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Joint newsletter of the UN Joint Vision Programme 2 Access to Justice and Human Rights



Editorial

This issue of *2gether* largely focuses on the work of UN Joint Vision Programme 2 partners in the area of administration of justice, security and law enforcement. We believe in the importance of "working together", and the most substantial and largest joint activity so far - the revision of the Police Training School curriculum - is presented in this edition's lead story.

In addition, in the last months Programme 2 members have conducted several other activities to promote human rights and access to justice and support the security sector. UNIPSIL/OHCHR has recently launched a public report on the situation of detention in Sierra Leone. UNDP and UNICEF supported in various ways the fight against Sexual and Gender Based Violence (SGBV) with key achievements such as the launching of the National Referral Protocol for SGBV victims and the enactment of the Sexual Offences Act 2012. Progress in the development of a new Child Justice Strategy as well as child protection training to the police also feature in this issue.

In addition, you will read about the completion of the reparation programme to war victims managed by IOM and the successful release of the report by the Human Rights Commission on its second ever public hearing in execution of its quasi-judicial mandate. As usual, we hope readers will find this fourth issue of *2gether* interesting and useful.

UNJV2 jointly supports Sierra Leone Police

Programme 2 partners and ASJP promote a revision of the training curriculum of the Police Training School to better include human rights



The participants in the first workshop to review the existing curriculum at Kona Lodge

FREETOWN - The UN Joint Vision Programme 2 partners (UNDP Access to Justice Programme, UNICEF Child Protection section and UNIPSIL Human Rights Section/OHCHR) together with the DFID-funded Access to Security and Justice Programme (ASJP) agreed on joint support to build the capacity of the Police Training School at the request of the Sierra Leone Police (SLP). The support is specifically geared

curriculum for new recruits. The areas covered will be human rights, children's rights, sexual and gender-based violence (SGBV), and community policing. Training is provided by the Police Training School in Hastings for all newly recruited police officers. The current training manual was reviewed and revised in 2008 but requires additional customisation to the context of Sierra Leone.

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UNJV2 jointly supports Sierra Leone Police

The review is an opportunity to better integrate human rights and community policing in police training

It also needs to be updated to reflect recent changes in the law, particularly the new Sexual Offences Act (2012). Furthermore, the number of training hours allocated to each subject in the training manual is insufficient.

The SLP has committed to extending basic recruit training from three to six months, starting in 2012, as part of its Strategic Plan 2012-2014. This will require a revision of both the training content and the methodology used. The revision will focus on building core competencies and promoting appropriate attitudes and practices with an increased time allocation. This will provide an opportunity to explore how principles of human rights and community policing can be better integrated throughout the curriculum, and to introduce expanded modules on special issues relating



Participants discuss on the basic concepts a police recruit should master

to women and children. It will also provide an opportunity to explore the introduction of more participatory training techniques aimed at building

the knowledge, attitudes and skills needed for effective policing.

The project will be led by the SLP Training Unit in collaboration with relevant officers from the Police Training School (PTS) to ensure full ownership of the SLP. The manual is expected to be finalised and endorsed by the SLP in 2013 and will be followed by a training for trainers.

The UNJV Programme 2 team believes in the importance of "working together", which has resulted in a number of activities delivered jointly such as provision of training. This project is the most substantial and largest joint activity to support government institutions at policy-level which will produce one clear deliverable. In addition, through coordination meetings led by the Justice Sector Coordination Office (JSCO), one of the largest development partners in the justice sector, the DFID-funded Access to Security and Justice Programme (ASJP), also joined the initiative. The extended joint approach will ensure coordination, maximum utilization of limited resources and maximum impact.

