



AFRICAN PEER REVIEW MECHANISM

APRM COUNTRY REVIEW REPORT
NO. 15

REPUBLIC OF SIERRA LEONE

JANUARY 2012



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FOREWORD

It gives me great pleasure to present the APRM Country Review Report together with the National Programme of Action of the Republic of Sierra Leone, the fifteenth African Peer Review Mechanism (APRM) Member State to complete its self-assessment and peer review.

Sierra Leone acceded to the APRM on 4 July 2004, soon after the consolidation of peace and the commencement of the national reconstruction process, at the end of the ten-year civil war that engulfed the country from 1991 to 2001. This laudable achievement underlines Sierra Leone's commitment to improving governance and sharing experiences with other African countries to prevent a repetition of war and conflict elsewhere on the Continent.

The Review Report of Sierra Leone will be launched in 2013, the year that also marks the 10th Anniversary of the APRM. It will be recalled that the APRM was established on 9 March 2003 at the 6th Summit Meeting of the NEPAD Heads of State and Government Implementation Committee (HSGIC) Meeting in Abuja, Nigeria, where the Heads of State and Government adopted the Memorandum of Understanding (MOU) on the APRM.

As a voluntary instrument conceived by Africans for Africans, the APRM is an unequalled governance tool that has made considerable progress since its inception. Nevertheless, much remains to be done with regard to the execution of its mandate. In this context, more efforts have to be geared towards strengthening and revamping the national APRM organs such as the National Governing Councils, to ensure the inclusiveness of the APRM reviews, and secure inputs to national priorities from civil society and the private sector, in conformity with the APRM principles of broad-based national participation and consultation.

For Sierra Leone, the challenge ahead includes successful implementation of the National Programme of Action (NPOA) emanating from the Peer Review and this Country Review Report. The Forum will receive Annual Progress Reports in this regard, and I look forward, with great interest, to the progress envisaged as Sierra Leone undertakes the implementation of its National Programme of Action.

I would like to thank the Government and People of the Republic of Sierra Leone for the demonstration of national leadership, determination and commitment that have enabled us to reach this stage of implementation of the Mechanism.

I extend the same gratitude to my Peers in the APR Forum, the Panel of Eminent Persons, the APRM Secretariat, and the Strategic Partners of the APRM - United Nations Development Programme Regional Bureau for Africa (UNDP-RBA), United Nations Economic Commission for Africa (UNECA) and African Development Bank (AfDB) - for their invaluable contribution to the success of this review.



H.E. Hailemariam Desalegn
Chairperson of the APR Forum

COUNTRIES PARTICIPATING IN THE AFRICAN PEER REVIEW MECHANISM (APRM)

APRM participating countries

The countries participating in the APRM as of 28 January 2012 are:

Algeria, Angola, Benin, Burkina Faso, Cameroon, Republic of Congo, Djibouti, Egypt, Ethiopia, Gabon, Ghana, Kenya, Lesotho, Liberia, Malawi, Mali, Mauritius, Mauritania, Mozambique, Nigeria, Rwanda, São Tomé and Príncipe, Senegal, Sierra Leone, South Africa, Sudan, Tanzania, Togo, Uganda and Zambia.

African Peer Review (APR) Panel of Eminent Persons

Professor Mohammed-Séghir Babès from Algeria, representing North Africa
(Chairperson)

Barrister Julienne Ondziel Gnelenga from the Republic of Congo, representing Central Africa
(Vice Chairperson)

Barrister Akere Tabeng Muna from Cameroon, representing Central Africa
(Lead Panel Member for the Sierra Leone Review Process)

Professor Amos Sawyer from Liberia, representing West Africa
(Member)

APR Secretariat

Mr. Assefa Shifa
Chief Executive Officer
APRM Secretariat
P.O. Box 1234, Halfway House
Midrand 1685 South Africa
Tel: +2711 256 3401
www.aprm-international.org/aprm



ACKNOWLEDGEMENTS

The APR Panel of Eminent Persons is pleased to present the APRM Country Review Report on Sierra Leone. This report is the result of the unflinching support of the authorities of Sierra Leone, led by His Excellency Dr. Ernest Bai Koroma, who launched the process and inaugurated a 23-member National Governing Council (NGC) to lead, direct and guide the APRM process in Sierra Leone in September 2008.

The APR Panel acknowledges the important role played by the APRM National Focal Point and Minister of Presidential and Public Affairs, Alhaji Alpha Sahid Bakar Kanu, who assisted the NGC and its Chairperson, Dr. Osman Gbla, to ensure that the Country Self-Assessment Report (CSAR) was completed within the shortest possible time and with the highest quality standards. Dr. Gbla and his team at the NGC worked indefatigably to ensure that both the Country Self-Assessment Report and the Country Review Report faithfully reflected the diversity of domestic opinion about governance and socio-economic development in Sierra Leone.

This Country Review Report is also the culmination of several months of dedicated effort deployed by a team of distinguished African experts who worked under the guidance of Barrister Akere Muna, the Lead Panel Member in charge of the Review Process of Sierra Leone, and the overall direction of the APR Panel. The team included individuals from twelve countries representing all the sub-regions of Africa, as well as members of the APR Secretariat, who provided technical and administrative support to the review process, and representatives from strategic partner institutions and independent experts, namely: Dr. Bernard Dasah, Prof. Adele Jinadu, Prof. Alex Gboyega, Ms. Jacinta Muteshi, Mr. Victor Brobbey, Prof. Nehemiah Osoro, Prof. Elsabé Loots, Mr. Donatien Bihute, Mr. Leo Kibirango, Dr. Winnie Tarinyeba-Kiryabwire, Mr. Pierre Demba, Ms. Zemenay Lakew, Mr. Lemma Marid, Dr. Kojo Busia, Ms. Amy Touré, Dr. Adam Elhiraika, Mr. Dawit Makonnen, Mr. Dalmar Jama and Ms. Arlette Yemek.

The APR Panel noted, with satisfaction, the unstinting devotion demonstrated by the Strategic Partners of the APRM: the African Development Bank (AfDB), the United Nations Development Programme Regional Bureau for Africa (UNDP-RBA) and the United Nations Economic Commission for Africa (UNECA). The Panel avails itself of this opportunity to express its sincere gratitude to the three institutions for the constant and unconditional support they have been providing to the APRM since the establishment of the continental Mechanism in 2003. The Panel also commends Messrs Donald Kaberuka, Tegegnetwork Gettu and Abdoulie Janneh - Heads of the strategic partner institutions respectively – for their able leadership.

In conclusion, the APR Panel thanks Mr. Assefa Shifa, the Chief Executive Officer of the APRM Secretariat, for efficiently supervising the managerial, administrative and editorial staff involved in the revision, editorial, translation, and communication services that culminated in the production of this Review Report. Their dedication and efforts are warmly acknowledged.



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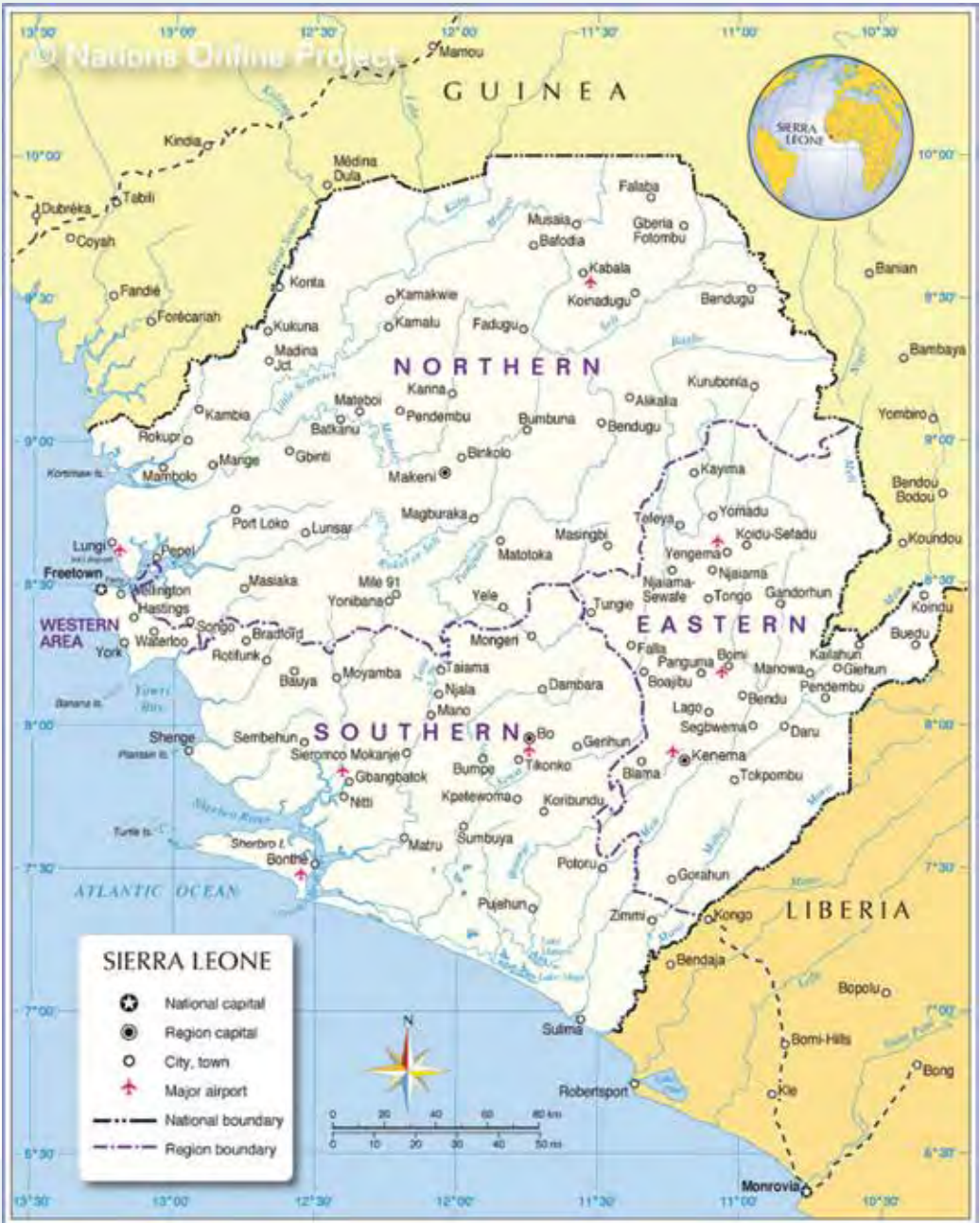
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MAP OF SIERRA LEONE



Source: Nations Online Project Map, http://www.nationsonline.org/oneworld/map/sierra_leone_map.htm

COUNTRY FACT SHEET

Location	West Africa, bordering the North Atlantic Ocean, between Guinea and Liberia
Total Area	Total: 71,740 sq km Land: 71,620 sq km Forest area: 27,260 sq. km ¹ Water: 120 sq km
Population	5.6 million
Capital	Freetown
Main Towns	Bo, Kenema, Makeni, Koidu
Land Use	Arable land: 7.95 per cent; Permanent crops: 1.05 per cent Other crops: 91 per cent (2005)
Independence	Sierra Leone gained her independence from Britain on 27 th April 1961
National Flag	Three equal horizontal bands of Green (top), White and Blue; Green symbolises agriculture, mountains and natural resources; White represents unity and justice; and Blue, the sea and the natural harbour in Freetown.
Executive	Head of State: H.E. Ernest Bai KOROMA (President since 17 September 2007); Vice-President – H.E. Samuel Sam-Sumana (since 17 September 2007); Head of Government: President Ernest Bai KOROMA (since 17 September 2007) Cabinet: Ministers of State appointed by the President with the approval of Parliament; the Cabinet is responsible to the President
Political Parties	All People's Congress or APC [Ruling Party led by Ernest Bai KOROMA]; Peace and Liberation Party or PLP [Darlington MORRISON]; People's Movement for Democratic Change or PMDC [Charles MARGAI]; Sierra Leone People's Party or SLPP [John BENJAMIN]; and several others
Parliament	Unicameral Parliament (124 seats; 112 members elected by popular vote, 12 filled by paramount chiefs elected in separate elections; members to serve five-year terms with possible re-election) Elections: last held on 11 August 2007 (next elections scheduled for 2012) Election results: percentage of votes won per Party - NA; Seats by Party - APC 59, SLPP 43, PMDC 10



Elections	<p>President: elected by popular vote for a five-year term with two-term limit; elections last held on 11 August 2007 and 8 September 2007 (next elections scheduled for 2012)</p> <p>Election results: second - round results; percentage of votes - Ernest Bai KOROMA 54.6 per cent, Solomon BEREWA 45.4 per cent.</p>
Judiciary	Supreme Court (the final court of appeal); Appeal Court; High Court
Legal System	Mixed Legal System comprising English Common Law and Customary Law
Administration	<p>3 Provinces and 1 Area: Eastern Province; Northern Province; Southern Province and Western Area</p> <p>Provincial Capitals: Kenema (Eastern Province); Makeni (Northern Province); Bo (Southern Province).</p> <p>Centralised administrative system with divisions into provinces and 14 districts.</p>
Ethnic groups	Temne 35 per cent, Mende 31 per cent , Limba 8 per cent, Kono 5 per cent, Creole 2 per cent, Mandingo 2 per cent , Loko 2 per cent; Others 15 per cent (including Lebanese (2008 census).
Religions	Muslim 60 per cent, Christian 30 per cent, Indigenous beliefs 10 per cent
Languages	English (official), Mende, Temne, Creole
Literacy	<p>Population of age 15 and over can read and write English</p> <p>Total population: 80.6%</p> <p>Male: 86.8%</p> <p>Female youth (% of female aged 15-24) 67.5%</p>
Natural Resources	Diamonds, Titanium Ore (Rutile), Bauxite, Gold, Iron Ore, Manganese, Cocoa, Coffee, Fish
Exports and Export partners	<p>Main Exports: Diamonds, Rutile, Cocoa, Coffee, Fish</p> <p>Export Partners: Belgium 26.56%, US 11.87%, Netherlands 7.91%, UK 7.4%, India 6.67%, Côte d'Ivoire 6.13%, Greece 4.05% (2009)</p>
Imports and Import partners	<p>Imports: Foodstuffs, Machinery and Equipment, Fuels and Lubricants, Chemicals</p> <p>Import partners: South Africa 14.61%, China 7.58%, USA 5.87%, Côte d'Ivoire 5.65%, India 5.19%, Malaysia 5.19%, France 5.08%, UK 4.48%, Netherlands 4.06% (2009)</p>

Source: World Bank, World Development Indicators (www.data.worldbank.org/indicator)

