



**Economic and Social
Council**

Distr.
LIMITED

E/CN.4/2003/L.85
17 April 2003

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-ninth session
Agenda item 19

**ADVISORY SERVICES AND TECHNICAL COOPERATION
IN THE FIELD OF HUMAN RIGHTS**

**Albania*, Austria, Belgium, Burkina Faso, Cameroon, Canada, Cyprus*,
Denmark*, Finland*, Greece*, Iceland*, Ireland, Italy*, Latvia*,
Liechtenstein*, Luxembourg*, Malta*, Netherlands*, New Zealand*,
Romania*, Sierra Leone, Slovenia*, Spain*, Sudan, Sweden, Switzerland*,
United Kingdom of Great Britain and Northern Ireland and
United States of America: draft resolution**

2003/... Situation of human rights in Sierra Leone

The Commission on Human Rights,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations, the Universal Declaration of Human Rights and other applicable human rights instruments,

Recalling its previous resolutions on the situation of human rights in Sierra Leone, as well as relevant resolutions of the Security Council, including resolution 1470 (2003) of 28 March 2003,

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recalling with deep regret violations and abuses of human rights and international humanitarian law that were perpetrated in Sierra Leone against civilians, including the abduction of women and children as well as the targeting and abuse of women and girls during the conflict,

Welcoming, in this regard, the first indictments by the Special Court for Sierra Leone of individuals charged with crimes against humanity, war crimes and other serious violations of humanitarian law, and the start of public hearings by the Truth and Reconciliation Commission,

Welcoming the peaceful general and presidential elections that took place in Sierra Leone in May 2002 and the election of paramount chiefs later in the year, and taking note of preparations for upcoming municipal and district council elections,

Welcoming the voluntary return of many Sierra Leonean refugees from Guinea and Liberia and of internally displaced persons to their communities, as well as the conclusion of the resettlement programme for internally displaced persons and the closure of camps in the provinces,

Expressing concern that the situation in the Mano River Union and in Côte d'Ivoire could have humanitarian repercussions for the region and for the progress achieved in Sierra Leone,

Reaffirming that many refugees and war-affected persons continue to need protection and assistance, and mindful that instability in the Mano River subregion and in Côte d'Ivoire continues to create displacements,

Recognizing that the Sierra Leone Human Rights Manifesto of 24 June 1999 contains an important basic framework for the promotion of human rights and encouraging its continued implementation as well as the future creation of an independent national human rights commission,

Recognizing the importance of technical cooperation for the promotion and protection of human rights, which will contribute to achieving stability and security in Sierra Leone,

1. *Welcomes:*

(a) The report of the United Nations High Commissioner for Human Rights to the Commission on Human Rights (E/CN.4/2003/35), including his conclusion that tremendous progress has been made in the implementation of the peace process in Sierra Leone;

(b) The report of the High Commissioner to the General Assembly (A/57/284);

(c) The activities of the United Nations Mission in Sierra Leone, including the work of its Human Rights Section;

(d) The ongoing work of the Special Court for Sierra Leone to bring to justice those persons who bear the greatest responsibility for the commission of crimes against humanity, war crimes and other serious violations of international humanitarian law, as well as crimes under relevant Sierra Leonean law committed within the territory of Sierra Leone since 30 November 1996;

(e) The ongoing work of the Truth and Reconciliation Commission, inter alia to address impunity and accountability and promote healing in relation to the armed conflict in Sierra Leone from 1991 to 1999;

(f) Steps taken by the Government of Sierra Leone to extend its authority throughout the country, but notes with concern that it continues to face serious resource and other constraints in restoring civil administration at all levels and public services throughout the country;

(g) The decision of the Government of Sierra Leone to extend a standing invitation to the special mechanisms of the Commission;

(h) The assistance by the High Commissioner and the international community to the Government of Sierra Leone aimed at promoting a culture of human rights protection in Sierra Leone, including activities with all parties that had been engaged in the conflict;

(i) The initiatives and steps being taken by the Government of Sierra Leone and Sierra Leonean civil society in concert with the international community to build the human rights infrastructure in the country, particularly those related to the sensitization of communities on the objectives of the Special Court and the Truth and Reconciliation Commission, and reiterates the need for continued efforts in this regard to promote peace, justice and national reconciliation and to foster accountability and respect for human rights;

(j) The voluntary contributions already provided and the pledges made to the United Nations Trust Fund for the Special Court and further welcomes the Special Court's employment of experts on gender-based crimes;

(k) The work done by the National Commission on Disarmament, Demobilization and Reintegration, together with participating agencies, in continuing to facilitate reintegration and reconciliation within Sierra Leonean society;

(l) The human rights training, including specialized gender and child rights training, provided to national human rights monitors, police officers and military personnel;

(m) The ongoing work of the National Commission for War-Affected Children;

(n) The continued deployment and efforts of child protection advisers within the United Nations Mission in Sierra Leone to help to ensure the protection of children's rights, which is a priority throughout the peacekeeping process and the consolidation of peace in Sierra Leone, as well as the efforts of the United Nations Children's Fund in responding to the protection and assistance needs of children;

