



Convention on the Rights of the Child

Distr.: General
31 March 2011
English
Original: French

Committee on the Rights of the Child

Fifty-fifth session

Summary record of the 1551st (Chamber B) meeting

Held at the Palais Wilson, Geneva, on Wednesday, 15 September 2010, at 3 p.m.

Chairperson: Mr. Zermatten (Vice-Chairperson)

Contents

Consideration of reports of States parties (*continued*)

Initial report of Sierra Leone on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (continued)

Initial report of Sierra Leone on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (continued)

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

Consideration of reports of States parties *(continued)*

Initial report of Sierra Leone on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (continued) (CRC/C/OPSC/SLE/1; CRC/C/OPSC/SLE/Q/1; CRC/C/OPSC/SLE/Q/1/Add.1)

Initial report of Sierra Leone on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (continued) (CRC/C/OPAC/SLE/1; CRC/C/OPAC/SLE/Q/1; CRC/C/OPAC/SLE/Q/1/Add.1)

Initial report of Sierra Leone on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography

1. *At the invitation of the Chairperson, the delegation of Sierra Leone took places at the Committee table.*
2. **Mr. Kabia** (Sierra Leone) said that a few cases of child prostitution had been reported in Sierra Leone but that sex tourism had not really developed there. The bill on sexual offences, included provisions on prostitution and pornography.
3. No cases of the sale of children had been reported; nevertheless, a bill on trafficking in persons would soon be submitted to the Cabinet with the aim of strengthening Government action in that area. The drop-in centres, established primarily in border areas, collected information on trafficking in persons, particularly children, and communicated that information to the competent authorities, such as Interpol and the International Organization for Migration. His Government planned to allocate more funds for the construction of shelters where victims of sexual violence or trafficking could receive medical care and social assistance.
4. **Mr. Filali** asked whether the Sierra Leonean Criminal Code was fully compatible with articles 2 and 3 of the Optional Protocol, whether the State party had taken measures since ratification to ensure that its legislation was in line with the Optional Protocol, and whether international human rights treaties took precedence over domestic legislation.
5. **Mr. Kabia** (Sierra Leone) said that the bill on sexual offences incorporated articles 2 and 3 of the Optional Protocol. Since the ratification of the Optional Protocol, the Government had been committed above all to spreading awareness of the relevant provisions among the whole population. Once the aforementioned bill entered into force as law, it would be widely disseminated to the press and religious and traditional leaders, among others, in order to increase awareness of the areas covered by the bill.
6. The bill on sexual offences clearly established the responsibility of legal entities in cases of the sale of children, child prostitution and child pornography, even though several criminal provisions already established that responsibility. The amendments to the Child Rights Act aimed to further strengthen effectiveness in that regard; for example, the Act provided for child protection committees to be set up in every village, but the State did not have the necessary financial or human resources to do so or to implement the provision calling for the election of a traditional leader to each of those committees, as that would require constantly organizing elections. An amendment had therefore been made stipulating that the traditional leader should be nominated, while another amendment had been adopted to strengthen the autonomy of the National Commission for Children and to establish close collaboration between the future Commission and the Ministry of Social Welfare.

7. Sierra Leone had not yet signed the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption, but it had amended its bill on adoption to better reflect the provisions of that instrument. In the meantime, a moratorium on adoptions had been imposed.

8. **The Chairperson** asked whether any provisions were in place to prevent child victims or child witnesses of offences covered by the Optional Protocol from being forced to confront the perpetrators, and whether any rehabilitation and perhaps compensation measures were planned.

9. **Ms. El Ashmawy** (Country Rapporteur for the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography) requested further information on border surveillance, collaboration with the police and intelligence services of other countries to combat transnational trafficking of persons to the Middle East and other African countries, and measures taken to implement the laws against servitude, sexual exploitation and forced labour in the fields of agriculture, mining and fishing.

10. **Mr. Kabia** (Sierra Leone) said that both the Anti-Human Trafficking Act and the Adoption Act had been amended, including the incorporation within the latter of the provisions of the Hague Convention. Children were sometimes taken away from their families by people who promised to give them an education, but in fact the children became victims of exploitation. Public awareness was being raised on the risk of abuse and the need for families to be wary. Awareness was also being raised among customs and immigration officials.