SOCIAL AND ECONOMIC INDICATORS

Indicators	Year	Unit	Value
Surface area	2008	km ²	71620
Economic Indicators			
CPI inflation	Sep-10	%	18
Budget balance	2010	% GDP	-4.6
Currency Leone (SLL)	2011	USD	4319
GDP: (million current US\$)	2008		2324
GDP: Growth rate (Annual percentage)	2010	%	4.5
GDP per capita (current US\$)	2008	USD	351
GNI: Gross national Income per capita (current US\$)	Jun-05	USD	403
Gross fixed capital formation (% of GDP)	2008	% GDP	14.5
Balance of payments, current account (Percentage of GDP)	2010	%	-9
Unemployment (% of labour force)	2007	%	5.7
Social Indicators			
Population	2008	Million	5.6
Population density	2008	Per sq.km	77.5
Population growth rate	2008	%	2.5
Life expectancy at birth, total years	2008	years	48
Male		years	47
Female		years	50
Dependency ratio	2010	% of working age population	83
Total mobile cellular telephone subscribers	2010	%	13
Internet users	2008	per 100 inhabitants	0.3
Gross Primary School Enrolment	2007	%	147
Net Primary School Enrolment Ratio	2008	%	62
Male	2007	%	38
Female	2007	%	26
Illiteracy rate, percentage of population 15-24			
Female	2007	%	56
Male	2007	%	36

Health indicators			
HIV/AIDS Prevalence 15-24 year old pregnant Women	2011	%	1.5
Male (%)	2007	%	1.4
Female (%)	2007	%	1.7
Prevalence of HIV (% ages 15-24) Female	2009	%	1.5
Prevalence of HIV (% ages 15-24) Male	2009	%	0.6
TB treatment success	2009	1000	644
Proportion of 1 year old children immunised against measles	2010	%	59.7
Infant mortality rate 89 per 1000	2008	per 1000	56
Under-five Mortality Rate, 95 per 1000 live birth	2010		140
Maternal Mortality Rate per 100.000 live	2011	per 1000	857
Total fertility rate per women 15-49 years	2010	%	5.16
Contraceptive prevalence rate			
For Women (15-49) Modern Method	2008	%	6
For Women (15-49) Any Method	2008	%	8.2
Access to improved Sanitation (%)	2008	%	13
Access to improved water supply (%)	2008	%	49
Population living below National Poverty Line (%)	2007	%	60
Population earning below USD 1.25/day, per cent	2003	%	53
Deliveries assisted by skilled attendants (%)	2008	%	42.4
Life Expectancy at Birth	2009		
Female			49
Male			47

Source: SLIH, 2004 MIC, UNDP, USAID 2007, African Economic Outlook, The World Bank, World Development Indicators (www.data.worldbank.org/indicator)

GENDER PROFILE

Total Population	5.6 million
Female (% of total)	51.3
Youth Literacy Rate (2009):	
Female (% of Females between ages 15-24) ²	48
Male (% of Males Ages 15-24)	68
Primary Education completion rate (% of relevant age group):	
Female (2007)	75
Male (2007)	101
Total Fertility rate (births per woman) (2009)	5.2
Contraceptive prevalence (% of women between ages 15-49) (2008)	8
Teenage mothers (% of women between ages 15-19 who have had children or are currently pregnant) (2008)	34
Adolescent fertility rate (births per 1,000 women between ages 15-19) (2009)	124
Pregnant women receiving prenatal care (%) (2008)	87
Gender parity index, net primary enrolment, 2007, %	88
Gender parity index, net Secondary enrolment, 2007, %	66
Labour force, participation rate, 15-64 Female, 2006, %	59
Labour force, participation rate, 15-64 Male, 2006, %	95
Seats in Parliament held by Women, %, 2010	14.5
Ratio of girls to boys in primary education, 2010	1.01
Ratio of girls to boys in secondary education, 2010	0.78
Ratio of literate women to men 15-24 years old, 2010	0.63

Source: The World Bank, World Development Indicators (www.data.worldbank.org/indicator, SLIH, 2004 MIC, UNDP, USAID 2007, African Economic Outlook

2 Youth literacy rate is the percentage of people between ages 15-24 who can, with understanding, read and write a short, simple statement on their everyday life.

MILLENNIUM DEVELOPMENT GOAL (MDG) INDICATORS³

1	Eradicate extreme poverty and hunger	The proportion of the population living below the poverty line is established at about 60 per cent, against the 2015 target of 40 per cent, and is off track. The prevalence of underweight children at 2 per cent is on track to the 2015 target of zero per cent.
2	Achieve universal primary education	The proportion of children enrolled at primary level at approximately 62 per cent is below the 2015 target of 100 per cent.
3	Promote gender equality and empower women	The proportion of girls to boys at primary (1.01) and secondary (0.78) levels is on track to meet or exceed the 2015 goals
4	Reduce child mortality	The Under 5 Child mortality rate at 140 per 1000 may fall to the target 2015 goal of 95 per 1000 with increased and sustained effort. The infant mortality rate at 89 per 1000 and the proportion of 1 year old children immunised against measles, at 50.7 per cent, are also on track.
5	Improve maternal health	The maternal mortality rate at 857 per 100,000 is far from the 2015 MDG target of 450 per 100,000. This may be met with a scaled up and sustained effort.
6	Combat HIV/AIDS, malaria and other diseases	The HIV prevalence among 15 – 24 year old pregnant women at 1.5 per cent is on track to meet the target zero per cent. The targets for malaria and TB are unlikely to be met. For TB, world development indicators show a rising rate from 540 per 1,000 people in 2006 to 644 per 1,000 people in 2009. For malaria, the 2010 MDG report stipulated that 30.1 per cent had access to treatment against a target of 100.0 per cent.
7	Ensure environmental sustainability	The proportion of the population with access to potable water is 57 per cent, and is likely to reach the target 73 per cent. The proportion of the population with access to improved sanitation is 13 per cent, and is unlikely to reach the target 65 per cent.
8	Develop a global partnership for development	ODA levels remain stable at around US\$ 65 per capita. All Development Partners have endorsed Sierra Leone's <i>Agenda for Change</i> , and new support strategies are fully aligned with it.

3 For a more complete description, kindly refer to Table 6.3 in Chapter 6 on Socio-economic Development.

ACRONYMS AND ABBREVIATIONS

ACB	Association of Commercial Banks
ACC	Anti-Corruption Commission
ACDI/VOCA	Agricultural Cooperative Development International/Volunteers in Overseas Cooperative Assistance
ADSL	Asymmetric Digital Subscriber Line
AfDB	African Development Bank
APC	All People's Congress
APRM	African Peer Review Mechanism
ARV	Antiretroviral
AU-CPCC	African Union Convention on Preventing and Combating Corruption
BSL	Bank of Sierra Leone
CAADP	Comprehensive African Agriculture Development Programme
CAR	Coalition for African Rice Development
CBO	Community-based Organisation
CCE	Community Conversation and Enhancement
CDD	Community-Driven Development
CDMA	Code Division Multiple Access
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
CESPA	Centre for Economic and Social Policy Analysis
CG	Corporate Governance
CII	Centre for ICT Intelligence
CPI	Consumer Price Index
CRM	Country Review Mission
CSAR	Country Self-Assessment Report
CSO	Civil Society Organisation
DAC	District AIDS Community
DACDF	Diamond Area Community Development Fund
DBOC	District Budget Oversight Committees
DBOCs	District Budget Oversight Committees
DHMT	District Health Management Team
DHS	Demographic and Human Survey
DOTS	Directly Observed Treatment Short Course
DWG	District Working Groups

DWGS	District Working Groups
ECOMOG	Economic Community of West African States Monitoring Group
ECOWAS	Economic Community of West African States
EITI	Extractive Industries Transparency Initiative
EMIS	Education Management Information System
FBO	Farm-based Organisation
FDH	First Discount House
FSDP	Financial Sector Development Plan
FSU	Family Support Unit
GBV	Gender-based Violence
GDP	Gross Domestic Product
GF	Global Fund
GSL	Government of Sierra Leone
GST	Goods and Services Tax
HDI	Human Development Index
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome
HRH	Human Resources for Health
IAIS	International Association of Insurance Supervisors
IAS	International Auditing Standards
IASB	International Accounting Standards Board
IAUs	Internal Audit Units
ICP	Insurance Core Principles
ICT	Information and Communication Technology
IDA	International Development Association
IEC/BCC	Information, Education, Communication/Behaviour Change Communication
IFC	International Finance Corporation
IFMIS	Integrated Financial Management Information System
IFRS	International Financial Reporting Standards
ILO	International Labour Organisation
IMC	Independent Media Commission
INEC	Interim National Electoral Commission
IOSCO	International Organisation of Securities Commissions
IPSAS	International Public Sector Accounting Standards
ISA	International Standards on Auditing
ISP	Internet Service Provider

ISSAI	International Standards for Supreme Audit Institutions
ITN	Insecticide Treated Nets
JAS	Joint Assistance Strategy
JSS	Junior Secondary School
KP	Kimberly Process
LAN	Local Area Network
M&E	Monitoring and Evaluation
MAFFS	Ministry of Agriculture, Forestry and Food Security
MDAs	Ministries, Departments and Agencies
MDG	Millennium Development Goals
MDR-TB	Multi-drug resistant TB
MEST	Ministry of Education, Science and Technology
MEYS	Ministry of Education, Youth and Sport
MFMR	Ministry of Fishery and Marine Resources
MICS-III	Multiple-Indicator Cluster Survey
MIS	Management Information System
MLG	Ministry of Local Government
MoFED	Ministry of Finance and Economic Development
MoHS	Ministry of Health and Sanitation
MRU	Mano River Union
MSME	Micro Small and Medium Enterprises
MSWGCA	Ministry of Social Welfare, Gender and Children's Affairs
MTEF	Medium-Term Expenditure Framework
MW	Mega Watt
NAC	National AIDS Council
NaCSA	National Commission for Social Action
NAS	National AIDS Secretariat
NASSIT	National Social Security and Insurance Trust
NATCOM	National Telecommunications Commission
NATCOM	National Telecommunications Commission
NCD	National Commission for Democracy
NCP	National Commission for Privatisation
NDP	National Decentralisation Policy
NEC	National Electoral Commission
NGO	Non-Governmental Organisation

NHRC	National Human Rights Commission
NICTTF	National Information and Communication Technology Task Force
NPA	National Power Authority
NPPA	National Public Procurement Authority
NRA	National Revenue Authority
NRDS	National Rice Development Strategy
NSA	Non-State Actors
NSADP	National Sustainable Agricultural Development Programme
NSP	National Strategic Plan
NYC	National Youth Commission
OARG	Office of Administrator and Registrar General
ODA	Official Development Assistance
OECD	Organisation for Economic Cooperation and Development
OVC	Orphans and Vulnerable Children
PE	Public Enterprise
PETS	Expenditure Tracking Survey
PHU	Primary Health Care Unit
PLWA	People Living With AIDS
PMC	Project Management Community
PMTCT	Prevention of Mother - to - Child Transmission
PPRC	Political Parties Registration Commission
PRS	Poverty Reduction Strategy
PRSP-II	Second Generation Poverty Reduction Strategy Paper: Agenda for Change
PSR	Public Sector Reform
PSRU	Public Sector Reform Unit
PTSA	Parent-Teacher-Student Association
RUF	Revolutionary United Front
SCP	Smallholder Commercialisation Programme
SFC	Smallholder Farmers' Commercialisation
SLARI	Sierra Leone Agricultural Research Institute
SLIA	Sierra Leone Insurance Association
SLIBA	Sierra Leone Indigenous Business Association
SLICOM	Sierra Leone Insurance Commission
SLIHS	Sierra Leone Integrated Household Survey
SLLC	Sierra Leone Labour Congress



SLPP	Sierra Leone People's Party
SMC	School Management Committee
SMES	Small- and Medium-sized Enterprises
SMT	Senior Management Team
SOE	State-Owned Enterprise
SP	Social Protection
STI	Sexually Transmitted Infections
TB	Tuberculosis
TBA	Traditional Birth Attendants
TUC-SL	Trade Union Confederation of Sierra Leone
TVET	Technical Vocational Education and Training
UN	United Nations
UNAIDS	United Nations AIDS Programme
UNAMSIL	UN Peacekeeping Mission in Sierra Leone
UNCAC	United Nations Convention Against Corruption
VCCT	Voluntary Confidential Counselling and Testing
VIP Latrine	Ventilated Improved Pit Latrine
WAICA-RE	West African Insurance Companies Association-Reinsurance
WAMZ	West African Monetary Zone
WB	World Bank
WFP	World Food Programme
WFTU	World Federation of Trade Unions

EXECUTIVE SUMMARY

1. THE AFRICAN PEER REVIEW MECHANISM (APRM) PROCESS IN SIERRA LEONE⁴

- i. Sierra Leone acceded to the APRM on 8 July 2004. After the initial hiatus between the accession to and the commencement of the APRM process in Sierra Leone, events moved rather quickly, particularly with the ascendancy of a new Government in 2007. The Sierra Leone Government underlined its commitment to the process by ensuring that it was led by the Ministry of Presidential and Public Affairs (MPPA) as Focal Point, with the Minister as the National Focal Person.
- ii. A National Consultative Conference was launched in January 2006 in preparation for Sierra Leone's participation in the Sixth Africa Governance Forum held in Kigali, Rwanda, in May 2006. An interim National APRM Secretariat that was established thereafter, with support from UNDP, commenced the process of developing a Strategic Plan to operationalise the APRM, in September 2006.
- iii. Sierra Leone then embarked on a programme of regional sensitisation and capacity building consultations in late 2007. This process was slowed down by elections, and was re-started in 2008. From April to August 2008, regional consultations were held in the Northern, Southern and Eastern regions of the country.
- iv. The high point for the APRM process in Sierra Leone was attained on 15 September 2008 when the newly elected President, His Excellency Dr. Ernest Bai Koroma, inaugurated a 22-member National Governing Council (NGC) to lead, direct and guide the APRM process. Sierra Leone's NGC is broad-based in its membership and reflects diverse shades of opinion in the country, including representatives from women's groups, youth groups, government/state institutions, parastatals, traditional rulers, academia, civil society (including human rights activists), the private sector, unions, farmers, indigenous business, the media and faith-based groups. Early on, the NGC established a technical backstopping team of 8 sector experts to provide technical and professional research support to the process. The NGC created 3 sub-committees to lead its strategic work: the Education, Information and Sensitisation Committee;

4 This section is essentially an extract from the APRM Country Self-Assessment Report (CSAR) of Sierra Leone, (December 2010).

the Fund-raising Committee; and the Research & Planning Committee. The committees met frequently and reported to the NGC, which held meetings on a monthly basis.

- v. Key to the effective functioning of the NGC has been an independent APRM Secretariat. The location of the National APRM Secretariat at State House and under the purview of the Ministry of Presidential and Public Affairs was intended as an interim arrangement. By September 2009, the NGC had secured its own independent premises, officially opened in May 2010. It went on to appoint its own staff and take control of its budget as a subvented Government Agency. The National APRM Secretariat provides administrative support to the NGC and the APRM process as a whole.
- vi. The NGC also established APRM District Committees in each of the 14 administrative districts of Sierra Leone. These Committees helped decentralise the process by assisting with sensitisation, coordination and consultation at the District level.

APRM Support Mission

- vii. The APR Panel fielded a Country Support Mission to Sierra Leone from 31 August to 3 September 2010. The aim of the Support Mission was to:
 - review the structures that Sierra Leone had set up for the self-assessment process;
 - deliberate with the relevant stakeholders on the various structures in place and their expectations with respect to the review exercise, offering suggestions where necessary based on the experience in implementing the APRM thus far;
 - agree on a road map culminating in a review mission; and
 - sign the Memorandum of Understanding (MOU) for Technical Assessments between the Government of Sierra Leone and the African Peer Review (APR) Forum.

