooperation has also organized an SDGs forum to ensure that the issues of persons with disabilities are mainstreamed.

428. Despite the positive strides made at the international level, it is prudent to mention that there is still room for improvement in timely submission of treaty reports.

429. However, in order to address the non-reporting or late reporting, the Government of Sierra Leone has now embarked on a rebranding process which will see it discharge its reporting obligations within the required timeframes.

Article 33

National implementation and monitoring

430. In compliance with the Convention on the Rights of Persons with Disabilities to States responsibilities to implement and monitor programmes on disability, the Government of Sierra Leone has in place legal provisions to effect same. These legal provisions are contained mainly in The Constitution of Sierra Leone, 1991, the PWD Act, 2011, and the CRA, 2007.

431. The MSWGCA which is the national coordinating machinery on disability provides oversight to all organizations implementing disability related programmes in Sierra Leone. These organizations present their work plans for scrutiny and approval. Those organizations whose plans are inconsistent with the Ministry's strategic plan are not registered and therefore cannot operate in the country. This is done annually. Harmonization of laws to seek the interest of PWDs is also undertaken by MSWGCA as part of its monitoring mechanism.

432. Both the PWD Act, 2011 and the CRA, 2007 establish the NCPD and NCC respectively. These statutory bodies are charged with the greatest responsibility to ensuring the implementation and monitoring of programmes regarding the rights of PWDs.

433. A similar monitoring mechanism is carried out by both the NCPD and the NCC as provided for in section 7 (2) of the PWD Act, 2011 which makes it compulsory for every person to comply with decisions, orders, and directives of the Commissions and failure without justifiable reason is deemed as contempt of the Commissions. Section 40 of the PWD

Act empowers the Commission to take legal actions against any person or body that violates provisions of the Act.

434. In order to ensure local and international civil society organizations especially disabled persons' organizations working for and on disability issues are fully involved in the monitoring of the implementation of the Act and the Convention. Section 3 (1) (c) and (d) provided for four representatives of the Sierra Leone Union on Disability Issues (SLUDI), an umbrella body of all DPOs in Sierra Leone, and other organizations of persons with disabilities, including at least 1 female to sit as Board members of the National Commission for Persons with Disability. And Section 3 (1) (d) provided two representatives from non-governmental organizations dealing with disability issues.

435. The Commission in monitoring the implementation of the Act works with DPOs and Ministries, Departments and Agencies of Government in order to present an objective picture on the impact of programmes on persons with disabilities.

436. Despite successes recorded, low institutional capacity of staff of the NCPD for effective implementation and monitoring and limited resources remain a huge challenge.

437. However, the National Commission for Persons with Disability is engaging other relevant stakeholders to enhance the capacity to supervise the implementation and monitoring of programmes on disability.
