



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women
Thirty-eighth session**

Summary record of the 778th meeting

Held at Headquarters, New York, on Thursday, 17 May 2007, at 3 p.m.

Chairperson: Ms. Šimonović

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (continued)

*Combined initial, second, third, fourth and fifth periodic report of Sierra Leone (continued)
(CEDAW/C/SLE/5, CEDAW/C/SLE/Q/5 and Add.1)*

1. *At the invitation of the Chairperson, the members of the delegation of Sierra Leone took places at the Committee table.*

Articles 7 and 8

2. **Ms. Koroma** (Sierra Leone), responding to questions posed at the 777th meeting about the participation of women in politics and decision-making, said that the 50-50 Group was training women for participation in the political process through candidacy in local and national elections. Before the 2002 elections, a Women's Manifesto had been publicized on International Women's Day, which had emphasized the quota of 30 per cent female candidates for all political parties. The 2007 elections had been conducted on a constituency basis, however, and parties had found it difficult for women to gain acceptance as candidates and for voters to risk giving votes to women who were not part of constituencies.

3. The Ministry of Social Welfare, Gender and Children's Affairs had trained journalists to report on women candidates through weekly articles, which also covered voter education and women in decision-making. It had also displayed posters portraying women as people who could be trusted as candidates for office. In addition to the reduced registration fee for female candidates, political parties had conducted fund-raising campaigns on their behalf. The National Democracy Institute was also collaborating in the training of candidates. The Ministry had encouraged women to register to vote, join political parties and identify with constituencies as steps towards the 30 per cent target for women candidates.

4. The Truth and Reconciliation Commission had recommended that the Government should apologize to the women of Sierra Leone for the atrocities they had suffered during the war, and the President had delivered that public apology on International Women's Day. The Government and non-governmental organizations were providing peace training, as well as

housing programmes for war amputees along with free education for their children and health-care services.

Article 9

5. **Ms. Saiga**, drawing attention to paragraphs 16.1.1 and 16.1.2 of the report (CEDAW/C/SLE/5), asked if there were plans to amend the 1973 Citizenship Act to remove the discriminatory provisions that allowed for transmission of citizenship only through the father. She would like to know what provisions the Constitution contained on that subject. Further information was also needed on any action planned to increase the number of birth registrations.

6. **Mr. Sesay** (Sierra Leone) said that Act No. 10 of 2006 had amended the 1973 Citizenship Act to allow for transmission of citizenship through the mother as well. A holistic review of that Act to eliminate any discriminatory provisions would be conducted, and there was also a proposal to include it in the Constitution.

7. **Ms. Koroma** (Sierra Leone) said that a national birth registration campaign had taken place on 16 June 2006 as part of the commemoration of the Day of the African Child.

Article 10

8. **Ms. Chutikul** said that many effective measures had been taken to increase female enrolment in school, but more progress was needed. Education must also change values and behaviours for a better quality of life. She wondered whether programmes to provide leadership training and role models for girls as an extracurricular activity, which had been successful in some countries, had been established in Sierra Leone. She would also like to learn more about teacher training, equality training and whether difficulties in paying the salaries of teachers had been overcome.

9. **Mr. Pemagbi** (Sierra Leone) said that the quality of teacher training determined the quality of the educational system. Women had always been encouraged to become teachers. The country was currently experiencing difficulty in retaining experienced teachers, and incentives and competitive salaries would be required to retain them and attract new ones. Especially during the war, payment of teachers' salaries had sometimes been delayed simply because of lack of capacity to deliver them.

10. The educational system in Sierra Leone had been inherited from the United Kingdom, and its main emphasis was on academics rather than technical training. Currently there was a vacuum in the workforce in middle-level technical jobs because such education was looked down on. Stereotypes must be overcome in order to interest more women in technical studies. Girls needed to hear the message that there was nothing they could not achieve, and that they could succeed in science just as well as boys.

11. Teenage mothers were readmitted to school, where they had the opportunity to learn parenting skills along with academic and technical subjects. More opportunities were available for adult students, especially those who had missed the chance to go to school during the 11 years of war. In-service training for teachers was extensive, as many untrained teachers had entered the field because of the shortage of professional educators.