- viii. The Support Mission achieved all of its aims, and the Road map that was developed provided for the submission of the Country Self-Assessment Report (CSAR) to the APR Panel by the end of the year, to pave the way for the Country Review Mission. The Government subsequently submitted its Draft CSAR to the APR Panel within the agreed time frame.
- ix. In March 2011, the APR Panel appointed Barrister Akere Muna as the Lead Panel Member in charge of the Review Process of Sierra Leone. In April, Barrister Muna led a Follow-up Mission to Sierra Leone. The Mission Team met with H.E. Ernest Bai Koroma, President of Sierra Leone, as well as APRM stakeholders, including the Media and the Civil Society. During the Mission, it was ascertained that the conditions had been fully met to allow for the fielding of the APRM Country Review Mission to Sierra Leone the following month.

Country Review Mission

- x. The Sierra Leone Country Review Mission (CRM) took place from 21 May to 6 June 2011. The CRM was led by Barrister Akere Muna, member of the APR Panel of Eminent Persons. Sierra Leone thus became the 16th country to host a review mission.
- xi. The CRM comprised 20 African experts, selected by virtue of their competence and experience in Governance and Socio-economic Development in the various fields covered by the APRM. In accordance with the APRM mandate, the CRM enquired into the results of the self-assessment undertaken by Sierra Leone.
- xii. The CRM met with representatives of government, civil society and the private sector from 21 May to 6 June 2011. Meetings were held with people from all levels of government, including Ministers, the Secretary to the Cabinet, Permanent Secretaries, Departmental/Divisional Heads, Resident Ministers or their deputies representing the Administration in the Eastern, Southern and Northern regions, as well as the Mayor and the Deputy Mayor of Freetown.
- xiii. In the course of the Mission, the CRM held fruitful discussions with representatives of state institutions including the Anti-Corruption Commission, Statistics-Sierra Leone, the Human Rights Commission, the National Commission for Democracy, the Ombudsman, the National Commission for Social Action (NaCSA), the Auditor -General, the Political Parties Registration Commission and the National Electoral Commission. The CRM also interacted

with civil society and private sector representatives including the Sierra Leone Labour Congress, the Inter-Religious Council, women's groups, youth groups, the Sierra Leone Chamber of Commerce, Industry and Agriculture, the Sierra Leone Indigenous Business Association and other members of the private sector.

- xiv. As part of the review, the team held meetings in all parts of Sierra Leone, including Freetown, and the regional capitals: Kenema (East), Bo (South) and Makeni (North). The meetings involved calls on the Resident Minister of each region or a representative, as well as plenary and breakaway sessions with stakeholder groups in each town. Stakeholders at these regional meetings included local councillors, paramount chiefs, officials at decentralised Ministries, Departments and Agencies (MDAs), Civil Society Organisations, as well as participants representing the informal and private sectors.
- xv. The Review Team also had extensive discussions with the legislative and judicial arms of the state. It met with the Speaker of Parliament and other parliamentary leaders, as well as a cross-section of Members of Parliament from all the main political parties. The Review Team held frank discussions with the Chief Justice and all the Supreme Court Judges of Sierra Leone, prior to its separate meeting with the Attorney-General and the Solicitor-General of Sierra Leone at the Ministry of Justice. The CRM also met with development partners including the Executive Representative of the Secretary-General of the United Nations in Sierra Leone (ERSG).
- xvi. It is noteworthy that the CRM met three times with H.E. President Ernest Bai Koroma. These included a courtesy visit at the start of the mission, at the Official Launch of the Review Mission and at a pre-cabinet session with the President and Ministers at the end of the Review Mission. The CRM was rounded off with a Media Conference jointly organized with the National Governing Council (NGC).

2. COUNTRY BACKGROUND AND CONTEXT

Pre-Colonial and Colonial Period

- xvii. The Colony of Sierra Leone was founded by British philanthropists to relieve the horrors of the Slave Trade. Granville Sharp, a leader in the movement to abolish slavery, planned it as a home for African slaves freed in England. In

1787, he sent out the first settlers to what he called “The Province of Freedom.” In the following year, one of the Temne kings and his subordinate chiefs sold and ceded a strip of land on the north shore of the Sierra Leone Peninsula to Capt. John Taylor on behalf of the “free community of settlers, their heirs and successors, lately arrived from England, and under the protection of the British Government.”⁵ A few years later, they were joined by settlers of African origin from England, Nova Scotia (freed slaves who, as loyalists, had fled the American Revolution) and Jamaica.

- xviii. After 1807, when the British Parliament passed an act making the Slave Trade illegal, the new colony was used as a base from which the act could be enforced. From 1808 onwards, hundreds, and sometimes thousands, of slaves were freed each year and most of them stayed on in Sierra Leone. In 1896, a British Protectorate was declared over the hinterland of Sierra Leone, which was separate from the colony.

Pre-Independence Legislature and Elections⁶

- xix. In 1951, a new Constitution was ushered in, providing for an elected majority, in the Legislative Council for the first time, which resulted in African rule. In 1957, the Legislative Council was replaced by a House of Representatives, which had most of its members elected, and a literacy requirement for voters was dropped. In 1958, Milton Margai became Sierra Leone’s first Prime Minister and, in 1960, he led a delegation to London to establish conditions for full independence.

Independence

- xx. Sierra Leone became an independent country within the Commonwealth of Nations on 27 April 1961. Milton Margai, Chairman of the Sierra Leone People’s Party (SLPP), served as Prime Minister until his death in 1964, when he was succeeded by his half-brother, Albert Margai, who held office until the national elections in March 1967. The outcome of the elections was disputed, but the All-People’s Congress (APC) claimed a plurality of the seats in the House of Representatives. Before Siaka Stevens, the APC Chairman, could take office

5 “Sierra Leone - History.” Encyclopedia of the Nations. 2011. 27 July 2011. <http://www.nationsencyclopedia.com/Africa/Sierra-Leone-HISTORY.html>.

6 Ali, Joe A.D., “A New History of Sierra Leone” Macmillan (1990)

as Prime Minister, he was ousted in a bloodless coup led by the Army Chief Brigadier David Lansana. Martial Law was imposed and a National Reformation Council remained in control for 13 months, until 18 April 1968, when it was overthrown by the Anti-Corruption Revolutionary Movement, a military group that formed the National Interim Council. On 26 April 1968, Stevens was installed as Prime Minister of a civilian government. Continuing political unrest prompted the declaration of a state of emergency in 1970 and a ban on the newly created United Democratic Party, an opposition group whose leaders were arrested.

- xxi. In 1971, a new Constitution was adopted after an abortive military coup that was suppressed with the assistance of Guinea. The country was declared a republic on 19 April 1971. Two days later, Siaka Stevens, then Prime Minister, became the nation's first President. National elections were held in May 1973, and the APC won a nearly unanimous victory following the decision of the opposition Sierra Leone People's Party to withdraw its candidates because of alleged electoral irregularities. An alleged plot to overthrow Stevens failed in 1974, and in March 1976, he was elected without opposition for a second five-year term as President. In 1978, a new constitution was adopted, making the country a one-party state.
- xxii. Stevens did not run for re-election as President in 1985, yielding power to his hand-picked successor, Major General Joseph Saidu Momoh, the armed forces commander, whose nomination by the APC was ratified in his unopposed election in October 1985. Parliamentary elections were held in May 1986. After an alleged attempt to assassinate Momoh in March 1987, more than 60 people were arrested, including First Vice-President Francis Minah, who was removed from office. An extensive cabinet reshuffle then ensued.
- xxiii. In March 1991, Sierra Leone was invaded from Liberia by forces commanded by Charles Taylor, a Liberian rebel. This started a decade-long civil war that only ended in 2002. Consequently, Sierra Leone became one of nine countries in Africa whose income per capita actually fell, in comparison with the levels of the 1960s.
- xxiv. Since the end of the civil war, peace has been consolidated and the country is now peaceful and stable. Sierra Leone has already had two full-fledged, peaceful and credible presidential, parliamentary and local council elections. The 2007 elections saw a peaceful and orderly transition of power from the Government to the Opposition Party. The economy has grown at nearly 10 per cent a year on average, led by agriculture, construction, services and mining. Economic recovery remains fragile, and the country continues to rank among

the least developed countries. For instance, Sierra Leone was ranked 180 out of 182 countries in the 2008-09 UNDP Human Development Index, and 158 out of 169 countries in the 2010 Index.

- xxv. The economy of Sierra Leone is on the path of recovery from the legacy of its civil crisis. The Government has embarked on the formulation and implementation of various policy reforms to revamp the country's economy. Sierra Leone is rich in mineral resources, possessing some of the rarest and most valuable mineral types in the world, many of which are found in significant quantities.

3. SUMMARY OF FINDINGS IN THE THEMATIC AREAS

Democracy and Political Governance

- xxvi. The cultural, political and socio-economic life of Sierra Leone since the amalgamation of the Colony and Protectorate under British colonial rule in 1863, has revolved around: (i) the place and role of chieftaincy institutions in politics and administration, particularly in the Protectorate; (ii) the relationship between Creoles and the peoples of the Protectorate; (iii) the developing schisms and conflicts along ethnic, sub-ethnic, religious and class lines within and among the Creoles, and within and among the peoples of the Protectorate, over how to manage the country's diversity. The immediate post-independence period laid the foundations for a vibrant culture of competitive electoral politics within these issues. Nevertheless, there were also worrying premonitions, foreboding signposts about the future of democracy and political governance in the country during the period. Examples include: (i) isolated but not uncommon election-related and other forms of political violence in the urban and rural areas; (ii) weak party organisation, demonstrated in the trend towards personality-based and elitist party and electoral politics; (iii) intra-party schisms, leading to the formation of new parties by break-away factions; (iv) lack of internal democracy, especially regarding party nomination processes for legislative elections; (v) carpet-crossing in the legislature; and (vi) the problem posed by ethnicity, reflected in the role of chiefs and chieftaincy institutions, and in the Creole/ Protectorate "cleavage," in party and electoral politics.
- xxvii. These foreboding signposts contributed to the precipitous decline from 1967 onwards into a civil war in the country. Against this historical background, it is noteworthy that the post-conflict cultural, economic and political environment of democracy and political governance in the country has improved significantly.

However, there are some potential residual premonitions, carry-overs from the country's civil war years that continue to threaten peace and development in the country. The premonitions include (i) a high poverty rate; (ii) youth unemployment; (iii) mutual distrust between the two major parties that have alternated in power since independence, the All People's Congress (APC) and the Sierra Leone People's Party (SLPP); (iv) electoral violence; and (v) perceived ethno-regional imbalance and alleged arbitrariness in the exercise of the presidential power of appointment.

xxviii. As a result of this combination of signposts, mounting political tensions and the potential for conflict appear to be high as the country moves towards the 2012 General and Local Government Elections. Although most of the root causes of the civil war have not been fully addressed, there are two critical conflict flashpoints that need serious attention. This is because, taken together, the two flashpoints may converge to precipitate the country's relapse into decimating violent political conflict, if they are not addressed urgently with all the necessary political will. The flashpoints are (i) the nexus connecting youth unemployment to electoral competition in the current pre-2012 elections period; and (ii) the political economy of mineral governance, especially in the wake of new discoveries of mineral wealth and the influx of international investors in Sierra Leone.

xxix. The following conclusion in *Witness to Truth: Report of the Sierra Leone Truth and Reconciliation Commission*, Volume 3A [Truth and Reconciliation Commission 2004b: 36] best expresses the general challenge of democracy and constitutional government facing Sierra Leone today:

"...Up to the present, Sierra Leoneans expect arbitrary administration of "justice", nepotism and cronyism in all public institutions, and little genuine prospect of a fairer and better future...Deep-seated pessimism now prevails as to whether things can ever really get better...Tragically, many of the characteristics identified in this chapter as antecedents to the conflict persist today in Sierra Leone. The vital test in preventing the recurrence of such a tragedy lies in whether Sierra Leone can learn the lessons of the past."

xxx. Sierra Leone has taken steps to ratify and domesticate a number of international, African regional and African sub-regional codes on democracy and political governance. For example, the country has ratified (i) the Law of Armed Conflict (the Geneva Conventions); (ii) the Conventions relating to Employment and Forced Labour, Education, Rights of the Child, and Freedom of Association; (iii) The Convention on the Elimination of all Forms of Discrimination Against

Women (CEDAW); (iv) the United Nations Convention Against Corruption (UNCAC); and (v) the African Union Convention on Preventing and Combating Corruption (AU-CPCC).

- xxxi. While the 1991 Constitution of Sierra Leone substantially provides for a durable legal and political framework for democracy, political governance and the rule of law in the country, the complementary normative and cultural anchors, and the socio-economic foundations of democracy for the promotion and protection of human rights, broadly defined, remain fragile. The fragility of these normative anchors constitutes a threat to democracy and good governance in the country, leading some stakeholders to allege that, “*Democracy is being used to kill Democracy*” in the country.
- xxxii. In the same manner, the challenges that the country faces in promoting and protecting economic, social, cultural, civil and political rights revolve around the consequential denial and erosion of these rights to the ordinary citizens of Sierra Leone because of rent-seeking activities of strategically placed public officials. Sierra Leone must vigorously confront the challenges, if the country is to continue to make progress towards the protection and promotion of these rights.
- xxxiii. The failure of the 1991 Constitution of Sierra Leone to provide for a strong system of separation of powers between the three branches of government has given rise to weaknesses and contradictions in the practice of constitutional government in the country. These weaknesses and contradictions have resulted in a very strong Executive, reminiscent of the pre-eminent position of the Executive during the pre-conflict period in the country.
- xxxiv. Salaries in the Public Service of Sierra Leone are very low and uncompetitive. They are also invidious because of the higher salaries paid to those who occupy comparable positions funded by development partners in Project Implementation Units. This situation, which practically translates into two salary and emolument schemes in the country’s Public Service, creates problems for harmonious inter-personal relationships and *esprit de corps* in the Public Service. Furthermore, the dual compensation system raises concern about the long-term impact and sustainability of the dual system once development partner support comes to an end.
- xxxv. Despite the restructuring and down-sizing in the Civil Service, structural imbalance persists in its personnel profile. For example, 85 per cent of the workforce is in the junior cadre with very few in the technical and middle cadres. Professionals have to be recruited on special salaries when needed.