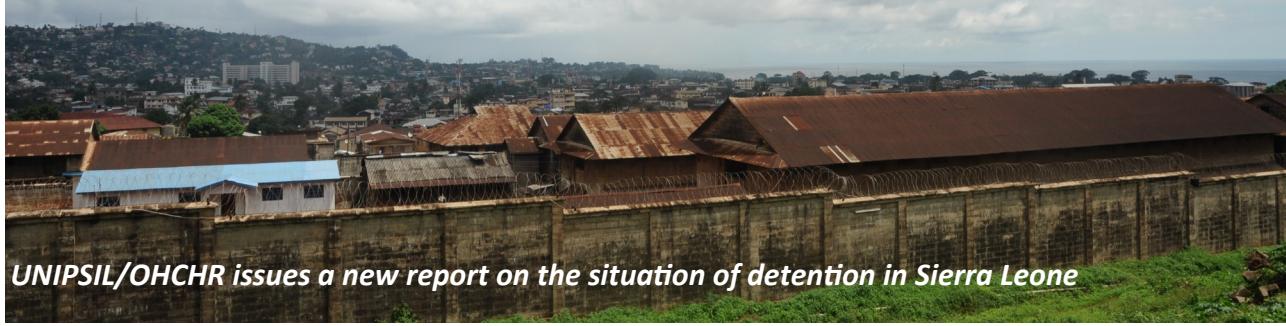
The need for an independent police complaint mechanism

The establishment of an independent police oversight mechanism in Sierra Leone has been debated for a long time. Examples from all around the world show that impunity for past violations is one of the most important causes of continued abuse of power by security sector actors. Recent incidents of excessive use of lethal force by the Sierra Leone Police, and particularly the Operation Support Division (OSD), have reminded the public of the urgent need to enhance the accountability through an external oversight mechanism. Such mechanism would provide an important complement to internal police investigations, internal discipline, the criminal justice system, and legislative oversight.

In the framework of the Universal Periodic Review (UPR) which the Government successfully completed in 2011 in Geneva, Sierra Leone accepted a recommendation to "establish as soon as possible an Independent Police Board". In addition, the most recent Security Council Resolution 2065 (2012) renewing the mandate of UNIPSIL, urged the Government "to accelerate efforts to establish the Independent Police Complaints Commission".

Welcoming the peaceful conduct of the recent elections and the professionalism shown to a large extent by the Police in ensuring everyone's security, the UNJV2 partners encourage the Government of Sierra Leone to ensure that the 'political will' becomes a reality and to establish the long awaited mechanism as a priority.

Opening minds to rights behind bars



UNIPSIL/OHCHR issues a new report on the situation of detention in Sierra Leone

Supporting improvements in the corrections system is part of the mandate of the Human Rights Section of UNIPSIL (UNIPSIL HRS). In the framework of its cooperation with the Ministry of Internal Affairs and the Prisons Service, the Section conducts periodic monitoring of prisons and other detention facilities, engages relevant authorities on the findings, and provides technical assistance for the improvement of prisons as well as capacity building to personnel of prisons, police and local courts.

In order to assist the Government and development partners in designing more sustainable and impact-oriented interventions, in the first semester 2012 UNIPSIL HRS visited all the 17 prisons of the country, the three detention centres for juveniles and a number of police cells and local court cells in all the regions. UNIPSIL HRS also conducted individual interviews with inmates and prisons officers, and discussed findings with justice sector authorities, relevant ministries and development partners. The results of this analysis have been used to produce a joint public report by UNIPSIL and the Office of the High Commissioner for Human Rights (OHCHR) with the title *"Opening minds to rights behind bars"*.

The study builds on a 2007 report launched with the title *"Behind Walls: An Inventory and Assessment of Prisons in Sierra Leone"* by UNIOSIL, the then UN mission in Sierra Leone. *Behind walls* made recommendations which contributed in informing a UN Peacebuilding Fund intervention of US\$ 1,5 million. The new report assesses the extent of the implementation of the recommendations and the progress made by past capacity building interventions, while broadening the scope of the analysis to other detention facilities. The main objective of the study is to identify areas for further support and have an up to-date position for advocacy, policy and decision making in the corrections system and administration of justice.

The report reviews the legal and institutional framework

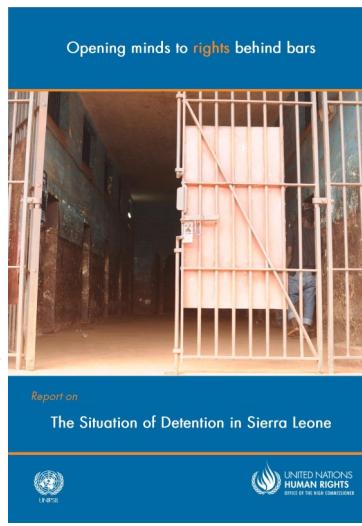
of Sierra Leone in light of relevant international human rights standards and the country's obligations; it provides an objective assessment of the state of the infrastructure and the conditions of detention; it also analyses access to justice and justice reform issues within the corrections system, and examines organizational reform measures, gaps and human rights implications; finally, the report assesses the effectiveness of recent technical assistance and capacity building interventions.

