



**Convention on the
Rights of the Child**

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COMMITTEE ON THE RIGHTS OF THE CHILD

Forty-eighth session

SUMMARY RECORD OF THE FIRST PART (PUBLIC)* OF THE 1331st MEETING

Held at the Palais Wilson, Geneva,
on Thursday, 29 May 2008, at 3 p.m.

Chairperson: Ms. LEE

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* No summary record was issued for the second part (closed) of the meeting.

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The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Second periodic report of Sierra Leone (CRC/C/SLE/2 and CRC/C/SLE/Q/2 and Add.1)
(continued)

1. At the invitation of the Chairperson, the members of the delegation of Sierra Leone resumed places at the Committee table.
2. Ms. AIDOO wished to know how basic health and welfare services were funded and whether funds from the Highly Indebted Poor Countries (HIPC) Initiative were dedicated to child and maternal health.
3. According to the second periodic report, Sierra Leone hoped that its Poverty Reduction Strategy Paper (PRSP) and decentralization policy would contribute to the health of women and children; it would be useful to know the real priority accorded to children in the current PRSP. Also, although decentralization should help bring basic services nearer to children, she wished to know how confident Sierra Leone was that decentralization would bring quality health services to children and their families. Would the reform of the health-care system provide free access to women and children and, if user fees were applied, could they be waived for poor children? Also, what measures were being taken to train women doctors, nurses and midwives?
4. The report was unclear about whether there was an official policy to promote breastfeeding and, if so, whether it was related to the International Code of Marketing of Breastmilk Substitutes.
5. Considering that the indicators for child health and nutrition were very low, it would be useful to know how rigorously the concept of child survival was integrated into the country's strategic development plan and whether there were any early childhood development programmes.
6. She would be very interested to learn what was being done to improve people's knowledge, attitudes and practices in the pursuit of better health; also, whether there was a special policy on adolescent health and whether adolescents had confidential access to medical services. There appeared to be no minimum age for the sale of alcohol and cigarettes to children, and she enquired whether Sierra Leone had a policy dealing with the use of toxic substances, drugs and alcohol.
7. Mental health was very important in a country that had experienced a traumatic civil war involving young people but, according to the report, there was only one psychiatrist in the country. She wished to know whether there was a child-friendly mental health policy and if trained personnel were available to provide counselling and treatment to children. While the HIV/AIDS rate appeared to be very low, the infection rate among pregnant women was relatively high and few of them had access to counselling and voluntary testing. Further information should be provided on preventive services.

8. In a vast country with few trained personnel, a community-based approach to health and nutrition was very important and could make a vital contribution to reducing maternal mortality and malnutrition. Were community-based services provided in Sierra Leone? She asked what the Government intended to do to create an enabling environment for major changes as regards female genital mutilation, and maternal and infant mortality. She suggested that social mobilization programmes involving all the stakeholders were needed to ensure that such issues were considered a priority in the coming years.

9. Ms. ORTIZ said that apparently very few children were placed in institutions or foster homes and enquired whether the data correspond to the real facts. Moreover, any support for the families seemed to be provided entirely by non-governmental organizations (NGOs) and international agencies. In the absence of support programmes, she asked how institutionalized children were returned to their families; also, which entity coordinated all the institutions responsible for looking after children. According to the written replies, there was very little national or international adoption. It would be useful to know whether Sierra Leone was considering modifying the 1989 Adoption Act to adapt it to article 21 of the Convention, and ratifying the Hague Convention.

10. Ms. KHATTAB asked whether there was a free helpline available to all children and, if not, whether Sierra Leone was willing to establish one.

11. Ms. AL-THANI requested information on the Government's policy regarding early childhood education and whether sanctions could be applied to parents or guardians who neglected a child's right to education. She enquired whether there were any programmes to help families keep their children in school and to provide teacher training, especially in the area of human rights and children who had been sexually abused or subjected to violence. Also, were there independent complaint mechanisms for children subjected to sexual harassment or abuse from teachers? And, what was being done to counter the problem of gender disparities in school, and to increase the enrolment of girl children?