Article 11

12. **Ms. Patten** asked whether it was a priority of the Ministry of Labour to rethink its employment policy to reflect the mainstreaming of a gender perspective, and whether more equal opportunity legislation was forthcoming. She regretted the total lack of gender-disaggregated data and asked about efforts to develop such a system of statistics. She urged the Government to gather information on women in the informal sector, which would help to make them visible to policy planners. It would be interesting to know whether attention was being paid to their needs, for instance through training in entrepreneurship. More information was also needed on legislation to protect women's employment rights in the public and private sectors.

13. **Ms. Kajue** (Sierra Leone) said that the Ministry of Labour had indeed been reconsidering its employment policies, and discussions on the topic were ongoing at the validation meetings referred to in the report. Concerning gender mainstreaming, the law did not provide for affirmative action. Nevertheless, affirmative action policies were reflected in current job advertisements, which encouraged women to apply for positions, particularly within NGOs. Her Government was aware that much remained to be done to ensure that women were included in the employment process and to overcome obstacles such as low levels of education, harmful traditional practices and even the way in which women perceived themselves. As the

report acknowledged, the lack of data disaggregated by sex was a major challenge. Her Government had therefore developed an action plan to fill such gaps, which emphasized the need to generate data.

14. The problem of women in the informal sector was serious. Rights guaranteed by law in Sierra Leone such as maternity leave had little meaning for women working in that sector who received little or no pay. Her Government was therefore taking measures to educate, train and empower such women, and to build their self-confidence by devolving authority to the local councils, which were in a position to help them.

15. **Mr. Sesay** (Sierra Leone) said that the Constitution contained provisions to ensure equal job opportunities for women and equal wages for equal work. Those provisions constituted principles of State policy, however, rather than rights guaranteed under the Constitution. The Constitutional Review Commission had proposed, nevertheless, that those principles should become rights. Specific legislation to prevent discriminatory employment practices included the Regulation of Wages and Industrial Relations Act of 1971, which provided, inter alia, for the right of workers to participate in and form trade unions and for the protection of workers' rights, including the rights of women. To cite an example, he had served as a leader in the teachers' union of Sierra Leone, an umbrella organization, which had negotiated with the Government in 1994 the provision of maternity leave for married women in accordance with the Act. The legislation also provided for an inspectorate office which monitored private sector workplaces and reported on violations to the Government. As a result, there had been sanctions against private businesses for non-compliance with labour legislation.

Article 12

16. **Ms. Zou Xiaoqiao** noted with appreciation the measures taken by the Government to address the difficult health issues facing women, especially high maternal mortality and morbidity, as was frankly discussed in the report. She would like further details on the measures taken by the Government to reduce the high infant and maternal mortality rates. Information was also needed on whether the strategic plan of action for the advancement of women included measures to enhance reproductive rights or protect reproductive health. She wondered whether there were plans to decrease the costs of health-care services, provide

additional training to health-care professionals and improve medical infrastructure in rural areas. It was not clear from the report whether abortion was legal in Sierra Leone. More specific information was needed on unsafe abortions, which had contributed to the country's high maternal mortality rate. Lastly, she would welcome any available information on the contraceptive prevalence rate, particularly in rural areas, and whether there had been any advocacy campaigns to promote the use of contraceptives.

17. **Ms. Begum** said that women in Sierra Leone appeared to have unequal access to basic health-care services, particularly in rural areas. That gender-based discrimination was coupled with harmful traditional practices such as female genital mutilation and the complications of fistula, forced child marriage and lack of trained birth attendants. Information was needed on the measures to provide alternative livelihood options to the practitioners of female genital mutilation. Such practitioners might be trained to become birth attendants. She would like to know what the Government was doing to provide the much needed budget resources to improve health-care services, especially for the treatment of fistula.

18. **Ms. Dairiam**, referring to the free health care for vulnerable groups such as pregnant women and children under five, said that alternative sources had reported that people were still paying informal fees. Therefore, despite the waiver of fees for such groups, health-care services were beyond their reach. The report acknowledged that rural women's access to health-care facilities was hampered by the high cost of the services. She would like to know how the Government was monitoring access to such services and what it was doing to redress the problem. She asked whether the Government was indeed planning to abolish the exemption. She wished to know whether the Government had set any benchmarks and targets for the reduction of maternal mortality. In addition to any analysis of the situation, there was a need for a confidential investigation of every maternal death, so that the exact causes could be determined, including infrastructural problems which could be addressed in the short term such as a lack of transportation, staff and blood supplies.