Poor infrastructural conditions and lack of maintenance make the prisons, and more often the police cells, largely unfit to meet international standards. Lack of lighting, furniture, beds, sanitary and medical facilities are often the rule rather than the exception. Access to food and drinking water is often inadequate, poor hygiene negatively impacts on the health of the prisoners and medical care is limited. Different categories of prisoners are often

held together, while superficial age assessment procedures sometimes cause that juveniles are mixed with adults.

The prisons management has a degree of responsibility over the shortcomings mentioned above and has expressed the commitment to address both immediate and long terms challenges. However, sustainable solutions of many of these problems can only come by looking at the correction system in the light of the whole justice sector, from the arrest to the sentence. A significant part of the population in prison has been convicted for minor offences, such as traffic offences, loitering, or false pretence, thus contributing to overcrowding the

facilities and adding a burden on the limited resources allocated to the prison service. In addition, limited access to bail, the absence of magistrates and the irregularity of court sittings make those on remand wait even more than a year to appear before the court. Crucial recommendations of the report are therefore directed to tackling the perennial malfunctioning in the administration of justice.



SGBV Grants - Linking FSUs with Communities



Pupils of the Binkolo Secondary School, Bombali District, attending an outreach activity

Since late 2009 UNDP has supported CSOs nationwide through SGBV Grants in order to raise awareness of SGBV, promote community level prevention mechanisms and provide legal and practical support to victims. The support provided to CSOs through these SGBV Grants falls directly within the first 3 outputs of SiLNAP (dealing with the prevention, protection and prosecution of SGBV cases) and is a vital component of the Government's strategy to eliminate violence against women.

In September and October 2012 UNDP piloted a new awareness raising activity implemented jointly between Family Support Units of the SLP and CSOs. The joint activity involves outreach to schools and community leaders to raise awareness on how to protect women and girls from SGBV and to establish local partnerships for effective action. This pilot activity included 54 schools across 46 communities with a total number of 8,022 students, teachers and traditional leaders sensitized on issues of SGBV, sexual exploitation and harassment in schools, early marriage and harmful traditional practices such as FGM/C.

The students of Saint Joseph Secondary School Blama, Small Bo in the Kenema District during the joint ses-

sion with the FSU disclosed to the facilitators that previous sexual advances and exploitation by their teachers were reported to school authorities with no action taken. "Whenever we complain about one of our teachers to the Principal, he will always ask us to come back later to explain what happened; we always have the feeling that no one was listening to us", lamented a 15year-old girl from the school. As one of the female students put it during the UNDP monitoring visit to the Saint Michael Secondary School, "We rely on our teachers to assist us learn and grow and not to force us to have sex in return for good grades." As a response, the FSU and HUWASAL, the implementing CSO, strengthened the knowledge of students and teachers on the laws that criminalize the offences highlighted and explained how to approach the FSU and the CSO partner to report complaints. A teacher of the Saint Michael Secondary School Baima, Mandu in Kailahun District, revealed to the UNDP Monitoring Team that "There are several traditional practices that allow sexual harassment and I am pleased the facilitators brought them out during the training." "This is useful information for students to take home", she concluded.

This activity which creates a vital link between communities and the FSU in the fight to prevent SGBV will be enhanced by UNDP in 2013-14.

UPDATE

UNJV2 SUPPORTS THE ENACTMENT OF THE SEXUAL OFFENCES ACT

On 23rd August 2012 the Sierra Leone Parliament enacted the Sexual Offences Act. The Act builds upon the 2007 and 2009 Gender Laws, and has been noted as a progressive and modern piece of legislation which reflects the Government's strong commitment to protecting women's rights and combating SGBV. In particular the Act raises the age of sexual consent to 18 years, prohibits marriage being used as a defence to rape and provides for tough sanctions- particularly for offences against minors.

The UN Joint Vision 2 members including UNIPSIL, UNDP and UNICEF provided both technical and logistical support throughout the process of drafting and passing the Act through a coordinated approach led by the National Committee on Gender-Based Violence (NAC-GBV) within the Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA).

