



# Convention on the Rights of the Child

## Committee on the Rights of the Child

### Fifty-fifth Session

13 September–1 October 2010

### Written replies by the Government of Sierra Leone concerning the list of issues (CRC/C/OPAC/SLE/Q/1) related to the consideration of the initial report of Sierra Leone under article 8, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC/C/OPAC/SLE1)\*

[30 November 2009]

#### Reply to the issues raised in paragraph 1 of the list of issues (CRC/C/OPAC/SLE/Q/1)

1. Direct participation refers to children who actually held arms and were engaged in combat activities as well as children who acted as porters.

#### Reply to the issues raised in paragraph 2 of the list of issues

2. The Child Rights Act does not clarify any sanctions for the crime of recruitment and enlisting of children. However, Part III – Child Rights, Parental and State responsibilities – of the Act states under provision 35 that:

“Any person who contravenes a provision of this Part commits an offence and shall be liable on summary conviction to a fine not exceeding thirty million leones or to a term of imprisonment not exceeding two years or to both such fine and imprisonment.”

With respect to whether this provision covers recruitment by armed groups distinct from armed forces, section 28 (1) and (2) of the Child Rights Act states that:

“(1) Every child has the right to be protected from involvement in armed or any other kind of violent conflicts, and accordingly, the minimum age of recruitment into the armed forces shall be eighteen. (2) The Government shall not - (a) recruit or conscript any child into military or para-military service or permit such recruitment or conscription by the armed forces.”

However this section only specifies recruitment into armed forces and Government recruitment into the military or paramilitary; it does not cover recruitment by armed groups distinct from the armed forces. The Child Rights Act does not cover recruitment of a Sierra Leonean child for a conflict outside of the country.

#### Reply to the issues raised in paragraph 3 of the list of issues

3. There has been no follow-up to the recommendations made in the Human Rights Commission of Sierra Leone report of 2008. The Disarmament, Demobilisation and Reintegration (DDR) programme was completed in 2003 and since then there have been no mechanisms in place to monitor ex-combatants. However, there are some NGOs who are still working with demobilised ex-combatants, especially those that are out of school. They provide training and job placements for them.

#### Reply to the issues raised in paragraph 4 of the list of issues

4. The Office of the President informed the National Commission for War Affected Children (NACWAC) that it was to be dissolved immediately. This process is almost complete. The Ministry of Social Welfare, Gender and Children's Affairs has developed a framework and budget for establishing the National Commission for Children. The budget for the National Commission for Children was included in the Ministry's 2010 budget which is effective from January 2010. The Minister will advise His Excellency The President on the appointment of the Chairman of the National Commission for Children.

#### Reply to the issues raised in paragraph 5 of the list of issues

5. There is no information regarding Security Council resolution 1612.

#### Reply to the issues raised in paragraph 6 of the list of issues

6. There is no information available about the recruitment of children in conflicts in neighbouring countries.

#### Reply to the issues raised in paragraph 7 of the list of issues

7. After the rebel war, training was conducted on child rights, child protection, children in armed conflict with the army, police and social workers. Since 2007 there has been general sensitisation on child rights due to sensitisation efforts around the Child Rights Act. Human Rights education has been included in the school curriculum and Fourah Bay College runs a degree course on Peace and Conflict Studies. Additionally school clubs and Human Rights clubs in which children participate are running across the country.

#### **Reply to the issues raised in paragraph 8 of the list of issues**

8. These schools are civilian schools that operate according to the Ministry of Education, Youth and Sports (MEYS) curriculum. The teachers are civilian teachers and the ages of the children are as per the MEYS procedures.

#### **Reply to the issues raised in paragraph 9 of the list of issues**

9. Primary Health Units act as birth registration centres. Primary Health Care workers have been trained to fill in the necessary forms to register new births. Every District Birth Registration office has been supplied with a computer on which a Birth Registration database has been set up. Birth registrars have been trained on how to input information into the database. If the young person has no birth certificate they swear an affidavit that they are above 18 years old.

#### **Reply to the issues raised in paragraph 10 of the list of issues**

10. There is no evidence that any children in Sierra Leone have been recruited for hostilities abroad.

#### **Reply to the issues raised in paragraph 11 of the list of issues**

11. Children who were recruited during the rebel war were demobilised and reintegrated. None of them were subject to criminal trials at national level.

#### **Reply to the issues raised in paragraph 12 of the list of issues**

12. There is no evidence that the standards and procedural guarantees applied by the Special Court are also applied in trials taking place in national courts. The Special Court of Sierra Leone (SCSL) has an exit strategy: (1) Legacy – how will the international standards used in the SCSL be applied in the national court system?; and (2) Residual – what will happen once the SCSL is dissolved and a suspected war criminal is seen on the street? There has to date been no action taken by the Government to work with the SCSL to transition the SCSL out of action and move authority to the national courts of Sierra Leone.

#### **Reply to the issues raised in paragraph 13 of the list of issues**

13. The Government instituted a complete ban on the use of weapons and ammunition except by the armed forces. There is also a total ban on the wearing of military fatigues outside of the armed forces. The Office of the President is actively implementing the ECOWAS Protocol on the Proliferation of Small Arms and Light Weapons, Their Munitions and Other Related Material.