- xxxvi. Corruption was and remains a major stumbling block retarding democracy and political governance in Sierra Leone. It is pervasive across all sectors of the economy and social strata. Set against this fact, fighting corruption has been one of the strategic goals of successive governments since 2000. Since dysfunctional state institutions are primarily responsible for the rampant occurrence of corruption, successive governments have exerted considerable effort at creating a robust legal and institutional framework for the fight against corruption. In this regard, the Anti-Corruption Act 2008 reflects the lessons learnt from the challenges faced in fighting corruption under the Anti-Corruption Act 2000. Under the Anti-Corruption Act 2008, the Anti-Corruption Commission is empowered, among other functions, to prosecute cases of corruption, while the scope of corrupt offences has been widened. It now includes “possession of unexplained wealth”, which must be satisfactorily explained to the Commission, if investigated. Other new offences introduced into the law include influencing a public officer, peddling influence and bid-rigging in procurement.
- xxxvii. Specifically regarding the promotion and protection of women’s rights, Sierra Leone scored a major victory in June 2007 with the passage of three laws, the Gender Acts, to improve the legal status of women in the country. Furthermore, Sierra Leone has taken significant steps to increase women’s representation in high profile and critical public offices in the country. For example, of the five judges currently sitting at the country’s highest court, the Supreme Court, a woman is the Chief Justice, while two other judges are women, making for three women out of five judges of the Supreme Court. Also, three of the seven judges at the Court of Appeal are women, and three of the justices of the High Court are women. The Chairperson of the National Electoral Commission (NEC) is a woman. In spite of the Gender Acts and these appointments, women continue to face high levels of discrimination, as a result of cultural, particularly patriarchal-related obstacles and prejudices.
- xxxviii. Post-conflict Sierra Leone has made tremendous strides to promote and protect the rights of children, as evidenced by the passage of the National Child Rights Act 2007, which outlines provisions for promoting and protecting the rights of children. However, a combination of neglect, discrimination, abuse, violence, and poverty continues to encourage the violation and erosion of the provisions of the Act. This is because the cultural climate is such that parents, guardians, teachers and chiefs are not entirely supportive of the Child Rights Act, which they regard as constraining or denying them their rightful role and responsibilities towards those in their care.
- xxxix. Sierra Leone recently passed legislation and adopted policies that provide for the promotion and protection of the rights of people with disabilities, such as

(i) the Person with Disabilities Act 2011, intended, among other objectives, to establish a National Commission for People with Disabilities; (ii) the National Development Fund for People with Disabilities; and (iii) the establishment of Disabilities Units in every Ministry.

- xI. The political leadership in Sierra Leone has the historic role to evince and demonstrate in practice, more than in words, the political will to overcome the heavy burden of the past, which seems to cast such a pall over the future of democracy and political governance in the country. This requires the courage and the diligence to pursue politics as a public interest project for the common good.

Economic Governance and Management

- xli. Sierra Leone emerged from 10 years of civil conflict in 2001 with a strong post-war economic recovery and a high annual average real GDP growth rate of 13.9 per cent between 2001 and 2005. Despite the impact of the global financial crisis on the domestic economy, an annual average real GDP growth rate of 5.5 per cent was recorded during the 2006-2010 period. Notwithstanding the growth performance, GDP per capita is still low at about USD 300 and poverty remains widespread. Other macroeconomic indicators were negatively affected by the global financial crisis. Exports declined significantly in 2008 and 2009. This decline, coupled with the depreciation of the real effective exchange rate and increases in imports, contributed to deteriorating terms of trade. The current account deficit, even including official transfers, remains in the high teens and the inflation rate remains in the double-digit range. Inflationary pressures have been ascribed to high fuel and food prices on the back of a depreciating exchange rate. These factors, coupled with the pressure to raise public sector wages, pose the main risks to the inflation outlook. While prudent macroeconomic policies in the run-up to the financial crisis softened the initial negative impact of these developments, the macroeconomic policy framework, coupled with the structure of the economy, does not yet have the policy space and capacity to implement counter-cyclical policy measures to curb the adverse impact of external shocks.

- xlii. The country's fiscal planning processes support the broader development goals of the Government. However, the effectiveness of the tax administration, especially pertaining to tax evasion and the granting of tax exemptions particularly to investors in the mining sector, still needs to be improved. With regard to monetary policy, the country, to a large extent, is still supportive of macroeconomic management in general, and fiscal policy in particular. The various planning processes are continuously developed and refined in order

to support macroeconomic planning and projections, with continuous support from development agencies.

- xliii. The economy is dominated by the Primary Sector, particularly the Agricultural Sector. This sector contributes 47 per cent to GDP, employs approximately two-thirds of the population and attracts 25 per cent of Sierra Leone's export earnings. The contribution of the Service Sector to GDP is about 43 per cent while that of the Industrial Sector is less than 10 per cent. The contribution of the Electricity and Construction sectors remains stable but weak. Despite the abundance of renewable and non-renewable resources, the Mining and Mineral Sector contributes less than 5 per cent to GDP and the broader population has not experienced the tangible benefits of the abundance of natural resources, including minerals. The sector's low level of contribution to GDP could partly be attributed to the negative impact of the financial crisis on the demand for commodities.
- xliv. On the whole, Sierra Leone depends heavily on foreign resources. International development partners continue to provide budgetary and technical support on a large scale and for a wide range of programmes and projects. Various multilateral development partners aim to harmonise and align their strategies in the country. But the challenge remains for the country to enhance aid effectiveness by improving aid absorption capacity and undertaking serious domestic resource mobilisation to gradually reduce dependence on foreign resources. The Government has undertaken various measures to enhance tax compliance, and consequently, tax collection. Although these are undoubtedly good measures, their success has been affected by corruption and a relatively low or poor tax-paying culture. The enforcement of measures to enhance tax compliance should go hand in hand with measures to fight corruption.
- xlv. In the fight against corruption, the Government has taken bold steps by, inter alia: (i) passing the Anti-Corruption Act 2000; (ii) establishing the Anti-Corruption Commission (ACC); (iii) instituting the Office of the Ombudsman; and (iv) introducing a new Anti-Corruption Act 2008. Notwithstanding the legislative framework, corruption is still one of the most serious problems facing the country. The Bank of Sierra Leone is currently responsible for monitoring and curbing money laundering. The Bank is in the final stages of upgrading the Anti-Money Laundering Act 2005 to include anti-terrorism activities in the form of the new Anti-Money Laundering and Countering the Financing of Terrorism Bill.
- xlvi. In general, Sierra Leone, with the support of the international donor community, has made significant progress in public financial management, coordination

and policy formulation. In recent years, the country has been pursuing sound public financial management reforms with a view to improving transparency, accountability and effectiveness in the use of public resources to promote sustainable economic growth and poverty reduction. Oversight functions of public financial management are primarily assigned to the Ministry of Finance and Economic Development (MoFED), with support functions located in the Bank of Sierra Leone, Statistics-Sierra Leone and the Office of the Presidency, where the Public Sector Reform Unit is housed. In addition to this arrangement, Sierra Leone has developed a number of initiatives to ensure effective public financial management. Measures such as broadening the tax base, advancing efficiency and compliance, capacity building, monitoring of progress and improvement of policy implementation, are all part of the public financial management framework. Other initiatives include a new National Debt Law, the development of a comprehensive Medium-Term Debt Management Strategy, an investigation into a multi-year pay reform programme for all public servants, and a new National Minimum Wage Bill. Furthermore, a number of more recent initiatives have been implemented to coordinate, improve and reform public financial management. What is needed, however, is the strengthening of the capacity to implement these policies at the level of the Ministries, Departments and Agencies (MDAs).

- xlvii. Sierra Leone has also taken steps to support and promote growth and development in the Private Sector. It has announced the establishment of the Financial Sector Development Plan (FSDP) whose objective is to improve the deficiencies, quantity and quality of services (including increased access to finance and the mobilisation of investment) provided by the financial sector. Sector-specific tax incentives are: (i) a decrease in corporate mining tax from 37.5 per cent to 30 per cent; (ii) a reduction in import duties for raw materials from 5 per cent to 3 per cent; (iii) a zero import duty on all agricultural inputs; (iv) a ten-year tax holiday for companies manufacturing pharmaceutical products within the World Health Organisation guidelines; (v) tax relief for a five-year period on income derived from tourism activities for the Tourism Sector; (vi) a 6.5 per cent royalty rate on all mining activities; and (vii) a tax holiday of 15 years for Public-Private Partnership projects investing at least US\$20 million. However, these tax incentives have the potential to be uncoordinated and could increase the complexity of tax administration in the country as well as decrease future potential revenues.
- xlviii. The overall goal of Sierra Leone's Public Sector Reform has been to achieve a public service that works to benefit the poor. The achievement of this goal calls for actions such as aligning systems to the Government's Development Agendas and enhancing efficiency and effectiveness in service delivery. Considerable gains have been achieved in implementing Public Sector Reform (PSR) initiatives, especially in the area of systems and processes. However,

challenges such as lack of human resources and dearth of essential equipment continue to persist across Ministries.

- xlix. The Government of Sierra Leone is committed to a decentralisation policy. The decentralisation of various Ministries such as Agriculture, Education, Health, Youth and Sports, Social Welfare, Communications and Works, and Energy and Power has been carried out. Nevertheless, the devolution of their functions has not been fully implemented. Although there have been successes pertaining to the introduction of the National Decentralisation Programme (NDP), the reforms have faced several challenges. The general challenge is the complex structure of the decentralisation process. The process is expensive and may not easily be sustainable. Other challenges include a weak human resource base, an ineffective revenue mobilisation base, the existence of conflicting legislations that tend to impede the smooth implementation of decentralised programmes, and the slow implementation of the reform process itself.
- I. Sierra Leone is strongly committed to regional integration, which it views as a means of accelerating economic and social development at both national and regional levels. It is a founding member of the Economic Community of West African States (ECOWAS), established in 1975, and the West African Monetary Zone (WAMZ), established in 2000. Free movement of people, goods and capital within the regional economic community is essential for promoting competitiveness and integrating Sierra Leone's economy into the global economy.
- li. As a member of ECOWAS, the country has benefited from regional arrangements in terms of institutional support, especially in the context of the Mano River Union; cross-border trade and cooperation; harmonisation of macroeconomic and sectoral policies, including energy, agriculture and food security, mining and investment; export promotion; health; and education, especially through efforts to adopt common regional educational standards. The country's gains from regional integration go beyond these economic benefits to include political and military support. This is manifested in ECOWAS' pivotal role in supporting Sierra Leone to fight rebels and end the civil war, depose unelected military regimes, and reinstate democratic governance for greater political stability.
- lii. Sierra Leone has since 2005 adopted the ECOWAS Common External Tariff System and implemented the ECOWAS Trade Liberalisation Scheme, among other measures, aimed at promoting regional integration. Furthermore, the country has made efforts towards achieving the primary convergence criteria of the WAMZ in relation to fiscal deficit, growth, monetary stability and external

sector indicators. However, like other African countries, the extent to which Sierra Leone could gain from regional economic integration is constrained by its ability to promote investment, production and exports.

Corporate Governance

- lii. Private Sector development is central to Sierra Leone's post-conflict economic recovery programmes. Therefore, it is critical that Sierra Leone align its legal and regulatory frameworks with international best practices, standards, and norms in the areas of Corporate Governance, Banking, Insurance, Securities and Pensions. In this regard, the country has ratified most of the ILO Conventions, the Basel Core Principles for Banking Supervision and the Core Principles for Insurance Regulation. It has also adopted the International Standards on Accounting and Auditing.
- liv. Overall, Corporate Governance in Sierra Leone is still in its infancy. Most public sector enterprises, Small-and Medium-sized Enterprises (SMEs) and informal sector businesses have neither the capacity nor resources to adopt International Financial Reporting Standards (IFRS) and International Standards on Auditing (ISA). In addition, Sierra Leone has so far not taken any measures to adopt the IFRS for Small-and Medium-sized Enterprises, issued by the International Accounting Standards Board (IASB) in 2009. Another major constraint consists of the limited skills of the accounting profession in the country, in both the private and public sectors. Efforts are being made by the Government and several business associations to set customised Standards and Codes to improve the situation.
- lv. Sierra Leone's capital market is in an embryonic stage, comprising mainly government securities and two equities. The Bank of Sierra Leone provides regulatory oversight. However, the country is yet to establish a regulatory framework reflecting the principles of the International Organisation of Securities Commissions (IOSCO). The financial sector is dominated by commercial banks and such a situation limits the availability of long-term finance which, generally, is provided by capital markets, insurance and pension funds. The preponderance of SMEs, about 61.7 per cent of which are sole proprietorships, in the economy poses a challenge of governance of opaque family-based businesses, many of which operate in the informal sector.
- lvi. Despite these limitations, the country has exhibited some positive trends in the area of corporate governance, including instituting appropriate legal and

regulatory frameworks for economic and business activity. Sierra Leone has also initiated measures to improve the business environment by reforming business registration processes, establishing a credit reference bureau, revising key business laws and improving infrastructure.

- Ivii. The Government has taken further steps to improve the business environment by extending credit to rural areas through rural banks and improving infrastructure. There are also measures to attract foreign direct investment in key sectors such as mining, a sector expected to significantly boost the country's growth potential. A perception exists that the overly generous tax incentives and waivers granted to some companies, particularly in the mining industry, is a mere loss of revenues to the Government. Mining companies are said to give little attention to environmental sustainability.
- Iviii. The major challenges to the economic activities of the country and its ability to improve the standards of corporate governance include: lack of resources to boost implementation capacity; weak institutions; a paucity of financial institutions to support agricultural credit; corruption; massive financial illiteracy in the sector; lack of capacity to investigate financial crimes; and inadequate financing through the capital markets.
- lix. With regard to corporate social responsibility, many stakeholders believe that corporations in Sierra Leone have to adopt best practices from other countries for their own benefit and for the benefit of the citizens. Some State-Owned Enterprises (SOEs) are beginning to partner with other organisations to promote corporate social responsibility through various initiatives such as a project aimed at raising awareness on breast cancer.
- lx. The Trade Union Confederation of Sierra Leone (TUC-SL), a national trade union centre, founded in 1996 is affiliated with the World Federation of Trade Unions (WFTU). All unions in Sierra Leone are members of the Sierra Leone Labour Congress (SLLC), although membership is voluntary. Collective bargaining is said to be widespread in the formal economy but, in reality, negotiating power is seriously curtailed because of weak labour unions.
- lxi. The National Commission for Privatisation has developed a Public Enterprise Governance and Performance Monitoring Manual featuring ethical provisions for directors and boards of public enterprises. Under the provisions of the Manual, directors are expected to possess and demonstrate qualities that ensure strong leadership and good behaviour in the conduct of their businesses. It is

advocated that the declaration of property and assets by public office holders be extended to the Directors-General or Chairpersons of the private sector institutions.

- lxii. Nevertheless, private sector institutions are perceived to be more accountable and performance-oriented than their public sector counterparts. The Sierra Leone Indigenous Business Association (SLIBA) and the Anti- Corruption Commission have signed a Memorandum of Understanding (MOU) for promoting a public/private sector partnership for consultation, collaboration, advocacy and setting standards on country-specific measures and policies to promote investment in a business-friendly and corruption-free environment. The MOU has been hailed as a step in the right direction for fighting corruption.
- lxiii. Sierra Leone's Companies Act of 2009 provides adequate mechanisms for fair treatment of shareholders. Some of the provisions include disclosure of beneficial interest in shares; prohibition of non-voting and weighted shares; definition of class rights, including the right to attend general meetings; proxies; and the protection of minority shareholders against illegal and oppressive conduct. However, as the structures of some companies are dominated by SMEs, few of these stipulations are effectively observed.

Socio-economic Development

- lxiv. Sierra Leone faces numerous socio-economic development challenges. The economy is still dominated by the exploitation of agricultural resources and mining. Growth driven by these sectors remains inadequate to reverse the negative trends in terms of poverty, which still affects more than 66 per cent of the population. In fact, 47 per cent and 79 per cent of the urban and rural populations, respectively, are poor while 21 per cent of the national population live in extreme poverty, that is, households having a consumption level below what is needed to meet basic food requirements.
- lxv. In order to meet these challenges, the Government of Sierra Leone signed, ratified and adopted a number of international and regional standards and codes. However, the majority of the population and of the relevant bodies (public institutions, political parties, NGOs, economic partners) are not fully aware of these agreements. In addition, socio-cultural and religious factors constitute a major hindrance to the domestication and implementation of some of the international instruments, such as the Conventions on the Rights of Women and Children.