11. Drop-in centres were available for victims, where staff from the Ministry of Social Affairs, the family support units, the International Organization for Migration and various NGOs were stationed. A focal point for that issue had been appointed within the Ministry of Social Welfare. Shelters and safe houses would be built with the help of the International Organization for Migration. Currently, most children lived with social workers. Centres for street children had recently been set up, where they could receive psychological support, medical care, vocational training and help in locating their families.

12. With regard to protection for victims, children's identity was not divulged in juvenile courts, but there was no special procedure to protect the identity of victims in cases of trafficking. Child victims of trafficking, particularly those who had been trafficked for the purposes of prostitution, could receive temporary accommodation, and the Government was trying to encourage reunification with their families. The 2011 budget provided for care centres to be set up for victims of trafficking and for them to be assisted in looking for their families. Child prostitutes were considered as victims in the bill on sexual offences and were thus not subject to prosecution.

13. The Ministry of Foreign Affairs was responsible for coordination with regional organizations, particularly the Mano River Union.

14. **Mr. Koompraphant** asked what provisions were applied in cases where a member of a child's family was involved in the sale of the child or forced the child into prostitution.

15. **Mr. Kabia** (Sierra Leone) reiterated that his Ministry was not aware of any cases of the sale of children. In any event, all offenders were treated equally, whether or not they were part of the victim's family. Any child abused by a family member would be placed in a foster home.

16. **The Chairperson** asked whether the Government planned to take any measures against media outlets that published or broadcast images of child victims of sexual abuse and whether the courts were authorized to keep perpetrators and their victims separated, especially when the witness or victim was a child.

17. **Mr. Kabia** (Sierra Leone) said that there was no law prohibiting the press from disseminating such images and that that loophole should be closed. No provision was planned to avoid contact between the victim and perpetrator of an offence.

18. **The Chairperson** asked whether an individual could be extradited on the basis of the Optional Protocol in the absence of an extradition treaty with other countries, or whether a bilateral or multilateral treaty was required for an extradition to be carried out.

19. **Mr. Kabia** (Sierra Leone) said that Sierra Leone had entered into bilateral agreements regulating such matters with some countries in the region, particularly with member States of the Economic Community of West African States. The bill on sexual offences did not include any provisions on extradition.

Initial report of Sierra Leone on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

20. **Mr. Kabia** (Sierra Leone) said that his Government had not officially consulted any NGOs when drafting the report and that no training or awareness-raising activities had yet been undertaken for professional groups working with children who might have taken part in the conflict. At the end of the war, however, a training programme had been implemented on the rights of the child and the protection of children for military personnel, police officers and social workers, and that training was still being provided. The Ministry of Social Welfare had held workshops to raise awareness of the Child Rights Act. A course on human rights was taught in the last year of primary school and the first two years of secondary school, and human rights clubs had been set up in several schools.

21. There had been no need for his Government to take measures to prevent the recruitment of children by non-State forces, because no armed groups had operated in the country since the end of the war. Article 28 of the Child Rights Act stipulated that every child had the right to be protected from involvement in armed or any other kind of violent conflicts, and that the minimum age of recruitment into the armed forces was 18. Any infringement of that provision carried a fine and/or a maximum penalty of 2 years' imprisonment.

22. **The Chairperson** asked whether there was any criminal legislation expressly criminalizing the recruitment of children by an armed group operating in or outside the State party.

23. **Mr. Kabia** (Sierra Leone) said that there was no specific provision in domestic law prohibiting the recruitment of children by foreign armed groups and that that loophole should be closed.

24. The Special Court of Sierra Leone was responsible for prosecuting individuals who had committed crimes against humanity during the conflict that had plagued the country for years, and the authorities were currently working to define specific procedures for implementing the decisions and proceedings of the Special Court within the domestic legal order, including the implementation within the national legal system of the international norms on which the Special Court was founded. The Government also planned to establish mechanisms to address the issue of freed war criminals after the Special Court had been disbanded.