19. **Ms. Pimentel** requested more information on policies to make high-quality family planning, information and services available for all segments of the population, especially rural women. She wondered

how the Government was addressing the economic and cultural barriers related to contraceptive use in its policies and programmes. She commended the programme on operationalization of reproductive health mentioned in the report. It was unclear, however, whether there were plans to collect data on unsafe abortions and its contribution to maternal morbidity and mortality.

20. **Ms. Gaspard** said that female genital mutilation was a violation of the Convention as well as the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa. She would like to know whether the Government of Sierra Leone planned to raise awareness among medical personnel in particular about the issue, as health-care workers could play an important role in combating a practice which seriously harmed the health of women.

21. **Dr. Magbity** (Sierra Leone) said that his Government had recently conducted an assessment of maternal mortality. According to a recent survey, the maternal mortality rate was 1,077 per 100,000 live births, which was unacceptably high. There were multiple causes for the high rate, including an insufficient medical workforce. Although there were some gynaecologists in larger towns, they were lacking in rural areas.

22. The country had lost nearly 60 per cent of its qualified health personnel during its civil war and currently had difficulties in encouraging them to return. His Government was therefore developing a special salary scale to attract those who had left the country and to retain existing staff. It hoped to stem the flight of doctors by improving conditions of service. Health staff were also being trained to perform the necessary operations to treat obstetric complications.

23. The war had also reduced the number of health facilities by half. Since the end of the war, the number had increased from about 400 remaining facilities for the entire country to more than 900. The increase in the number of facilities had required the Government to spread staff thinly. To redress the problem, additional training facilities for medical personnel in maternal and child health care, including basic obstetric emergency care, had been established to serve as a stop-gap measure while more obstetricians and physicians were being recruited.

24. Abortion was illegal in Sierra Leone, which made data collection on unsafe abortions difficult. His

Government was nevertheless aware that there were many unsafe abortions performed in the country, which accounted for many maternal deaths. His Government's National Population Policy provided for safe abortions on medical grounds and post-abortion care, which it hoped would reduce the number of illegal abortions.

25. A recent multi-indicator cluster survey had reported a contraceptive prevalence rate of 5 per cent. That rate was even lower in rural areas, owing to cultural beliefs. Many people in rural areas considered family planning, for example, as contradicting the divine order. His Government was therefore carrying out widespread awareness campaigns in such areas in cooperation with NGOs. It had also encountered difficulties in providing contraceptive means, as the organization which had been the main source for them had ceased their supplies. Lobbying efforts with other partners for assistance in that area had therefore been required. The use of contraceptives was part of the reproductive health policy. The strategy to reduce maternal and infant mortality would take contraceptive use into consideration and some of the money received from partners would be invested in contraception.

26. Women suffering from vesico-vaginal fistula had been reluctant to come forward and had been largely neglected by communities. Only recently, following the end of the war, had there been any awareness about issues concerning the disease. Since then, three clinics had been established to treat the problem. Unfortunately, all of them were located in the capital. Nevertheless, there was a draft strategic plan to address the issue, which included increased involvement in rural areas.

27. Before the war, Sierra Leone had successfully followed the Bamako Initiative. During the war, there had been various forms of payment for health services, with some people paying small sums and others receiving free care. Because his Government could not afford care, universal free health was considering the option of waiving medical fees for children under five, pregnant women, lactating mothers and the elderly and was likely to pursue the cost recovery benefit scheme for vulnerable persons. There were logistical problems in implementing the exemption, however, including shipping drugs to health facilities. In some places, health workers often had to travel from their stations to the districts where the drugs were located and cover their own expenses. In turn, they levied charges even on those who were exempt from fees. His Government

was therefore working on improving the transportation system in the districts, so that district medical officers would be able to supply patients with drugs. For each health facility, there was a village health committee to help to oversee its operations and inform communities about Government health policies and their rights. Although they had not been very effective to date, efforts were being made to strengthen them.

28. He welcomed the proposals for child survival benchmarks and for auditing every case of maternal death, which his Government would be pursuing. Lastly, harmful traditional practices such as female genital mutilation were indeed contrary to the Convention. As many people in rural communities continued to support such practices, considerable advocacy efforts would be needed to gradually eradicate them.

Article 14

29. **Ms. Patten**, after commending the Government for the initiatives taken under the Local Government Act of 2004 to ensure that women were full partners in all development programmes, asked whether the 1994 National Policy and Action Plan on Integrated Rural Development had ever been evaluated and whether it had been endorsed by the Local Government Reform and Decentralization Programme. She felt that land reform should have been included in the report and, indeed, made a priority, considering that most women lived in rural areas and had unequal access to land and that the Law Reform Commission had not yet released its proposed land reform to guarantee rights of women to possess land.