Having successfully supported the passing of the Act, the Government of Sierra Leone (GoSL) and its development partners are now faced with the challenge of ensuring that the Act is implemented countrywide especially in rural communities as part of overall efforts to prevent SGBV in the country. The UN through its Transitional Joint Vision for 2013-14 will promote implementation of the Sexual Offences Act 2012 through capacity building support, legal awareness initiatives and direct support to victims of SGBV.

MSWGCA and partners launch Referral Protocol for SGBV victims

On 19th October, 2012, the Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA) and its partners launched the National Referral Protocol for Victims and Survivors of Gender-based Violence (GBV) at the Hill Valley Hotel. The protocol was signed by all key line ministries demonstrating the commitment of the MSWGCA, Ministry of Health and Sanitation (MOHS), Ministry of Education, Science and Technology (MEST), Ministry of Internal Affairs, Ministry of Finance and Development Planning, Ministry of Local Government and Rural Development, Family Support Units (FSU) of the Sierra Leone Police (SLP) and non-governmental organizations (NGOs). One of key policy level achievements in the protocol was that the government showed commitment to the provision of free medical examinations and care to victims.

The protocol for victims and survivors of GBV promotes a coordinated, interagency approach to the response, prevention, implementation and monitoring of GBV. It will work to build strong linkages between implementing institutions and organizations such as the legal, health, education, medical and social services, in order to deal holistically with GBV issues. Additionally, value will be added to services and strategies already in place, ensuring that duplication of activities is reduced and gaps are filled. With the commitment of all the relevant line ministries, this policy will make a difference to every woman, man and child in Sierra Leone.

Development of the national referral protocol started in 2007 with support from UNICEF and with the aim of having a national framework that ensures coordinated services for child victims of SGBV. The protocol aimed to ensure that child victims of GBV and all forms of child abuse receive a prompt and comprehensive response from service providers, from the first point of contact onwards.

The initial draft was piloted in Kenema, Bombali and Koinadugu Districts between July 2007 and January 2008. Between 2009 and 2010, health service providers were trained on the referral protocol, starting with the provision of medical examinations, provision of drugs, writing of medical reports,

attending court sessions during prosecution and referring for further action. This process was also used as an advocacy tool for the provision of free medical services to victims. The national referral protocol has a referral pathway which shows the general linkages among the different agencies for the provision of services to victims and survivors of GBV.

In 2010, the Minister for Social Welfare, suggested that the protocol should not just be limited to child victims of SGBV and to extend the scope of the national referral protocol to include adult victims. The process of review and validation was a national multi-sectoral programme coordinated by MSWGCA and included other ministries, government bodies, NGOs, UN agencies, traditional and religious leaders, and civil society organizations (CSOs). The development of the referral protocol was coordinated by the National Committee on Gender-based Violence (NAC-GBV) which was established in November 2006. It was formed to avoid duplication of efforts, to address prevention and response to GBV in a coordinated manner and to develop sustainable ways of introducing and integrating GBV services and activities into the public health system and other national structures. NAC-GBV is hosted within the MSWGCA and is chaired by its Minister and co-chaired by the Assistant Inspector General of the Sierra Leone Police in charge of Crime Services (AIG/CID). The committee membership includes government agencies, service providers and civil society organizations. There are regional Gender-Based Violence Committees in the North, South and Eastern Provinces of the country. The GBV Committees comprise of government institutions, the UN system, and international and national non-governmental organisations working in prevention and response to gender-based violence across the country .



Launch of the referral protocol. At the center, the Honorable Minister of Social Welfare, Gender and Children's Affairs

WAR VICTIMS RECEIVE JUSTICES THROUGH REPARATION



War victim receiving cash reparation payment in Magburaka, Tonkolili District

Ensuring access to justice, redress and assistance to victims of conflict represents integral part of post-conflict peace consolidation and stabilization efforts, as well as precondition for addressing past or prevent future forced displacement. In Sierra Leone, the signing of the Lomé Peace Agreement in 1999 in principle heralded the end of the 10 year conflict in the country. In a bid to make peace more permanent, the Sierra Leone Government established a Truth and Reconciliation Commission (TRC), as provided for in Article VI paragraph 2(six) of the Peace Agreement, to address the causes and victims of the war. Consequent upon its mandate, the TRC report recommended the establishment of a Reparations Program to be implemented by the National Commission for Social Action (NaCSA). This programme to a very large extent was to kick-start the process of addressing the needs of the victims irrespective of the type of harm they suffered and meet the obligations of the Government, as specified in the Lomé Peace Accord and recommended in TRC Report.