12. The CHAIRPERSON requested further information on the Government's policy towards children with disabilities, because it appeared that most services were provided by NGOs. The Committee had received reports about refugee and asylum-seeking children who were working in mining areas and engaging in prostitution to earn a living. There had also been reports of sexual abuse by Government officials in the refugee camps, and it appeared that there were considerable delays in prosecuting such cases. How did the Government intend to deal with such problems? According to the report, many of the children who had fled the country during the civil war had now returned; however, the Committee would welcome further information about the children who were still living outside Sierra Leone.

The meeting was suspended at 3.30 p.m. and resumed at 3.45 p.m.

13. Ms. VAMBOI (Sierra Leone) said the delegation would have to submit their answers to some of the questions raised by the Committee in writing, particularly those concerning health, education and decentralization.

14. At times there were misunderstandings about what constituted child labour. For cultural reasons, children could be asked to help in the home, as long as the tasks they performed did not cause injury to their health or prejudice their education. Children had been removed from the mines and their families had received support from the NGO sector to enable them to attend school or undergo vocational training. The 1988 Bastardy Act, under which children born out of wedlock were not considered members of the father's family and could not inherit the father's property, had been repealed and replaced by the 2005 Child Rights Act.

15. Mr. KOTRANE asked whether Sierra Leone would ratify International Labour Organization (ILO) Convention No. 138 concerning the minimum age for admission to employment. A child could help with domestic tasks, but not to the detriment of school attendance.

16. Ms. SMITH (Country Rapporteur) asked whether a father had to provide maintenance for a child born out of wedlock.

17. Ms. AIDOO enquired whether Sierra Leone was considering ratifying ILO Convention No. 182 concerning the worst forms of child labour.

18. Ms. VAMBOI (Sierra Leone) said that even though there was a formal law regulating maintenance payments, in practice a man might pay only a minimum amount. The Ministry of Social Welfare was trying to introduce the necessary modifications to the law to ensure that women received adequate maintenance payments.

19. All the children who had completed the Disarmament Demobilization and Reintegration (DDR) programme had been incorporated into the mainstream education system, with full support from UNICEF and the NGO sector. They had been fully integrated into their respective communities and were being monitored by social workers.

20. The National Commission for War Affected Children (NCWAC) continued to operate and was providing child-friendly centres for street children and abandoned children.

21. Regarding the juvenile justice system, according to the established procedure, a child was first questioned by the police and then charged in court. In the case of minor offences, the Ministry of Social Welfare could remove a child from police custody. Should the offences be more serious, children might be granted bail and live with their family while awaiting trial. If bail was refused, they were placed in a remand home during that period. The Ministry provided assistance and legal aid to children during a hearing. Any child found guilty would be placed in the approved school.

22. There was a justice sector development programme funded by the British Government's Department for International Development (DFID), which provided training for judges, magistrates, and prison and probation officers. The Ministry of Social Welfare was about to relaunch the National Training Centre for Social Work to train its staff. The minimum age for criminal responsibility was 14 years.

23. Mr. FILALI asked the delegation to confirm that the death penalty and life imprisonment no longer applied to children.