30. She asked for more information on the terms of reference of the Land Reform Commission, when its recommendations were expected, what procedure would be followed thereafter, and Government's land reform priorities. She asked what efforts had been made to harmonize the procedures of formal lending institutions with those of private lenders to give women greater access to credit and what other measures were being envisaged by the Government to identify the needs of rural women.

31. **Ms. Tan** requested information on the number and amount of loans made to women and the interest rates charged by money lenders as well as the efforts made to control the usurious practices of private lenders. She also wanted to know the purpose for

which women applied for microcredit from the National Commission for Social Action. In reference to the Government's assertion that agricultural policy encouraged the release of land to female heads of households, she asked how many women had obtained land in such a manner and whether they were given sole right to the land or had to share it with a male relative.

32. **Ms. Simms** noted that women in Sierra Leone lived mostly in rural areas and were responsible for over 80 per cent of food production, yet had been historically marginalized and disenfranchised, a situation exacerbated by their propensity to have many children owing to the belief that children were a gift from God. It was therefore important to educate rural women about family planning and to engage in an open and honest discussion of the issues pertaining to a woman's body, with men playing a leading role in such a campaign.

33. **Ms. Koroma** (Sierra Leone) agreed that men should lead the educational campaign on female genital mutilation because such acts could not be performed without their permission.

34. **Ms. Kajue** (Sierra Leone) said that, although the National Policy and Action Plan on Integrated Rural Development had not yet been evaluated, it had already produced tangible outcomes, such as the Local Government Act, which had helped increase women's participation in decision-making and representation at the local level, even though the number of female local councillors remained very low. Health and education issues were also being addressed, particularly in the rural areas.

35. With regard to access to credit facilities, there were still many obstacles for women, including the lack of collateral. In that connection, the National Commission for Social Action operated a microcredit programme specifically targeting rural women. With regard to interest rates, true figures were hard to obtain because most loans were granted informally by private lenders, although it was widely believed that the rate for NGO loans was around 30 per cent, while complementary Government loans were interest-free. There were no available data on the number of women accessing private credit or obtaining funds from the National Commission for Social Action. Regrettably, most of the funds given for the creation of

microenterprises were being used instead for petty trading and daily survival.

36. With regard to the nutritional and health status of women, NGOs were providing training and education through economic empowerment programmes. The Government had drafted strategic frameworks to capture all those issues and had integrated gender experts into local governments to consult with women in order to determine their real needs.

37. **Mr. Sesay** (Sierra Leone) said that his country had a dual land tenure system: the individualistic system in the Western Area inherited from the United Kingdom whereby anyone could own and dispose of land, with no legal barriers preventing women from acquiring agricultural land; and the system prevailing in the provinces based on customary law, whereby land belonged to the family and no individual could own or dispose of it without the knowledge and approval of the family head, who was usually a man. In the latter case, women had a right to the family land but they generally did not own land because they usually left the family compound upon marriage. The Law Reform Commission would review all land laws, but the process would be long because the rules on customary law varied from one ethnic group to another and had to be reformulated and codified before the unequal access to land by women could be addressed.

Articles 15 and 16

38. **Ms. Halperin-Kaddari** asked whether, as indicated in responses to the list of issues and questions regarding religious and customary law, there was still no limit to the number of women a man could marry and no fixed minimum age for marriage. The delegation had said that a minimum age would be set as part of the revision of the customary law, but there was nothing on polygamy. She was encouraged that the new law would allow women to acquire property, so that they would no longer be forced to remain in marriage simply because their family could not repay the dowry. Nevertheless, she wanted to know what measures had been taken to make the same grounds for divorce available to both men and women.

39. **Ms. Tan** asked whether the delegation was satisfied that the four types of marriage statutes proposed for Sierra Leone — the Christian Marriage (Amendment) Act, the Muslim Marriage (Amendment) Act, the Civil Marriage (Amendment) Act and

Customary Law — along with the Family Law complied with articles 15 and 16 of the Convention. She asked what would happen in the event of conflict between those laws and whether there were any plans to revise the General Law which perpetuated the stereotype whereby the husband had the legal duty to maintain the wife while the wife was expected to do all the domestic work. Finally, she wondered whether the Government had made any attempts to amend the Mohammedan law on divorce, which was highly discriminatory against women.