Recognizing the importance of reparations in the peace building and reconciliation process, the United Nations Peace Building Fund (PBF) provided, through the International Organization for Migration (IOM), a seed fund of US \$ 3,000,000 to enable NaCSA start the implementation of the Reparations Programme. A further US \$ 450,000 was provided by the PBF for the reparations programme in 2010. With the PBF support, IOM has facilitated the establishment of a Reparations Directorate within NaCSA and has also established the logistics capacity for the directorate to implement the programme.

NaCSA with oversight from IOM validated over 33,000 registered war victims. Two payment rounds of micro-grants in 2009 and 2011 enabled the programme to

reach out to 70% of the registered war victims. The payments ranged from \$ 80 to \$ 300 depending on the nature of the abuse and vulnerability of the victim. The payments are meant to meet the immediate needs of the victim and start up a small scale business. Emergency medical assistance was also provided to highly vulnerable victims to treat various gynecological, fistula and surgical problem. Beside the efforts by the Government of Sierra Leone and the international community, the victims of the Sierra Leone conflict remain in extremely difficult economic and

social position. Failure to provide reparations to the remaining 30% of registered war victims would have had a negative impact for the peace and reconciliation as the conditions of the remaining victims were in stark contrast to the other victims who had received reparations, or to the former war combatants who had benefited from the DDR process. This could fuel the feeling of grudge among the unpaid war victims and would erode the gains that have been made by the reparations and other reconciliation processes. It is against this back drop that the PBF provided in 2012 through the IOM \$ 1,100,000 to reach out to all the remaining war victims. The start of the final payment round came one day before 26 June which is the UN International Day in Support to Victims of Torture.



NaCSA staff issuing payment slips to war victims in Port Loko

A Child Justice Strategy for 2013-2017

In 2012, the Justice Sector Coordination Office (JSO) and Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA) took the lead in the development of the Child Justice Strategy with support from UNICEF. The final draft is now ready for approval from the Technical Working Group for the Justice Sector Reform Strategy and the leadership group led by the Vice President.

The Government of Sierra Leone is committed to improving access to justice, human rights and the rule of law for all citizens, including children. With approximately 51% of the population under the age of 18, ensuring that children are integrated in to broader justice reform and have access to fair, transparent and child-sensitive justice systems through which they can enforce and protect their rights will result in a stronger and better justice system.

In 2006, the government introduced a five-year National Child Justice Strategy aimed at ensuring commensurate, fair, effective and efficient justice for every child in contact or at risk of contact with the criminal justice system. Between 2006 and 2012, significant progress was made in strengthening the child justice system, however many challenges remain and a number of aspects of the 2006 strategy could not be effectively implemented.

The recently developed Child Justice Strategy 2013-2017 provides the overarching framework for co-ordinated implementation of child justice reforms. It outlines the agreed principles that should guide the national child justice system, ensuring that public safety objectives are met while protecting the rights of the child and respecting the country's commitments under the Convention on the Rights of the Child (CRC). The strategy identifies key strategic outcomes to be achieved in the coming years, and sets out a concrete set of activities needed for incremental reform of the national child justice system, in line with the government's broader justice sector reform plans.

UPDATE

Updates on the Saturday Courts and Mobile Courts in the South

2500 OSD officers trained on child protection

In June 2012, the Sierra Leone Police Training Department organised a two-day public order training for 2,500 officers from the Operation Support Division (OSD) and General Duty Division. The training was held nationwide with support from UNIPSIL and funded by the UNDP Election Basket Fund. The training included sessions on human rights, legal use of force and fire arms, public order offences, and some physical exercises. UNICEF, in collaboration with Save the Children, delivered a session on child protection. Prior to the training OSD training officers and child protection experts worked together to develop a training manual. The manual was designed to provide concrete messages in which child rights principles have been well translated in to specific actions that OSD officers are expected to undertake or refrain from to protect children. This approach, focusing on skills-based training and sending clear messages on specific actions to be/ not to be taken rather than introducing conceptual ideas such as children's rights, has proved to be effective in other contexts. A pocket card with practical information about the role of police and OSD officers and guiding principles in relation to child protection was also distributed. In 2012, there were a few incidents in which children and young people were involved in operations undertaken by the OSD. This training session was designed and delivered to improve the capacity of the OSD to protect children's rights in the process of the 2012 elections.