- lxvi. Sierra Leone has been pursuing self-reliance in Socio-economic Development since it achieved independence in 1961. The Government's policy on sustainable self-reliance in development and capacity building is based largely on sustainable livelihoods as an integrating factor to allow policies to address development, sustainable resource management and poverty eradication simultaneously. Accordingly, the Government's strategies seek not only to foster a bottom-up local partnership with poor people taking charge of affairs and determining their own destiny, but also to institutionalise environmentally sound community development processes and outcomes that will enable the poor to achieve a sustainable livelihood.
- lxvii. However, the Government faces serious challenges in mobilising domestic and international resources to generate high sustainable growth and accelerate the poverty reduction process. These challenges have contributed to the country's over-dependence on foreign aid for its socio-economic development. About 44 per cent of the estimated USD 1.92 billion needed for Sierra Leone's key development agenda contained in the country's key development document, *An Agenda for Change for 2009 - 2012*, is expected to be donor-funded. Also, while in 2004, the total amount of foreign aid to Sierra Leone was USD 239 million, the amount stood at USD 504.6 million in 2007, thus indicating a 53 per cent increase. Similarly, while the country's external debt was about 270 per cent of the domestic revenue in 2008, the equivalent figure for 2009 was 300 per cent. The over-dependence on foreign resources for the country's socio-economic development constitutes a threat not only to Sierra Leone's self-reliance and self-sustaining development but also to the country's sovereignty, given the attendant effects of donor fatigue.
- lxviii. In order to accelerate its socio-economic development, Sierra Leone has made some remarkable efforts by establishing appropriate institutions and deliberate policies along with social programmes for poverty alleviation. As part of this process, it formulated: (i) a National Recovery Strategy in 2000; (ii) an Interim Poverty Reduction Strategy in 2002; (iii) the Sierra Leone Vision 2025 in 2003; (iv) the First Poverty Reduction Strategy Paper (PRSP) for 2004-08; and (v) the Second Poverty Reduction Strategy Paper (PRSP II), commonly known as *An Agenda for Change for 2008-2012*. In addition to these national programmes, sectoral development plans and strategies such as the National Sustainable Agricultural Development Programme (NSADP), the Health Strategy, the Education for All Policy and the Financial Sector Development Plan (FSDP) have also been formulated and implemented.
- lxix. The current socio-economic development plan, *An Agenda for Change for 2008-2012*, is focused on the promotion of transformational economic growth through the key strategic sectors of energy, transport and infrastructure,

agriculture and human development to ensure accelerated sustainable development and poverty reduction. The Government is committed to decentralising the implementation of *An Agenda for Change*, which is a commendable idea. The process, if effectively implemented, will contribute to the acceleration of poverty reduction and the achievement of some MDGs.

- lxx. Significant constraints that continue to impede progress in the achievement of all the MDGs goals include poor infrastructure, lack of reliable electricity supply, and weaknesses in social services delivery. Equally important in this regard are governance and capacity constraints in the public sector (including corruption), resulting in a very inefficient civil service. To achieve the MDGs, whether on time or later, it is central to maintain and increase robust economic growth, preferably to the 10 per cent per annum range. This level of growth is particularly important for reducing poverty and hunger as well as enhancing job creation through diversification of exported goods and services. Improvement of the overall and sectoral competitiveness of the economy remains the lifeblood of this strategy, and it is an important challenge that has to be accepted. Therefore, Sierra Leone needs to create an economic and institutional environment of international standard.
- lxxi. The Government of Sierra Leone has taken pertinent measures geared towards strengthening policies, delivery mechanisms and outcomes in key social areas such as Education, Health, HIV/AIDS and other communicable diseases.
- lxxii. In the area of the Education, the Government issued an Education Sector Plan in 2007. The Plan's aim is to provide: (i) quality basic education (Primary and Junior Secondary School) to all; (ii) training for marketable skills; and (iii) relevant tertiary education. The gross enrolment rate has increased at all levels since 2004, when school fees were abolished to encourage primary school enrolment as well as the enrolment of girls, enrolment in selected districts and the enrolment of disadvantaged groups. Yet, over a third of school-age children are still out of school. The trend of enrolment at the Junior Secondary School level has improved but it is still low. Enrolment beyond JSS and adult literacy is also low partly due to high cost of uniforms and transportation.
- lxxiii. As far as the Health Sector is concerned, the quality of service delivery has deteriorated because of the ravages of the ten-year civil war and a chronic under-funding of the sector even after the war. Consequently, there has been a dearth of medical personnel, supplies, equipment and infrastructure for optimal basic health care services.
- lxxiv. Malaria, Tuberculosis (TB) and Sexually Transmitted Infections (STIs), including HIV/AIDS, are considered the top priority health problems in Sierra

Leone. Malaria deaths in children under five have increased significantly since August 2009. However, the prevalence rate of HIV/AIDS is low. The underlying factors for the spread of the epidemic include poverty, a high unemployment rate, a large population of youth, and risky sexual behaviour in urban areas. The Government demonstrated a strong political will to combat the spread of the epidemic by establishing a National AIDS Council in 2002.

- lxxv. As regards access to water, sanitation, energy, finance, markets, ICT, shelter and land for all citizens, especially the rural poor, the Government of Sierra Leone has a long way to go to adequately provide such services because most of the country's infrastructure was destroyed during the civil war. According to the Ministry of Energy and Water Resources, only about 32 per cent of the rural population has access to reliable water supply. The water supply coverage for urban areas, particularly Freetown, is about 50 per cent. Therefore, the Government has decided to formulate a national policy and guidelines on water and sanitation with an overall objective of managing the water resources of Sierra Leone in an integrated manner.
- lxxvi. Electricity supply is characterised by poor investments in generation, transmission and distribution. The results are very low generating capacity, rising high transmission and distribution losses, poor revenue collection and restricted distribution systems. Therefore, power supply is generally restricted to major towns. Key reforms are being implemented to enhance operational efficiency.
- lxxvii. The existence of inadequate and poorly maintained rural and feeder roads connecting villages and farm areas to market centres poses serious challenges to economic development in the country. But there has been a phenomenal mobile telephone penetration since the end of the war. Currently, about 89 per cent of rural households and 97 per cent of their urban counterparts reportedly have mobile telephones. However, the limited supply of electricity is a major constraint to mobile telephone operation in some rural areas.
- lxxviii. Land tenure in Sierra Leone is characterised by a dual ownership structure. The Western Area, including the Freetown Peninsula, is governed by an English system of land ownership which includes fee simple conveyances, mortgages, and leases. Land in the rest of the country is held in communal ownership under customary tenure and is controlled by traditional rulers who administer it on behalf of their communities in accordance with customary principles and usage. Under the prevailing customary family laws, women have less access to land than men.

- lxxix. Sierra Leone has made progress in planning and mainstreaming gender in development and in translating international provisions into national policies and programmes. Furthermore, it has adopted International Conventions, including the 1995 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), to reinforce the mainstreaming of gender issues in the development agenda in order to promote gender equity and empower women. Domestically, Sierra Leone has set up a number of institutional structures for gender equity.
- lxxx. However, women still face discrimination because of traditional customs and laws and gender inequality still exists despite the appointment of women to some high public positions. For example, female-headed households are, in general, poorer than male-headed ones.
- lxxxi. With regard to broad-based participation in development, the Government has undertaken some institutional reforms to encourage stakeholder participation in development. This is reflected in the *An Agenda for Change* document, the Community-Driven Development (CDD), and the Decentralisation Programme. The CDD promotes a bottom-up approach to development by including opinion leaders, chiefs, NGOs, Village Development Committees and Community-Based Organisations (CBOs). Still, much has to be done to ensure that all stakeholders really participate in the development process.

4. CROSS-CUTTING ISSUES

- lxxxi. Some of the issues discussed in this report are recurrent concerns in all the four thematic areas covered and have a wider impact on all areas of governance and require a holistic approach in finding solutions to them. They include the following seven issues: Capacity Constraints; Corruption; Decentralisation; Ethnicity and Managing Diversity; Youth Unemployment; Blessings and Curse of Mining and Minerals; and Gender and Empowerment of Women.

Capacity Constraints

- lxxxiii. A significant constraint to good governance processes across the four thematic areas covered in Sierra Leone arises from lack of capacity and poor policy implementation to achieve the objectives of the country's *An Agenda for Change* and the *Millennium Development Goals*, among other policies of the Government. This situation exists despite the Government's continued efforts,

in partnership with the private sector and the civil society, in designing public-interest legal and policy framework and reforms for pursuing good governance and development initiatives and programmes in the country. Sierra Leone's Public Service was depleted in number and quality by the civil war and it still remains understaffed and under-resourced though reform and policy measures are being implemented to address the problem.

- lxxxiv. The key dimensions of the capacity constraints pertain to human, physical, ICT, social, infrastructural and financial resource capacity issues. Though they cut across the public and private sectors and the civil society, lack of capacity manifests more severely in the public sector, which is the engine of development. Many of the public sector institutions are deficient or weak in terms of skilled and specialised manpower required to undertake and assume their mandated quality service delivery and regulatory roles. The problem is more severe at the provincial, district and local government levels, where decentralisation remains stultified and a vain hope, in spite of a National Devolution Policy adopted in 2010.
- lxxxv. In the area of Economic Governance and Management, lack of human and financial capacity has had negative impact on responsive budgeting and that has largely contributed to lack of reliable and current data on employment and unemployment in the country. It has also affected the provision of key deliverables such as robust economic indicators and the collection and dissemination of economic and social statistics.
- lxxxvi. With regard to Corporate Governance, the inadequacy of budgetary and human resources at the level of the regulatory authorities has largely contributed to a weak regulatory environment and inadequate monitoring of the institutional framework for the oversight of business and economic activities in the country. Lack of capacity, especially in terms of human resources and inadequate domestic and foreign funding, has also inhibited the provision of physical and social infrastructures. For example, despite Government and donor community interventions in the energy sub-sector, the power supply is still erratic and inaccessible to many Sierra Leoneans because of the dilapidated state of infrastructure and lack of adequate human and financial resources in the sub-sector.
- lxxxvii. The problem of lack of capacity also recurs in Democracy and Political Governance. Both the Legislature and the Judiciary suffer from debilitating resource capacity challenges that have weakened the performance of their oversight roles ascribed by the principle of separation of powers under the Constitution. In the Private Sector, serious capacity gaps pose challenges in the banking, commerce, retail, trade and extractive industry sub-sectors. The role of the Civil Society, including the Media, as a countervailing force in state and

society is also diminished by capacity problems, especially in data gathering and dissemination, and in civil society engagement on equal terms with the State and Private Sector on public policy issues.

lxxxviii. Given these capacity constraints, the Government is faced with the problem of rethinking its short-term strategies to achieve its medium- and long-term development goals. This will involve two key strategies: planning and the determining capacity-related priorities; and a political will to plug leakages generally generated by corruption.

Corruption

lxxxix. Sierra Leone has had a long and painful history of corruption. As Desmond Luke, a distinguished former Chief Justice of Sierra Leone, noted, *“if you have been here for some time, you will know that anybody and everybody is stealing everything”*. The root causes of corruption in Sierra Leone have been complex and tended to conform over time to a combination of poverty, greed and low levels of remuneration.

xc. In addition to moral aspects, corruption has had other negative consequences on Sierra Leone. Politically, it has affected the efficacy of good governance by undermining the rule of law and violating the principles of accountability and probity, thereby perpetuating impunity. Economically, corruption has had a negative impact on the economy by withholding resources that could have been put to use in the production of goods and services for Sierra Leoneans.

xc. On the Corporate Governance front, corruption has increased the cost of doing business and limited the competitive edge of firms in the economy.

xcii. As regards Socio-economic Development, it has undermined the country's efforts in poverty reduction. Since the institutions and public officials predominantly involved in corruption are linked to the provision of essential services, corruption has hindered the space of socio-economic development. Therefore, it is no surprise that the completion rate of major development projects is low as evidenced by the low completion rate of major development projects.

xciii. Though a number of legislative frameworks and institutions for fighting corruption, such as the Anti-Corruption Commission, have been implemented over the years, the rate and frequency of corruption, in both the private and public sectors, is still very high. In the Transparency International 2011 Report's

Corruption Perceptions Index, Sierra Leone scored 2.5 out of a possible 10 and ranked 134 out of 182 countries reviewed.

- xciv. The interaction with stakeholders revealed that the Anti-Corruption Commission is underfunded; it lacks the necessary capacity to function effectively, and it is prone to political interference. The stakeholders suggested that the effective prosecution of corruption cases is limited in Sierra Leone because of tribal sentiments and political affiliations and interference. Furthermore, the Commission is dependent on contributions from international donors, thereby exposing it to the possible risk of donor fatigue. Stakeholders observed that the effective prosecution of corruption cases is limited in Sierra Leone because of tribal sentiments and political affiliations.

Decentralisation

- xcv. In order to address both internal and external pressure for inclusive governance and reverse the conditions that generated the country's civil war and enhance the delivery of basic services, the SLPP Government under H.E. President Ahmed Tejan Kabbah introduced the Local Government Act 2004. The Act provided a strong basis for the establishment of decentralisation through the devolution of key functions from the Central Government to Local Councils and inter-governmental transfers. The objective was to ensure the empowerment and full involvement of local people and their communities in political and socio-economic development processes through their participation in the formulation and implementation of development plans.
- xcvi. Under the Local Government Act 2004, there are now 19 Local Councils and 149 Chiefdoms ruled by Paramount Chiefs. The Local Councils are the government administrative units responsible for promoting good governance and democracy, accountability and transparency, improved service delivery and development of the local economy. Chiefs, who are expected to rule according to customary practices, ensure law and order, determine the right to local resources, and resolve disputes. In the area of fiscal management and control, the decentralisation process is geared towards increasing local government autonomy in revenue and expenditure decision-making, harmonising and rationalising the fiscal transfer system in order to equalise fiscal capacity.
- xcvii. Since the implementation of the decentralisation programme, competitive local elections were successfully held in 2004 and 2008 with significant a turnover of councillors between the two elections, and peaceful transfer of power at the local council level. However, the process faces a number of challenges including: a

weak human resource base; an ineffective local council revenue mobilisation system; laws that either conflict with the Local Government Act 2004 or duplicate some of its provisions; and the possibility of an incomplete devolution of functions by the target year of 2012. These challenges notwithstanding, decentralisation is now well established in Sierra Leone.

Ethnicity and Managing Diversity

- xcviii. The assault on diversity from 1967 onwards in Sierra Leone was a major precipitating cause of the country's civil war. It is for this reason that the challenge of the democratic management of diversity remains crucial in post-conflict Sierra Leone.

- xcix. The Constitution of Sierra Leone attempts to address the issue of diversity by including provisions are reinforced by the anchoring jurisprudence of constitutionalism, separation of powers, and other checks and balances. The constitution also includes provisions intended to strengthen the democratic management of diversity, through electoral governance processes and mechanisms, insulated from partisan political party and executive branch control. Considerable progress has, therefore, been made in post-conflict Sierra Leone to promote the democratic management of diversity in the country.