40. **Ms. Coker-Appiah** sought confirmation that, under the General Law, when property was owned jointly by the husband and the wife, the court could order its sale and the proceeds could be shared proportionately in case of divorce. In such event, she wondered whether the General Law would prevail over customary law, which presumed that the family property belonged to the man.

41. **Mr. Sesay** (Sierra Leone) said that polygamy was permitted under customary laws but the husband should be able to provide financial support to all his wives. Bigamy in Christian and civil marriages was a criminal offence and was punishable by eight years in prison. Under customary laws, there was no minimum age for girls to be married and most girls were betrothed from a very young age. Under the child rights bill that had been drafted for consideration by Parliament, the minimum marriage age would be 18 in all cases, including customary marriages, and the consent of the woman would be required. In customary marriages, it was traditional that the wife's family should repay the dowry, including gifts and money, if the wife wanted to leave her husband. However, the draft bill on the Registration of Customary Marriages and Divorce stated that it would no longer be necessary to return gifts, although it would still be necessary for money to be repaid.

42. The Government was taking steps to ensure the equal distribution of property following a divorce. In the case of Christian and civil marriages, the draft bill on the devolution of estates would ensure the equal distribution of property among the surviving spouse and relatives, including children born outside marriage and adopted children. In the case of customary marriages, women's property rights were often neglected because it was established practice that the woman moved to the man's home upon marriage, and if the husband died, the land returned to the husband's

family. However, the draft bill on the registration of customary marriages and divorces would give property rights to women in all types of marriage. It would be necessary for customary laws to comply with the provisions of that bill once it had been passed by Parliament. In cases of dispute, a woman could petition the local courts and appeal to the district appeal courts, which were required to have a lawyer who specialized in human rights.

43. With respect to women's representation in the judiciary, there were no legal barriers that prevented women from becoming judges or chairpersons of local courts. However, in practice, women's representation was minimal and in 2007 none of the chairpersons of the 280 local courts were female. The United Nations Development Fund for Women was providing support to the Ministry of Justice with a view to enhancing women's participation in the judiciary. In the event of a conflict between different types of marriage, it was incumbent on the Supreme Court to establish which marriage should take precedence. In customary marriages, the husband was obliged to provide his wife with financial support and the wife was obliged to carry out domestic chores. There was no legal provision that prescribed those obligations but they had been established in practice.

44. Under the general law regulating Christian and civil marriages, a spouse could petition for divorce on the grounds of cruelty, desertion or adultery. However, in customary marriages there were different grounds for divorce for men and women. The husband could petition for divorce on the grounds of adultery and could file for third-party damages. Women could petition for divorce in the event of repeated adultery but they could not file for third-party damages. The Law Reform Commission was studying the proposal to allow women to file for third-party damages. A husband could also petition for divorce on the grounds that his wife was lazy. However, that recourse was not available to women, who could petition for divorce only if it could be shown that the husband was not able to provide financial support to his wife. A wife could also petition for divorce on the grounds that her husband was impotent.

45. **The Chairperson** invited members to ask follow-up questions on the articles discussed.

46. **Ms. Begum** said that it would be useful to know when the draft bills on registration of customary

marriages and divorce, domestic violence and devolution of estates would be approved by Parliament. Additional information should be provided on the socio-economic measures being taken to prevent trafficking in persons and on the reintegration programme established at the end of the war in 2002.

47. **Ms. Simms** said that it would be interesting to have data on the number of women in customary marriages compared with Christian and civil marriages.

48. **Ms. Coker-Appiah** said that it should be clarified whether the proposed amendments to the Sexual Offences Act criminalized marital rape.

49. **Mr. Sesay** (Sierra Leone) said that the draft bills on registration of customary marriages and divorce, domestic violence and devolution of estates had been submitted to Parliament for approval. It should be noted that Parliament had the power to amend or remove clauses. Marital rape had been included in the proposed amendments to the Sexual Offences Act.

50. **Ms. Koroma** (Sierra Leone) said that approximately 90 per cent of marriages in rural areas were customary marriages. Her delegation called on the Division for the Advancement of Women to continue to provide technical support and resources for programmes in Sierra Leone.

51. **The Chairperson** said that the incorporation of the Convention into domestic laws would provide a legally binding framework for countering discrimination against women. Men should play the leading role in eliminating all forms of violence against women. The Committee's concluding comments would provide guidance on the way forward for achieving the full implementation of the Convention and should be widely disseminated in the country.

The meeting rose at 5.20 p.m.