(o) The activities carried out by the International Committee of the Red Cross and other humanitarian organizations, especially those related to promoting respect for international humanitarian law, in such areas as medical assistance, relief activities and visits to detained persons, as well as efforts by other humanitarian organizations including United Nations agencies to rehabilitate the country's infrastructure to allow resettlement and reintegration of internally displaced persons and returning refugees;

2. *Expresses its deep concern:*

(a) At the continuing financial shortfall of the Multi-Donor Trust Fund for the Disarmament, Demobilization and Reintegration Programme, in particular its impact on the reintegration phase of the programme;

(b) At the number of girls and women still held against their will who have not yet returned home;

(c) At the continuing reports of trafficking and illegal supply of small arms and related material, especially across international borders in the subregion, in contravention of relevant Security Council resolutions;

(d) At reports of the use of children in diamond-mining activities;

(e) At the humanitarian situation affecting the population, including refugees and displaced persons in Sierra Leone and neighbouring States, caused by recent and ongoing violence and tensions in border regions, and at impediments to the safe and voluntary return of affected populations to their homes in the border region with Liberia;

3. *Urges:*

(a) All relevant parties in Sierra Leone, including civil society, to continue to cooperate with the Special Court and the Truth and Reconciliation Commission;

(b) All relevant parties in the region to continue to work towards the establishment of conditions which would permit the safe and voluntary return of displaced and refugee populations to their homes, and to ensure respect for human rights and fundamental freedoms and international humanitarian law;

(c) All States in the Mano River subregion to cooperate with the Special Court and the Truth and Reconciliation Commission and to work constructively for the consolidation of peace and security in Sierra Leone;

(d) The international community, including relevant United Nations agencies, to make available the necessary resources to ensure that there is no shortfall in the budget of the Special Court and the Truth and Reconciliation Commission, including for the conduct of investigations;

4. *Urges* the Government of Sierra Leone:

(a) To continue to work closely and to strengthen its cooperation in the area of human rights with the United Nations Mission in Sierra Leone and the Office of the United Nations High Commissioner for Human Rights;

(b) To continue working to reintegrate the remainder of the ex-combatants in all areas and to give special attention to former child combatants and female former combatants in the reintegration process, bearing in mind the special needs and particular vulnerabilities of girls;

(c) To ensure that the necessary conditions are provided for those women and girls who had been forced into matrimonial or other relationships during the conflict and that any other girls held against their will by ex-combatants are released immediately if they so wish;

(d) To continue to facilitate the effective functioning of the Truth and Reconciliation Commission and the Commission for War-Affected Children;

(e) To give priority attention, in cooperation with the international community, to the special needs of all mutilated victims and of women and children in its care, in particular those sexually abused, gravely traumatized and displaced as a result of the conflict;

(f) To continue to work for the restoration of civil authority to provide basic public and social services, including security and the administration of justice, throughout Sierra Leone;

(g) To continue to encourage the cooperation of Sierra Leonean civil society in the functioning of the Special Court and the Truth and Reconciliation Commission;

5. Decides:

(a) To renew its request that the High Commissioner and the international community continue to assist the Government of Sierra Leone to maintain an effectively functioning Truth and Reconciliation Commission, and to cooperate with the Special Court;

(b) To request the international community to continue to participate in the strengthening, including through technical assistance, of the courts and judicial system of Sierra Leone, including the juvenile justice system, and to assist in the establishment of the national human rights commission;

(c) To urge the international community to respond to the respective appeals made by the Secretary-General and the Office of the High Commissioner and make available the necessary funds to ensure that the budgets of the Truth and Reconciliation Commission and the Special Court are fully covered, and requests the Government of Sierra Leone actively to seek the urgently needed funds;

(d) To request the Secretary-General to take all necessary measures to facilitate the activities of the Special Court, including those undertaken by the Management Committee;

(e) To request the High Commissioner and the international community to make further relevant technical assistance available to the Special Court and the Truth and Reconciliation Commission;

(f) To request the Secretary-General, the High Commissioner and the international community to continue to give all necessary assistance to the Human Rights Section of the United Nations Mission in Sierra Leone, including sustaining the level of integration of the Section into the work of the Mission, to enable it to fulfil its mandate to report on violations of international humanitarian law and human rights in Sierra Leone and, in consultation with the relevant United Nations agencies, assist the Government of Sierra Leone in its efforts to address the country's human rights needs, including:

(i) To strengthen its involvement in programmes of technical cooperation, advisory services and human rights advocacy programmes;

(ii) To strengthen its support for, and to continue and expand its cooperation with, human rights non-governmental organizations and other groups doing human rights work in Sierra Leone, including within the framework of the National Forum on Human Rights;

(g) To request the High Commissioner to report to the General Assembly at its fifty-eighth session and to the Commission on Human Rights at its sixtieth session on the human rights situation in Sierra Leone, including with reference to reports from the Human Rights Section of the Mission;

(h) To consider this question at its sixtieth session.