25. **The Chairperson** asked whether children who had been brought before the court for their involvement in the armed conflict had been convicted or whether they had been treated as victims.

26. **Mr. Kabia** (Sierra Leone) said that no minors had been convicted by the Special Court, since children were considered as victims of the conflict.

27. **The Chairperson** asked what had become of the children involved in the conflict and how the State party had looked after them following the war.
28. **Mr. Kabia** (Sierra Leone) explained that once the war had ended, the country had taken various measures to assist child victims of the war, regardless of whether they had been directly involved in the hostilities. For example, psychosocial services had been made available to them, vocational training had been provided to ex-combatants, and school re-entry programmes had been offered to children who wished to return to school as part of the comprehensive disarmament, demobilization and reintegration programme. Financial aid had also been granted to victims of the conflict to enable them to start a new life.
29. The country had not taken any official measures to raise awareness of the Optional Protocol among the general public, but police officers, military personnel and teachers received training on the instrument, and the Children's Forum Network helped to disseminate the Optional Protocol through its awareness-raising programmes.
30. **The Chairperson** said he wished to know what role the media played in the dissemination of the Optional Protocol and whether journalists had been made aware of the offences referred to in the Optional Protocol.
31. **Mr. Kabia** (Sierra Leone) said that children had access to radio-based media through the Children's Forum Network. The Optional Protocol had not been translated into local languages.
32. **The Chairperson** asked whether there was any law in the State party regulating trade in arms.
33. **Mr. Kabia** (Sierra Leone) said that to his knowledge there was no law regulating the trade in arms in the country. Nonetheless, the sale of arms was the sole prerogative of the State; the country was not a clearing house for international trade in arms intended for third countries at war.
34. **Mr. Filali** asked if students in military schools were trained in the use of firearms as part of their studies.
35. **Mr. Kabia** (Sierra Leone) said that students in those schools did not use firearms during their studies as it was prohibited by domestic legislation.
36. For children born prior to the introduction of the birth registration system, his Government, in collaboration with UNICEF, had established guidelines on determining the age of children and also appealed to local officials to estimate the age of some children to determine whether they were old enough to be recruited to the army.
37. **The Chairperson** asked whether children whose age had been determined *a posteriori* could obtain identity documents.
38. **Mr. Kabia** (Sierra Leone) said that those children did indeed receive identity documents.
39. **Mr. Pollar** (Country Rapporteur for the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict) asked about the fate of children liable to be accused of terrorism and asked what recovery and social reintegration measures were in place for children involved in the armed conflict, particularly measures enabling them to continue their studies in an environment adapted to their needs or to receive vocational training.
40. **Mr. Kabia** (Sierra Leone) said that ex-combatants received benefits through the comprehensive disarmament, demobilization and reintegration programme. The children who had resumed schooling had been monitored and supervised by specialists.

41. **Mr. Koompraphant** asked if there were any mechanisms in place to monitor children's living conditions in order to prevent their recruitment by armed groups.
42. **Mr. Kabia** (Sierra Leone) said that children who attended school were automatically monitored as part of their schooling and that the authorities were currently setting up centres for street children.
43. **Mr. Filali** said he wished to know whether any special measures had been taken to ensure the social reintegration of demobilized teenage mothers who had been part of armed groups.
44. **Mr. Kabia** (Sierra Leone) said that psychological support for such teenage mothers was provided to the extent possible but that the country did not have adequate resources to take care of all the victims.
45. **Mr. Pollar** emphasized that eight years after the end of the war, the Committee remained very interested in what Sierra Leone was doing to reintegrate child victims of the war, and it would certainly formulate a recommendation on the basis of the current discussion.
46. **Mr. Kabia** (Sierra Leone) said that it was the children who had suffered the most from the war in Sierra Leone and that his Government must now protect them through legislative and legal measures, as well as through various programmes, with the help and commitment of the Sierra Leonean people and the country's partners.
47. **The Chairperson** said that the two optional protocols required implementation measures that were a little more complex and explicit than those required by the Convention, and thanked the delegation for providing the Committee with the necessary information.

The meeting rose at 4.40 p.m.