24. Mr. KOTRANE asked how children under the age of 14 who had committed offences were treated and whether they received sanctions or social measures.
25. Mr. CITARELLA said the Committee would like to know whether there were special juvenile courts and, if so, how they were structured.
26. Ms. VAMBOI (Sierra Leone) said that special juvenile courts did exist, and they carried out hearings in private with only a judge and a probation officer present. Children aged between 10 and 14 years who committed offences went before a special child-friendly panel, which determined appropriate punishment. Either they could be placed in the approved school or their family could take responsibility for them under the supervision of a probation officer. Some NGOs offered special programmes for such children involving counselling and family mediation. The abolition of the death penalty was still being discussed, since a constitutional amendment was required.
27. Mr. PARFITT enquired about the conditions of the approved school, and whether it was monitored on a regular basis.
28. Ms. VAMBOI (Sierra Leone) said that most of the children in the approved school were educated at regular schools during the day; they had recreational activities, and they could visit their parents at weekends, if the court so decided. Only those found guilty of the most serious offences were not allowed out, in order to ensure the safety of the general public.
29. There were 43 registered orphanages in Sierra Leone, with less than 2,000 children. The Ministry of Social Welfare had developed standards that orphanages had to comply with and it was investigating the existence of unregistered institutions. Children entered an orphanage on the basis of a court order and members of the staff were encouraged to try to trace their next of kin or to find foster families for them.
30. The CHAIRPERSON said that if it was indeed the case that the State party still had the death penalty, it would be in grave contravention of the Convention, since it did not make any reservation to article 37 upon ratification.
31. Ms. VAMBOI (Sierra Leone) said that the provision regarding the death penalty appeared in the Constitution and was not related to children specifically. There was nothing about the death penalty in the Child Rights Act.
32. Ms. MUSA (Sierra Leone) said that human rights activists had been campaigning for the Government to remove the death penalty from the Constitution.
33. Ms. AIDOO, noting that the Constitution contained provisions referring to children as those up to the age of 21 years whereas the new Child Rights Act defined children as those under the age of 18, asked whether there was currently a process under way to amend the Constitution.
34. Ms. ORTIZ asked who periodically monitored and reported on measures taken by the courts regarding placement of children in institutions or foster homes, who visited the children and took the decision as to whether the measure was still appropriate and who listened to the children to obtain their opinion as to the most appropriate measure for them.

35. Mr. KOTRANE asked for clarification as to whether or not the death penalty could be imposed on children.
36. Mr. FILALI, noting that there had been a moratorium on the use of the death penalty in the case of pregnant women and children, asked whether the Constitution had been amended or if that sanction could still be imposed.
37. Ms. VAMBOI (Sierra Leone) said that the delegation would consult with the judiciary and send precise answers concerning the death penalty as soon as possible. Monitoring children's placements in approved schools and remand homes was the responsibility of the Ministry for Social Welfare, with support from UNICEF and human-rights agencies. Despite the argument that female genital mutilation constituted torture and should be prohibited at least for children under the age of 18 years, the issue had been deliberately omitted from the final Child Rights Act because there were many different views and Parliament had been unconvinced that the main stakeholders had been consulted. It was not true that certain government officials were in favour of the practice, and many officials were campaigning in the field against it. A new approach was required, and the fact that there was a certain amount of economic gain associated with the practice meant that the underlying problems of poverty should also be addressed. It would take time, but it was hoped that an appropriate amendment would be introduced in the legislation later that year.
38. Ms. KHATTAB, pointing out that female genital mutilation was a cultural issue and that there currently was a general movement in Africa against the practice, asked the State party whether other countries that were passing laws in that area had been consulted, since it would help the cause if Sierra Leone were to make regional connections and secure funding.
39. Ms. MUSA (Sierra Leone) said that progress had been made on the issue, and strategies and plans could be developed with the support of international partners.
40. Ms. AIDOO drew the State party's attention to the fact that the Inter-African Committee on Traditional Practices Affecting the Health of Women and Children (IAC) could also help, and said that there needed to be an internal mobilization of women, including doctors, lawyers, women in the media, girl guides associations and so on, in order to push forward the campaign and to develop targeted strategies complete with dates and figures in order to eliminate the practice.
41. Ms. VAMBOI (Sierra Leone) said that some people in Sierra Leone had asked why the campaign had focused only on female genital mutilation since circumcision could also be classed as torture. A strategy therefore needed to be developed that took all views into account.
42. Ms. MUSA (Sierra Leone) said that the first Poverty Reduction Strategy Paper (PRSP) had been developed with support from UNICEF to include child-related issues, with specific activities and related budget allocation. Education programmes included paying the fees for national primary and secondary examinations and providing girls with uniforms and books in order to encourage them to attend school. Health programmes included free medical consultation for lactating mothers and pregnant women to ensure their right to basic health services. An impact assessment of that strategy remained to be undertaken. The second PRSP was currently being developed.