- c. Nonetheless, serious challenges and “red flag issues”, remain for the future of diversity management in the country. These challenges are due to historic prejudices, polarisations and animosities, which have endured over the years, indeed since colonial times. A salient and historically deep-rooted polarisation is drawn along ethno-regional (Colony-Protectorate) lines. This polarisation continues to feed not only into mutual ethno-regional antagonisms but also into mutual fears of ethno-regional domination. The polarisation is being replicated in the formation of political parties with strong ethno-regional bases or “vote banks.” Managing this type of diversity, under the first-past-the-post electoral system, with its tendency to encourage a winner-takes-all or do-or-die approach to competitive party and electoral politics, continues to constitute a serious violent conflict-prone impediment to the management of diversity in the country. A clear evidence of this political problem, which the persistence of such mutual distrust and fear poses for the management of diversity, is the alleged abuse of the presidential power of appointments to advance partisan party political interests and ethno-regional bias, each time the two major parties alternate in power.

- ci. Another lingering colonially inherited source of strain on the management of diversity is the controversy surrounding the position and political role of

paramount chiefs, which is guaranteed⁷ by the Constitution, and the role of traditional institutions and culture, as a fundamental principle of state policy. More often than not, the partisan use of the office of paramount chief and prejudices and practices prevalent in traditional culture and customary law constitute serious impediments to constitutional and political reforms designed to advance the management of diversity as mechanisms for strengthening national cohesion, reconciliation and unity. The challenge for Sierra Leone is how to use competitive party politics, electoral governance processes, the rule of law, political decentralisation and traditional institutions to manage diversity constructively.

Youth Unemployment

- cii. The unemployed youth constitutes 34 per cent, or 1.9 million people, of the country's estimated population of 5.6 million. As a result of the conflict that pervaded Sierra Leone, most of these young people have received little or no schooling. Therefore, they lack the skills for gainful employment, and may even lack the social norms that bind society together. Many of the young people participated in the war and/or experienced its trauma, losing their formative and transformative years in the process.

- ciii. Economic marginalisation and social and political exclusion of the youth was one of the major precipitants of the civil war. Unless the unemployed youth are properly managed, and their economic and social needs are well addressed, there is a potential that the youth could again become a breeding ground for social instability and unrest. More ominous than any other thing is that, historically, the two dominant political parties, the SLPP and the APC, have appealed to, and largely relied on unemployed youth in the urban areas for support and as foot soldiers of their parties' political violence.

- civ. The state of youth unemployment in Sierra Leone is therefore a growing concern to all stakeholders. The youth unemployment level of 45.8 per cent is one of the highest in the West African sub-region. One of the most challenging policy issues that the Government of Sierra Leone faces consists of creating productive jobs for this army of unemployed youth. The attainment of the nation's objective of inclusive growth, poverty reduction, political security, social stability and safety is mainly contingent on the degree to which the unemployed young people are engaged in meaningful employment to contribute to economic growth and social development. They constitute the core of the labour force

7 Article 72(1)

that could support the growth process itself and their full participation in that growth could facilitate poverty reduction.

- cv. To its credit, the Government recently revised and improved its Youth Employment Strategy by placing more emphasis on labour demand in order to address the problem of youth unemployment, underemployment as well as gender disparities in the labour market, the Government recently revised and improved its Youth Employment Strategy by placing more emphasis on labour demand. Also, in November 2009, the Parliament approved the establishment of a National Youth Commission (NYC) which aims at coordinating the work of all relevant Government Ministries concerned with youth employment matters. Furthermore, a fully-fledged Ministry of Youth Employment and Sports has been established to concentrate on youth issues at the ministerial level.

- cvi. However, in addition to these institutions, immediate steps need to be taken to ensure that the youth have the necessary skills for employment in the modern sectors of the economy. Conducive macroeconomic and sectoral policies, as well as the institutional and infrastructural environment for private sector development are needed to resolve the challenge of youth unemployment. Nevertheless, the economic performance still suffers from limited private investment, weak local purchasing power and dilapidated infrastructure, despite a considerable investment, weak implementation capacity, a fragile judicial system and corruption. These outstanding policy and institutional issues have to be addressed to create an enabling environment for strong economic growth that would help reduce the level of youth unemployment. A broader perspective would involve opening access to land and other productive assets to the youth. It is noteworthy that these strategies are being attended to as part of the implementation of the recommendations of the country's prime development document - *An Agenda for Change*. But the process needs to be accelerated to reduce youth unemployment.

Blessings and Curse of Mining and Minerals

- cvii. A key challenge that continues to plague Sierra Leone is the paradox of poverty in the midst of plenty. Though it ranks as one of the poorest countries in the world, Sierra Leone is richly endowed with resources and possesses some of the most commercially valuable mineral reserves in the world. It is: (i) among the top ten diamond producing countries in the world; (ii) one of the largest rutile and bauxite producers; (iii) and a major producer of gold and has the second largest iron ore deposits in the world. The recent announcement of off-shore oil reserves is an addition to the large mineral wealth of the country. Sierra Leone is one of the seven mineral-dependent states in Africa.

- cviii. The importance of the Mining Sector to Sierra Leone is further reinforced by the sector's role in the brutal civil war, which was partly fuelled by the control of some mineral resources, particularly diamonds. Diamonds became the key source of revenue for the procurement of weapons and ammunition for the control of the mining areas and the expansion their territorial control over the mineral deposits, which they exploited for their own economic gains. So diamonds influenced the prosecution of, and were the means for extending, the period of the war
- cix. The smuggling of Sierra Leonean diamonds within the axis of Guinea, Liberia and Côte d'Ivoire played a vital role in increasing the demand for diamonds and the accrued revenues from sales that in turn fuelled the war. This illegal trade in so-called "blood diamonds", had a negative impact on the reputation of the country internationally. Some diamonds influenced the prosecution and were the means for extending the period of the war.
- cx. The Government of Sierra Leone has taken steps to effectively govern the Mining Sector. The new incentives instituted for the sector include a decrease in Corporate Mining Tax from 37.5 per cent to 30 per cent, and a reduction in import duties for raw materials from 5 per cent to 3 per cent. Sierra Leone is one of the 75 member countries of the Kimberly Process Certification Scheme and the Extractive Industries Transparency Initiative (EITI). Its tripartite arrangements involving Government, mining companies and Local Government Oversight Committees are intended to ensure equitable distribution of mining revenues. However, there are still challenges in the mining Sector that require attention.
- cxi. There are unnerving challenges relating to accountability in the use of mining revenues at the local authority level. Moreover, there are widely held negative perceptions among Sierra Leoneans about the mining and mineral sector pertaining to the role and responsibilities of foreign investors. These perceptions revolve around issues of: (i) corporate social responsibilities; (ii) the contribution of the sector to permanent employment creation, growth and development; (iii) non-transparency of transactions; (iv) the belief that paramount chiefs receive personal gains from mining companies; (v) the relocation and compensation of land owners; (vi) the crowding out of the agricultural sector and the consequent potential food shortages; and (vii) the environmental impact of the mines. Also, the potential of significant future revenue flows to the Government is hampered by the extensive periods of tax holidays granted to mining companies. In addition, the corporate mining levy as well as the Diamond Area Community Development Fund levies is low. It is important for the Government to ensure that measures are in place to mitigate the mining sector's negative impact on the economy and environment, and on the negative perceptions of mining activities in the country..

Gender and Women Empowerment

- cxii. Sierra Leone has taken several legal and institutional steps to strengthen governance for gender equality. It has ratified and domesticated the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and other international codes on gender. The country has also set up institutions with regional structures to promote women's rights and women have even acceded to elective and high appointive offices.
- cxiii. Despite these achievements and constitutional provisions against discrimination and violence against women, there are many areas where gender equality and the empowerment of women in Sierra Leone are still lacking two of which are discussed here. First, Sierra Leone is yet to adopt and implement the recommendation of the Truth and Reconciliation Commission on 30 per cent affirmative action for women to increase their representation in public office at decision-making levels. This situation limits women's representation in politics. Given the "rough-and-tumble" nature of competitive party politics and the domination of old boys' clubs, women find it difficult to compete on an equal footing with their male counterparts. The lack of adequate women representation deprives, Sierra Leone of the decision-making capacity of 51 per cent of its citizens, which has serious consequences on political, economic and socio-economic decisions that are taken to advance the country's development agenda.
- cxiv. Traditional authorities continue to undermine the rights of women and vulnerable groups in a context of strong cultural mores and practices that discriminate against women at the national level, particularly in the area of citizenship and nationality. While the foreign wife of a Sierra Leonean man has the right to Sierra Leone nationality through naturalisation, a Sierra Leonean woman is denied such rights and cannot accord her foreign spouse the same privilege. Though the Sierra Leone Citizenship Act 1973 and the subsequent amendment to the Act in 2006 took the positive step in granting Sierra Leone women the right to pass on citizenship to their biological offspring, that right is not extended to their adopted children.
- cxv. These inadequacies in gender equality suggest the need for (i) intensifying public awareness for the promotion of gender equality and empowerment of women; (ii) expediting further legal reforms to strengthen gender equality and women empowerment; (iii) strengthening the capacity of all governance institutions focusing on professionalism, tools and skills for gender-responsive planning, budgeting and the establishment of accountability mechanisms for gender equality and empowerment of women; and (iv) providing adequate resources for gender programmes.

5. COMMENDABLE PRACTICES

Ward Committees

- cxvi. Sierra Leone's Ward Committee System is a commendable practice. Each Local Government Council Area has Ward Committees. They comprise not more than ten councillors, five of whom must be women from each ward, elected at a public meeting of residents in the Ward. The main function of a Ward Committee is to mobilise residents for self-help and development projects. Their composition and functions ensure gender balance and self-help in development.

Powers of the Anti-Corruption Commission

- cxvii. The Anti-Corruption Commission (ACC) of Sierra Leone started operations in 2002 with the power to investigate corruption cases and make recommendations to the Attorney-General on cases to be prosecuted. Since then, it has carried out Governance and Corruption Perception Surveys from which it has published Best Practices Guides and made recommendations to MDAs on record-keeping, monitoring and audit.
- cxviii. In 2008, the ACC Act was revised and amended to strengthen the Commission by vesting it with the power to prosecute corruption cases in its own right. Also, the new Act has expanded the scope of offences under ACC's coverage to include new ones such as illicit enrichment and abuse and misuse of office. The new Act also provides protection for whistle-blowers and informers, and makes it compulsory for all civil servants to declare their assets.

Policy Hearings and MTEF Process

- cxix. Policy hearings have been introduced in the budgeting process since 2004. These hearings, organised at a broad sectoral level, provide a platform for discussing and reviewing sectoral policies as the first stage in allocating expenditures between and within sectors.

Memorandum of Understanding between SLIBA and the Anti-Corruption Commission

- cxx. The Sierra Leone Indigenous Business Association (SLIBA) and the Anti-Corruption Commission (ACC) jointly collaborate on advocacy and standard setting. The agencies work together in training and anti-corruption education, capacity building, compliance with investment promotion and adherence to business related laws and policies.

Sierra Leone's Four Key Actions to Ensure Gender Equity

- cxxi. Sierra Leone has taken key steps in the area of gender including: (i) enactment of important legislation such as the Domestic Violence Act of 2007, the Devolution of Estates Act of 2007, and Registration of Customary Marriage and Divorce Act (2007); (ii) restructuring of the Ministry of Social Welfare, Gender and Children Affairs to ensure adequate autonomy and resources; (iii) establishment of Family Support Units at police stations for addressing violence against women; and (iv) ensuring women's participation in the prevention and resolution of conflicts, and peace building.

6. GENERAL CONCLUSIONS: CONSTRAINTS AND PERSPECTIVES

- cxxii. In conclusion to this Report, the Panel would like to indicate its appreciation of the collective effort of all Sierra Leoneans towards building a modern and economically viable and equitable nation after experiencing such a traumatic event as civil war. Aware of this stance, the Panel would like to point out a number of challenges that have to be addressed in order to move the political, economic and socio-economic agenda of Sierra Leone forward.

- cxxiii. *Some of the politically significant constraints and risks needing priority attention include:*

- Ethnicisation of politics;
- Youth unemployment;

- Weaknesses and contradictions in the practice of constitutional Government;
- Ethno-regional imbalance in Presidential Public Political Appointments;
- Loss of capacity in the Civil Service;
- Mineral resources that could be a curse rather than a blessing; and
- Corruption.

cxxiv. *Constraints at the Economic Level:*

- Poor resource mobilisation;
- Lack of access to credit;
- Serious lack of capacity;
- Poor monitoring and evaluation process;
- Dearth of institutions to support agricultural credit;
- Token and uncoordinated corporate social responsibility;
- Inability to verify asset declaration effectively on a regular basis.

cxxv. *Key challenges at the Social and Cultural levels:*

- Poor energy supply;
- Poverty; and
- Inadequate and poorly maintained infrastructure.

cxxvi. *Strengths and prospects*

cxxvii. The Panel would like to point out that Sierra Leone has a wealth of strengths to deal with the identified challenges. They consist in its:

- Resilient people;
- Mineral wealth;
- Land mass;
- Membership in international organisations; and
- Good development plans.

cxxviii. Sierra Leone, through its leaders, should build on these assets to overcome its political, economic and socio-economic development constraints. This calls for a determined, unyielding and enlightened leadership at all levels of the Sierra Leonean society. There is every indication that such leadership exists in the present day Sierra Leone and the Panel is confident that Sierra Leone will employ it both judiciously and effectively in the march towards resolving the constraints and challenges.



CHAPTER ONE

1. INTRODUCTION: THE APRM AND ITS IMPLEMENTATION IN SIERRA LEONE

“The mandate of the African Peer Review Mechanism [APRM] is to ensure that the policies and practices of participating states conform to the agreed political, economic and corporate governance values, codes and standards contained in the Declaration on Democracy, Political, Economic and Corporate Governance. The APRM is the mutually agreed instrument for self-monitoring by the participating member governments.”

NEPAD/HSGIC/03-2003/APRM/MOU/Annex II

1.1 The APRM and its implementation

1. During the Inaugural Summit of the African Union (AU), held in Durban, South Africa, in July 2002, the New Partnership for Africa’s Development (NEPAD) Implementation Committee adopted the Declaration on Democracy, Political, Economic and Corporate Governance. In a bid to improve the quality of governance in Africa, the Sixth Summit of the Heads of State and Government Implementation Committee (HSGIC) of NEPAD, held in March 2003, in Abuja, Nigeria, endorsed the Durban Declaration and adopted the Memorandum of Understanding (MOU) of the APRM. Subsequently, the main documents outlining the core principles, processes and objectives of the APRM, including the APRM Base Document, the Document on Organisation and Processes (the O & P Document) of the APRM, as well as the Document on Objectives, Standards, Criteria and Indicators of the APRM (the OSCI document), were also adopted by the Heads of State.
2. Member states of the AU may voluntarily accede to the APRM, a mechanism for self-evaluation by Africans for Africans. The main objective of the APRM is to ensure that the policies and practices of participating states conform to the values, codes and standards of political, economic and corporate governance and socio-economic development contained in the Declaration on Democracy, Political, Economic and Corporate Governance. The ultimate goal is, therefore, to encourage participating states to adopt policies, standards and practices that lead to political stability, high economic growth, sustainable development, and accelerated sub-regional and continental integration. The APRM intends to

achieve this goal by sharing the experiences of successful and best practices as well as by consolidating them. Thereafter, it hopes to build competence by identifying the deficiencies in, and assessing the requisites for, capacity building.