UNDP has supported SGBV Saturday Courts in Freetown since February 2011. In October 2012 the SGBV Saturday Courts were expanded to Bo and the Judiciary is exploring the possibility of expanding to Makeni. These courts, at Magistrate and High Court level, are aimed at providing a victim friendly environment on Saturdays (when no other courts are sitting) and also at ensuring that SGBV cases are dealt with as expediently as possible. Up to June 2012 at Magistrate Court level 673 SGBV cases were registered with 356 of them disposed of while 63 cases were registered at High Court level with 35 of them disposed of. In total 53 convictions have been obtained. SGBV Saturday Courts are an integral part of UNDP's work to combat SGBV alongside activities to establish prevention mechanisms, provide victim support, legal assistance and build capacity of the SLP to investigate crimes.

Through UNDP support to Mobile Courts at High Court and Magistrate Court level in the southern region of the country since September 2010 more than 979 cases have been registered with more than 565 cases resolved. Importantly on an average monthly basis the number of cases being registered has grown from 32.5 originally to 52.4 by June 2012. Although further analysis is planned on the impact of Mobile Courts it is clear, through the growth in case numbers, that they are bringing increased justice to rural communities and promoting the rule of law.

In early 2013 UNDP's Bureau for Crisis Prevention and Recovery (BCPR) will conduct a review of the impact of Mobile Courts in Sierra Leone as part of UNDP's comprehensive assessment process into the impact of Access to Justice activities.

The Human Rights Commission of Sierra Leone (HRCNL) made another landmark step on 26th September, when it launched the report on its second ever Public Inquiry into the alleged human rights violations in Bumbuna. The public inquiry, based on the Commission's quasi-judicial mandate, commenced on the 1st June and included a public hearing held in Bumbuna from 16th to 20th July, where a total of 41 witnesses testified. The report found that the Police overreacted to the protest action by African Mineral Ltd (AML) workers and used disproportionate force including live ammunition, resulting in the death of one lady and the severe wounding of others. The report highlighted that there were evidences of sexual and gender based violence, arbitrary arrest and detention, inhuman, cruel and degrading treatment. The Commission also confirmed that the freedom of association of the workers of AML had been violated. The report issued recommendations to the police (publicly acknowledge and apologise for the misconduct, investigate police officers involved in the incident, review the relationship between the OSD and the general duty police, expedite the establishment of an Independent Police Complaints Commission/Board), AML, the Ministry of labor and Social Security, the Office of the Attorney General and Minister of Justice, and several other institutions. The Commission directed the Government to take steps to connect the homes and businesses of Bumbuna to the Bumbuna Hydro electricity supply, to repair the roof of the Bumbuna market, to make medical and psychological treatment available to victims at government expenses, to upgrade the Bumbuna Community Health Centre and to quantify and determine the levels of compensation deserved by individual victims. On 9th October, in response to the first recommendation, the Assistant Inspector General of the Police acknowledged the wrongs done and apologized on behalf of the SLP in a round table held in Bumbuna. UNIPSIL, Irish Aid and UNDP have provided crucial support to strengthen the quasi-judicial capacity of the HRCNL.

What is the Joint Vision Programme 2?

The UN organizations, agencies and programmes working in Sierra Leone, recognizing their joint responsibility for a fully integrated peace building mission, agreed in May 2009 to combine efforts and resources behind the UN Joint Vision for Sierra Leone. The Joint Vision establishes the general framework of the UN family cooperation and sets a number of tangible benchmarks meant to guide the UN contribution to the implementation of the Sierra Leone's Government Second Poverty Reduction Strategy Paper, also known as 'Agenda for Change'. Within this framework, promoting rule of law and strengthening the justice system was considered essen-

tial in the consolidation of peace and stability and was formalized in one of the twenty-one programmes through which the Joint Vision is being implemented. The Joint Vision Programme 2, entitled "Access to Justice and Human Rights", is composed of UNIPSIL Human Rights Section/OHCHR, UNICEF, IOM and UNDP, which is also the lead agency. National counterparts are the Attorney General and Ministry of Justice, the Justice Sector Coordination Office and the Human Rights Commission of Sierra Leone (HRCNL), while DFID and Irish Aid are the development partners supporting the programme.

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