43. Ms. AIDOO asked whether the second PRSP would provide mobile and community-based health services in order to ensure that women and children could be cared for where they lived and did not have to travel to towns or to the capital.
44. Mr. POLLAR (Country Rapporteur) asked how children who were not covered by the social security scheme were cared for. He asked what strategy was used in awareness-raising campaigns on the Child Rights Act and the Convention, and how effective they had been. Noting that, although the Local Courts Act (1963) provided for judges for local courts, very often in practice such issues as divorce and adoption were being decided by family and community members outside the State party's legal system, he enquired as to whether the local courts were truly recognized by law and if so in which act.
45. Ms. MUSA (Sierra Leone) said that while the National Social Security and Insurance Trust Act (NASSIT) covered the public and private sectors, many people worked in the informal sector. Awareness-raising campaigns were being conducted to encourage those working in the informal sector to register for NASSIT, and a recent study had shown that many people were doing so.
46. Ms. VAMBOI (Sierra Leone) said that a social safety net provided support for those not covered by NASSIT, such as children, including orphans, and disabled or elderly persons who had never worked.
47. The CHAIRPERSON asked what sanctions were imposed on parents who did not send their children to school.
48. Ms. VAMBOI (Sierra Leone) said that the city council was responsible for monitoring and enforcing school attendance. Since 90 per cent of the population of Sierra Leone was poor, it was not feasible simply to impose sanctions. Parents had to be encouraged to send their children to school using such measures as the payment of school fees. However, since those measures were not sustainable, other programmes had been established such as a microcredit scheme to assist parents and a scheme for women to work and pay for their children's school fees. The next stage would be to set up a system of penalties to be applied to parents who still refused to send their children to school even after receiving aid.
49. Ms. AIDOO asked whether funds from the Heavily Indebted Poor Countries (HIPC) Initiative could be used to pay all the extra school costs and to help make education truly free, as had been done in Ghana.
50. Ms. MUSA (Sierra Leone) pointed out that the first six years of education were free. Books were provided in all primary schools and a school meals programme was in place to increase the number of pupils and to retain them. A written report with more detailed answers to the Committee's questions on education and health would be sent as soon as possible.
51. Ms. VAMBOI (Sierra Leone) said that there was currently no disability policy in Sierra Leone. A policy had been prepared, but funding from the World Health Organization (WHO) was required in order to put it into practice, which it was hoped would be secured later that year. In response to a question on refugee children, the National Commission for Social Action (NACSA) was working in cooperation with the Government and UNHCR to ensure that

refugee children from Liberia were provided with the necessary services, that their rights were respected and that they were protected from abuse. Progress was being made with respect to trafficking. Although internal trafficking remained widespread, all stakeholders were on board to work towards eliminating it. Public awareness had been raised with respect to the problem, with the result that people, including children, were increasingly reporting cases.

52. She agreed that the Adoption Act (1989) was out of date and should be reviewed. Some provisions were not workable, such as the requirement that any person wanting to adopt a child from Sierra Leone internationally was required to stay in Sierra Leone for six months. Work was under way to encourage such a review.

53. Mr. KOTRANE asked what measures the State party was taking to bring its practices in line with international standards and whether it was encouraging internal adoption rather than international adoption.

54. Mr. PARFITT, noting that the Child Rights Act stipulated that the decision as to whether a child should be adopted was taken by the district council, asked whether that provision applied to internal adoption only and whether the district council was a judicial body.

55. Ms. VAMBOI (Sierra Leone) said that adoption decisions were taken by judges in the central adoption centre in Freetown and that district councils simply carried out monitoring and investigative work on its behalf.

56. Ms. SMITH (Country Rapporteur) thanked the delegation for its hard work and willingness to answer the Committee's questions, acknowledging that there were many more questions than two delegates could answer. The Committee looked forward to receiving more detailed written answers.

57. The most important message to be sent to the Government was that it was essential to allocate more budget to the relevant ministries to enable the State party to fulfil its obligations under the Convention. The Government should set the agenda by allocating funds, then UNICEF would provide further assistance. An active high-level body was required to coordinate all child-related issues. It was important to follow up the legislation that had been implemented and to devolve more authority on health to the local level.

58. Ms. VAMBOI (Sierra Leone) thanked the Committee members for their patience and for their comments. Given the serious constraints on the State party, she appealed to donors for assistance in implementing the Child Rights Act, which would require the harmonization of all other legislation. She thanked UNICEF for its support and promised that the written replies would be sent as soon as possible.

59. The delegation of Sierra Leone withdrew.

The public part of the meeting rose at 5.15 p.m.