Box 1.1: APRM Activity Report

The APRM has won worldwide acclaim as a novel way for showcasing Africa's thinking on governance. It is based on mutual trust and confidence in the process. It is also a commitment to African governance for Africans and serves as a tool for implementing the codes and standards enshrined in the Declaration on Democracy, Political, Economic and Corporate Governance, and for achieving socio-economic development.

The African Peer Review Mechanism (APRM) continues to advance good governance and socio-economic development in Africa. Liberia officially joined the Mechanism at the APR Forum in January 2011. Therefore, as of August 2011, 30 countries had joined the Mechanism through signing the accession MOU, namely: Algeria, Angola, Benin, Burkina Faso, Cameroon, the Congo, Djibouti, Egypt, Ethiopia, Gabon, Ghana, Kenya, Lesotho, Liberia, Malawi, Mali, Mauritania, Mauritius, Mozambique, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, South Africa, Sudan, the United Republic of Tanzania, Togo, Uganda and Zambia. Two more countries, Cape Verde and Equatorial Guinea, have also expressed their intention to accede. APRM membership represents more than 76 per cent of the African population.

Revised APRM Tools and Processes

In 2009, the APRM embarked on the Project on Streamlining and Fast-tracking the APRM process, with funding from the African Development Bank, a strategic partner. The project supports the revision of APRM tools and processes. The APRM Master Questionnaire was revised in the course of 2010, and the revised questionnaire was validated in March 2011 at a stakeholder workshop in Johannesburg. The Questionnaire is now due to be reviewed by the APR Forum at its 16th Summit in Ethiopia, in January 2012. Other tools and processes to be revised and developed under the Project include the:

- NPOA Monitoring and Evaluation Framework;
- APRM Methodology and Processes;
- Modalities for Enhancing the Participation of Civil Society in the African Peer Review Mechanism.

Box 1.1: APRM Activity Report (Continued)

The Way Forward

As of November 2011, 14 countries have been peer-reviewed by the APR Forum, namely: Algeria, Benin, Burkina Faso, Ethiopia, Ghana, Kenya, Lesotho, Mali, Mauritius, Mozambique, Nigeria, Rwanda, South Africa, and Uganda. Most of the other countries are at various stages of the review process, with Zambia, Sierra Leone, and Tanzania scheduled for peer review in January 2012, while Kenya is scheduled for a second-cycle peer review in January 2012. Ghana will also follow with its second periodic review in 2012.

The countries reviewed have made progress in the implementation of their National Programmes of Action (NPOA), based on their review reports. At the 14th Summit of the APR Forum held in Addis Ababa, in January 2011, the progress reports on status of implementation of the NPOA of Nigeria, Lesotho and South Africa were reviewed. At the 15th Summit of the APR Forum held in Malabo, Equatorial Guinea in June 2011, progress reports on the implementation of Burkina Faso and Benin NPOAs were reviewed.

3. So far, 30 AU member countries have voluntarily acceded to the APRM. Accession signifies the commitment of the signatory to be periodically peer-reviewed, to be guided by the agreed mechanisms, and to commit itself to achieving good political, economic and corporate governance and socio-economic development in its National Programme of Action (NPOA).
4. The APRM process consists of five successive phases. These phases are defined in the APRM Base Document and are briefly described below.
5. **Phase One** is the preparatory phase, both at the level of the APR Secretariat and at national level. Under the direction of the APR Panel, the Secretariat sends a questionnaire covering the four APRM focus areas to the country to be reviewed. With the assistance, if necessary, of the APR Secretariat and/or relevant partner institutions, the country uses the questionnaire to conduct a self-assessment exercise. After completing the self-assessment, the country formulates a preliminary NPOA that builds on existing policies, programmes and projects. Both the Country Self-Assessment Report (CSAR) and the preliminary NPOA are then submitted to the APR Secretariat. At the same time, the APR Secretariat develops a background document on the country. This document is drafted on the basis of documentary research and on recent and relevant information obtained regarding the state of governance and development in the country. It covers the four focus areas.

6. **Phase Two** is the country review visit. Under the direction of the APR Panel, the Country Review Mission (CRM) visits the country concerned. Its priority is to add to the CSAR from consultations with as many stakeholders as possible: government officials, political parties, parliamentarians, representatives of civil society organisations, the media, academia, trade unions, and business and professional bodies. The CRM's main objectives are to:
 - Learn about the different stakeholders' perspectives on governance in the country;
 - Clarify the challenges identified in the documents on issues not addressed in the country's preliminary NPOA;
 - Build consensus on how to address such issues.
7. It is important to note that the country plays a mainly facilitative role during the visit so the CRM can carry out its review efficiently. The CRM has full access to all sources of information and to the different stakeholders, as provided for in the MoU on the Technical Assessment Mission, and on the CSAR signed between the country under review and the APRM.
8. During **Phase Three**, the CRM report is drafted. It is based on the CSAR, background documents, and questions prepared by the APR Secretariat, and on information obtained from both official and unofficial sources during the wide-ranging consultations held with stakeholders during the review visit.
9. The draft report:
 - Considers the applicable political, economic, corporate governance and socio-economic development commitments made in the preliminary NPOA;
 - Identifies any remaining weaknesses;
 - Recommends further actions to be included in the final NPOA.
10. The draft report is first examined by the APR Panel, its official author. The report should be clear about specific actions to be taken where major issues have been identified. The draft report is initially discussed with the government concerned in order to ensure accuracy of information. This, therefore, is an opportunity for the government to react to the CRM's findings and to formulate its own views on the weaknesses that have been identified and which must be corrected. Government's responses should be appended to the CRM's report

on its findings and to the recommendations made in the draft report by the APR Panel, together with the NPOA finalised by the country.

11. **Phase Four** begins when the CRM's final report and the country's final NPOA are sent to the APR Secretariat and the APR Panel. The APR Panel then submits these to the APR Forum of participating Heads of State, and to the Government under review for consideration. In accordance with the Forum's mandate, action must be identified. If the country shows a willingness to rectify the identified shortcomings, participating governments should provide whatever assistance they can, as well as urge donor governments and agencies to assist the country under review.
12. **Phase Five** is the final phase of the APRM process. Six months after the report has been considered by participating member country Heads of State and Government, the report is formally and publicly tabled in key regional and sub-regional structures. These include the regional economic community to which the country belongs, the Pan-African Parliament, the African Commission on Human and Peoples' Rights, the Peace and Security Council, and the Economic, Social and Cultural Council (ECOSOCC) of the AU.
13. The timeline for these processes may vary considerably, depending on the country being reviewed and its specific characteristics. The anticipated duration of each peer review, from Phase One to the end of Phase Four, is between six and nine months.
14. This report marks the third phase of the APRM process in Sierra Leone. It presents the findings of the CRM to Sierra Leone, as well as the APR Panel's recommendations.

1.2 The Implementation of the APRM Process in Sierra Leone⁸

15. Sierra Leone acceded to the APRM on 8 July 2004. After the initial hiatus between the accession to, and the commencement of, the APRM process in Sierra Leone, events moved rather quickly, particularly with the ascendancy

⁸ This section is in large part an extract from the *APRM Country Self-Assessment Report (CSAR) for Sierra Leone*, (December 2010).

of a new government in 2007. The Sierra Leone Government underlined its commitment to the process by ensuring that it was led by the Ministry of Presidential and Public Affairs (MPPA) as the Focal Point, with the Minister as the National Focal Person.

16. A National Consultative Conference was launched in January 2006, in preparation for Sierra Leone's participation in the Sixth African Governance Forum held in Kigali, Rwanda, in May 2006. An interim National APRM Secretariat that was established thereafter, with support from UNDP, began the process of developing a Strategic Plan to operationalise the APRM, in September 2006.
17. A programme of regional sensitisation and capacity building consultations was initiated in late 2007, starting with the Eastern Region on 11 July. However, this process was slowed down by Parliamentary and Presidential Elections in August and September of that year. The programme recommenced in 2008 and in April, May and August of that year, regional consultations were held in the Northern, Southern and Eastern regions of the country, respectively. Meanwhile, discussions about the composition of a National Governing Council (NGC), to which the Cabinet had given approval, went apace.
18. The high point for the APRM process in Sierra Leone was attained on 15 September 2008 when the newly elected President, His Excellency Dr. Ernest Bai Koroma, launched its official commencement and inaugurated the 22-member NGC to lead, direct and guide the process.
19. A major quality assurance measure for the credibility of the APRM process in any country is the establishment of national structures for effective implementation. Sierra Leone's NGC paid great attention to this by ensuring that all the major structures were put in place. The first is the National Focal Person. Initially, this was the Minister for Presidential and Public Affairs. When, in 2010, this position was abolished in the Cabinet and replaced by the Chief of Staff in the President's Office, the latter became the National Focal Person.
20. Next is the NGC, which led the APRM process. Chaired by an academic luminary at the University of Sierra Leone, Sierra Leone's NGC has broad-based membership. The Government of Sierra Leone opted for an inclusive approach in setting up its APRM-NGC. Membership reflects the diverse composition of the country as it includes representatives of women, youth, government/state, parastatals, traditional rulers, academia, civil society (including human rights activists), the private sector, unions, farmers, indigenous business, the media, and faith-based groups. Very early on, the NGC established a technical

backstopping team of eight sector experts to provide technical and professional research support to the process. This served to compensate for potential skills gaps at the NGC.

21. The NGC set up three sub-committees to lead on its strategic work: the Education, Information and Sensitisation Committee, the Fundraising Committee, and the Research & Planning Committee. The Committees met more frequently and reported to the NGC, which held meetings on a monthly basis.
22. An independent APRM Secretariat was key to the effective functioning of the NGC. The location of the National APRM Secretariat at State House and under the purview of the Ministry of Presidential and Public Affairs was intended as an interim arrangement. By September 2009, the NGC had secured its own independent premises, officially opened in May 2010. It went on to appoint its own staff and take control of its budget as a sub-vented Government Agency. The Secretariat provides administrative support to the NGC and the APRM process as a whole.
23. Finally, the NGC established APRM District Committees in each of the 14 administrative districts of Sierra Leone. These Committees helped decentralise the process by assisting with sensitisation, coordination, and consultation at the District level.
24. The APR Panel fielded a Country Support Mission to Sierra Leone from 31 August to 3 September 2010. The aim of the Support Mission was to:
 - Review the structures that Sierra Leone had set up for the self-assessment process;
 - Deliberate with the relevant stakeholders on the various structures in place and their expectations with respect to the review exercise, offering suggestions where necessary based on experience in implementing the APRM thus far;
 - Agree on a roadmap culminating in a review mission; and
 - Sign the Memorandum of Understanding for Technical Assessments between the Government of Sierra Leone and the African Peer Review Forum.

25. The Support Mission achieved all of its aims, and the Roadmap that was developed provided for the submission of the Self-Assessment Report to the APR Panel by the end of the year, to pave the way for the Country Review Mission.
26. Government subsequently submitted its Draft Country Self-Assessment Report to the APR Panel within the agreed timeframe.
27. In March 2011, the APR Panel appointed Barrister Akere Muna as the Lead Panel Member for Sierra Leone. In April, Barrister Muna led a Follow-up Mission to Sierra Leone. The Mission Team met with H.E. Ernest Bai Koroma, President of Sierra Leone, as well as APRM stakeholders, including the media and civil society. During the Mission, it was agreed that the conditions had been fully met to allow for fielding the APRM Country Review Mission to Sierra Leone the following month.

1.3 The Country Review Mission

28. Barrister Akere Muna, member of the APR Panel of Eminent Persons, led the Sierra Leone CRM from 21 May to 6 June 2011. Sierra Leone thus became the 16th country to host a review mission.
29. The CRM was made up of 20 African experts, selected by virtue of their competence and experience in governance in the various fields covered by the APRM. They were:

For the APR Panel and the APR Secretariat:

30. Barrister Akere Muna, Head of the CRM and member of the APR Panel of Eminent Persons; Mr. Dalmar Jama, Research Analyst: corporate governance and coordinator of the CRM of Sierra Leone; and Ms Arlette Yemek, APR Secretariat member in charge of finance and logistics for the Sierra Leone Country Review Mission.

For partner institutions:

31. Dr. Kojo Busia (Chief, APRM Unit and Senior Development Management Officer, UNECA) Dr. Adam B. Elhiraika (Macroeconomist, UNECA); Ms. Amy

Touré (Post-Conflict and Fragile States Expert, UNECA); Ms. Zemenay Lakew (Programme Advisor: NEPAD/APRM, UNDP); Mr. Lemma Marid (Consultant, UNDP) and Mr. Dawit Makonnen (International Consultant, representing the African Development Bank)

For independent experts at the APR Secretariat:

32. *Principal Writer.* Dr. Bernard Dasah, international consultant, CEO of Bendas Consultants, who has twenty-four years of consultancy experience with international organisations and the Governments of Ghana, Kenya, Pakistan, Tanzania, Zambia, Zimbabwe, The Gambia and South Africa. During the Sierra Leone review mission, Dr. Dasah was a member of the socio-economic development team.
33. *Democracy and political governance:* Prof. Adele Jinadu, international consultant and Associate Lecturer, (Professional Cadre) Department of Political Science, University of Lagos, Nigeria. He worked as a Director, South – South Institute 2009 session on Democracy and Social Justice as well as Executive Director Centre for Advanced Social Science in Nigeria; Mr. Victor Brobbey, a Research Fellow for Governance and Legal Policy at the Ghana Centre for Democratic Development (CDD). In 2010-2011, Mr. Brobbey led the technical research team from CDD that revised the APRM Questionnaire’s DPG section; Prof. Alex Gboyega taught at the Department of Political Science, University of Ibadan, since June 1976 and was promoted to the rank of professor in October 1989. He has served as a consultant to various international organisations as well as the Federal and State Governments in Nigeria; Ms. Jacinta Muteshi, international consultant, a development, women’s rights and gender equality expert.
34. *Economic governance and management:* Prof. Nehemiah Osoro taught at the Department of Economics at the University of Dar es Salaam in Tanzania since 1980 and served as Chairman of the Department of Economics; Prof. Elsabé Loots, Dean of the Faculty of Economic and Management Sciences at North-west University in South Africa and former Head of the School of Business and Economics, Monash University in South Africa.
35. *Corporate governance:* Mr. Donatien Bihute, international consultant, former Vice- President of the African Development Bank (AfDB), as well as a former Minister in the Burundi government, and past President of the Chamber of Commerce, Industry and Agriculture of Burundi; Mr. Leo Kibirango, international consultant, a former Governor of the Central Bank of Uganda as well as a Fellow

of the Uganda Institute of Bankers. and President of the Institute of Corporate Governance of Uganda; Dr. Winnie Tarinyeba-Kiryabwire, international consultant, a Specialist in Financial Markets Regulation, Corporate Governance, and Microfinance and who has advised the Government of Uganda/Uganda Law Reform Commission on reforms to commercial law.

36. *Socio-economic development:* Mr Pierre Demba, international consultant, worked for four years with the Central Africa Development Bank in Brazzaville before joining UNECA where he spent 25 years as a specialist on industrial development and regional integration. As a member of the ECA's think tank on governance, he contributed to the first Africa Governance Forum on Governance;
37. In accordance with the APRM mandate, the CRM enquired into the results of the self-assessment undertaken by Sierra Leone. In particular, the CRM:
- Held extensive consultations with all stakeholders in order to deepen and complete the self-assessment report;
 - Evaluated the draft NPOA submitted by the country and made appropriate proposals;
 - Ensured that, as far as was possible, the self-assessment process carried out by Sierra Leone was technically satisfactory, credible and devoid of any political manipulation;
 - Established a consensus with the stakeholders on the remaining issues and challenges, and made recommendations likely to improve governance in the country.
38. The CRM met with representatives of government, civil society and the private sector from 21 May to 6 June 2011. Members of the CRM held meetings with all levels of government including Ministers, the Secretary to the Cabinet, Permanent Secretaries, Departmental/Divisional Heads, Ministers and Deputy ministers representing the Administration of the Eastern, Southern and Northern regions, and the Mayor and Deputy-Mayor of Freetown.
39. In the course of the Mission, the CRM held fruitful discussions with representatives of state institutions including the Anti-Corruption Commission,

Statistics – Sierra Leone, the Human Rights Commission, the National Commission for Democracy, the Ombudsman, the National Commission for Social Action (NaCSA), the Auditor-General, the Political Parties Registration Commission, and the National Electoral Commission. The CRM also interacted with civil society and private sector representatives, including the Sierra Leone Labour Congress, the Inter-Religious Council, women’s groups, youth groups, the Sierra Leone Chamber of Commerce, Industry and Agriculture, the Sierra Leone Indigenous Business Association and other members of the private sector.

40. As part of the review, the team held meetings in all four regions of Sierra Leone including Freetown, and the region capitals of Kenema (East), Bo (South) and Makeni (North). The meetings involved calls on the Resident Minister of each region or a representative, as well as plenary and breakaway sessions with stakeholder groups in each town. Stakeholders at these regional meetings included local councillors, paramount chiefs, officials at decentralised Ministries, Departments and Agencies (MDAs), Civil Society Organisations, as well as participants representing the informal and private sectors.
41. The Review Team also had extensive discussions with the Legislative and Judicial arms of government. It met with the Speaker of Parliament and other parliamentary leaders and also had a separate meeting with a cross-section of Members of Parliament from all the main political parties. The Review Team had frank discussions with the Chief Justice and all the Supreme Court Judges of Sierra Leone, prior to its separate meeting with the Auditor-General and the Solicitor-General of Sierra Leone, at the Ministry of Justice. The CRM also met with development partners including the Executive Representative of the Secretary-General of the United Nations in Sierra Leone (ERSG).
42. The CRM met three times with H.E. President Ernest Bai Koroma: a courtesy visit at the start of the mission; at the Official Launch of the Review Mission; and at a pre-cabinet session with the President and Ministers at the end of the mission after which the CRM held a press conference.

CHAPTER TWO

2. HISTORICAL CONTEXT AND CURRENT CHALLENGES

43. This chapter provides a summary account of Sierra Leone's history (section 2.1) and of its current situation (section 2.2), providing an analytical backdrop to the Country Review Report. Section 2.1 traces the historical development of the country from the Late Middle Ages, giving a brief overview of the country's transition from colonised territory to independent republic. Section 2.2 considers the country's current situation and looks at some of the challenges facing the country.

2.1 Historical Overview

Pre-colonial and Colonial period

44. According to the Encyclopaedia of the Nations, archaeological research indicates that by AD 800, the use of iron had been introduced into what is now Sierra Leone and that by AD 1000, the coastal peoples were practicing agriculture. Beginning perhaps in the 13th century, migrants arrived from the more advanced savannah lands to the north and east.
45. European contact began in 1462 with the Portuguese explorer Pedro da Cintra, who gave the mountainous Peninsula the name Sierra Leone ("Lion Mountains"). From the 16th to the early 19th century, the region was raided for slaves for the Atlantic trade, and later in the 19th century, it was ravaged by African war leaders and slavers.
46. The Colony of Sierra Leone was founded by British philanthropists to relieve the horrors of the Slave Trade. Granville Sharp, a leader in the movement to abolish slavery, planned it as a home for African slaves freed in England. In 1787, he sent out the first settlers to what he called "The Province of Freedom." In the following year, one of the Temne kings and his subordinate chiefs sold and ceded a strip of land on the north shore of the Sierra Leone Peninsula to Captain John Taylor on behalf of the "free community of settlers, their heirs

*and successors, lately arrived from England, and under the protection of the British Government.*⁹ A few years later, they were joined by settlers of African origin from England, Nova Scotia (freed slaves who, as loyalists, had fled the American Revolution), and Jamaica.

47. After 1807, when the British Parliament passed an act making the Slave Trade illegal, the new colony was used as a base from which the act could be enforced. From 1808 onwards, hundreds, and sometimes thousands of slaves were freed each year and most of them stayed on in Sierra Leone. In 1896, a British protectorate was declared over the hinterland of Sierra Leone, which was separate from the colony.

Pre-Independence Legislature and Elections¹⁰

48. A 1924 constitution provided for the election of three members to a Legislative Council on a restricted franchise, despite increasing pressure from Sierra Leoneans living in the two constituent parts of Sierra Leone: the Colony – the city of Freetown and its immediate surroundings; and the Protectorate – the hinterland.
49. World War II weakened Great Britain and made colonial administrators more amenable to pressures from nationalists. The two superpowers that emerged from the Great War – the United States and the Soviet Union – were also largely anti-colonial in outlook. In response to these pressures, post-war governments in Great Britain started to prepare for independence in many of the colonies.
50. In 1946, Britain established a semi-legislative body: the Protectorate Assembly. This Assembly consisted of 42 members including directors of government departments; district representatives who were indirectly elected by district councils and were often chiefs; and Governor's nominees. The Assembly met in the town of Bo on an annual basis to discuss national issues, including constitutional matters. The last meeting of the Assembly took place in 1955.
51. In 1951, a new constitution was ushered in, providing for an elected majority in the Legislative Council for the first time, and resulting in African rule. In 1957,

9 "Sierra Leone - History." Encyclopedia of the Nations. 2011. 27 July 2011. <http://www.nationsencyclopedia.com/Africa/Sierra-Leone-HISTORY.html>.

10 Ali, Joe A.D, *A New History of Sierra Leone*, MacMillan, 1990.

the Legislative Council was replaced by a House of Representatives, with mostly elected members, and the literacy requirement for voters was dropped. In 1958, Milton Margai became Sierra Leone's first Prime Minister. He led a delegation to London to establish conditions for full independence, in 1960.

Independence

52. Sierra Leone became an independent country within the Commonwealth of Nations on 27 April 1961. Milton Margai, Head of the Sierra Leone Peoples' Party (SLPP), served as Prime Minister until his death in 1964. He was succeeded by his half-brother, Albert Margai who held office until the national elections in March 1967. The outcome of the elections was disputed, but the All-People's Congress (APC) claimed a plurality of the seats in the House of Representatives. Before Siaka Stevens – APC Chairman – could take office as Prime Minister, he was ousted in a bloodless coup led by the Army Chief, Brigadier David Lansana. Martial Law was imposed, and a National Reformation Council remained in control for 13 months, until 18 April 1968, when it was overthrown by the Anti-Corruption Revolutionary Movement, a military group that formed the National Interim Council. On 26 April 1968, Stevens was installed as Prime Minister of a civilian government. Continuing political unrest prompted the declaration of a state of emergency in 1970 and a ban on the newly created United Democratic Party, an opposition group whose leaders were arrested.
53. In 1971, a new constitution was adopted after an abortive military coup that was suppressed with the assistance of Guinea. The country was declared a republic on 19 April 1971. Two days later, Siaka Stevens, then Prime Minister, became the nation's first President. National elections were held in May 1973, and the APC won a nearly unanimous victory pursuant to the decision of the opposition Sierra Leone People's Party to withdraw its candidates over allegations of electoral irregularities. An alleged plot to overthrow Stevens failed in 1974, and in March 1976, he was elected without opposition for a second five-year term as President. In 1978, a new constitution was adopted, making the country a one-party state.
54. An economic slowdown, coupled with revelations of government corruption, led to a general strike in September 1981, called by the Sierra Leone Labour Congress. Some labour leaders and other government critics were temporarily detained under emergency regulations. However, Government met a key demand of the strikers by lowering basic commodity prices. Parliamentary elections held in 1982, which were limited to the APC, were marred by violence and irregularities.

55. Stevens did not run for re-election as President in 1985, yielding power to his handpicked successor, Major General Joseph Saidu Momoh, the armed forces commander, whose nomination by the APC was ratified by his election, unopposed, in October 1985. Parliamentary elections were held in May 1986. After an alleged attempt to assassinate Momoh in March 1987, more than 60 people were arrested, including First Vice-President Francis Minah, who was removed from office. An extensive cabinet reshuffling then ensued. Further reports of alleged coup attempts followed.
56. In March 1991, Sierra Leone was invaded from Liberia by forces commanded by Charles Taylor, a Liberian rebel. National support within Sierra Leone mounted and by 29 April 1992, Momoh was overthrown in a military coup and fled to Guinea. A National Provisional Ruling Council (NPRC) was created but, shortly afterwards, on 2 May, Lieutenant Colonel Yahya, head of the five-member junta, was arrested by his colleagues and replaced by Captain Valentine Strasser, formally designated as Head of State.
57. The Strasser government soon issued a series of decrees and public notices, weakening the status of the 1991 Constitution. It also imposed a number of laws limiting political freedoms. The NPRC dissolved parliament and political parties, ruling by decree. Strasser talked of returning Sierra Leone to multiparty democracy. His main goal was to end fighting in the southeast where forces of the National Patriotic Front of Liberia and Sierra Leonean dissidents were engaging a less-than-committed Sierra Leone armed force. Forces from the ECOWAS Monitoring Group sought to create a buffer along the boundary between the two countries. The rebellion, led by Foday Sankoh of the Revolutionary United Front (RUF), simmered throughout 1993 although it seemed to falter as the Liberian rebels across the border lost ground. A stalemate ensued. In November 1993, Strasser announced a unilateral cease-fire and an amnesty for rebels.
58. Strasser used the security situation to consolidate his power through 1992 and 1993. In December 1992, 26 alleged coup plotters from the Momoh government were executed. In mid-1993, Strasser arrested Captain Solomon Musa, his Vice President.

Civil War

Box 2.1: Causes of the Civil War in Sierra Leone

The Causes of the Civil War are aptly described in Sierra Leone's APRM Country Self-Assessment Report (CSAR), from which extracts are provided below:

The country's first post-independence leader, Sir Milton Margai, whose brokerage leadership style was successful in containing the fissiparous tendencies that surfaced just prior to independence, was able to accomplish modest economic success. He was the leader of Sierra Leone's oldest surviving political party, the Sierra Leone Peoples Party (SLPP), established in 1951. A medical doctor of chiefly extraction, Sir Milton embodied both traditional and educational success and opted for a conservative approach both at home and abroad. But the chieftaincy institution with which he was closely associated is generally regarded as repressive and extortionate. He died of natural causes in 1964 and was succeeded by his half-brother, Sir Albert Margai, as leader of the SLPP and Prime Minister.

Sir Albert (1964 – 1967) and his pre-war civilian successors, Siaka Stevens (1968 – 1985) and Joseph Saidu Momoh (1985 – 1992), broadly speaking adopted a neo-patrimonial leadership approach to governance. The difference was a matter of degree rather than of kind. The patron-client relationships they established and perpetuated subsumed the popular vision of the post-independence state in Sierra Leone, in which there was anticipation for slow but steady progress toward a better life for all, popular political participation and guidance from enlightened leadership by educated professionals. It was hoped that the post-colonial leadership would diversify the economy in view of the structural pattern developed under colonial rule. Sierra Leone had no oil, but has vast agricultural, touristic, mineral and marine resources.

On the contrary, Sierra Leone offers melancholy evidence of a state whose almost terminal economic decline culminated in civil conflict. The pre-war state was characterised by the oppression of weaker social groups by stronger or more influential ones. Over time, this led to the formation of new and several political parties and shifting alliances. Consequently, the Sierra Leone polity became inherently fragile and vulnerable on a number of fronts.

Control of the state, by especially the educated elite, became the source of intense political competition. This guaranteed access to ill-gotten wealth badly needed for distribution to supporters, leading to a highly centralised form of economic management. This economic statism led the government to play a central role in almost every aspect of the economic sphere.

Box 2.1: Causes of the Civil War in Sierra Leone (Continued)

While the role of external forces in the economic degeneration of Sierra Leone cannot be denied, it is the pervasive and institutionalised corruption that has exacerbated it. The horrifying manner and sense of impunity with which the political elite plundered public resources is widely acknowledged in all serious accounts and analyses of the political history of modern Sierra Leone. Corruption is a societal problem that goes beyond just public office holders.

In Sierra Leone, corruption is incidental, systematic and systemic. The post-colonial history of Sierra Leone is replete with the establishment of commissions of inquiry into corruption in public office. There is popular reference to neologisms coined after the Watergate in the US – “vouchergate”, “squandergate”, “milliongate”, “bookgate”, etc. Needless to say, corruption breeds maladministration, inefficiency, general managerial incompetence and lack of accountability.

Sierra Leone’s pre-war democratic experiment has consequently been riddled with political instability. Military coups became a cancer in the country’s body politic. As early as 1967, the post-colonial state failed the democratic test when the army made its first escapade into politics and disrupted Africa’s first smooth transfer of power from an incumbent ruler to the Opposition. Between 1967 and 1968, the country witnessed three successive coups d’état. From the early 1970s through to the late 1990s, trials for alleged, failed and actual coups abounded. These were often accompanied by imprisonments and executions.

Siaka Stevens’ reaction to attempts to topple his government was first, to transform the country into a Republic in 1971 and then, to a one-party state in 1978. The elections of the 1970s were, therefore, a mere façade. Decentralisation died with the abolition of the local councils in 1972 and the arrogation of political power to the centre.

The net effect of these developments was the emergence of an autocratic society characterised by political executions, muzzling of press freedom, rampant violations of human rights, erosion of the rule of law and obsession with regime survival. Economic policies and state resources were skewed to meet political ends, resulting in very minimal levels of development. By 1991, Sierra Leone became an international basket-case and was declared the poorest country in the world by the United Nations Development Programme (UNDP). The involvement of the International Monetary Fund (IMF) in economic management in Sierra Leone, which commenced in the late 1960s and has had wide ranging implications, became a permanent and an inescapable fact of life.

Source: *Sierra Leone Country Self-Assessment Report (CSAR)*, pp. 3-4, November 2010.

59. In November 1993, Strasser issued a timetable for a transition to democracy, to culminate in general elections in late 1995. A month later, the NPRC released a Working Document on the Constitution to serve as the basis for public debates leading to a constitutional referendum in May 1995. However, Deputy Brigadier General Julius Maada Brio ousted Strasser in 1996 and granted him safe conduct out of the country. Presidential and parliamentary elections were held in February 1996, but were violently opposed by rebel forces, causing 27 deaths. Neither candidate, Ahmad Tejan Kabbah (United Peoples Party) or Dr. John Karefa-Smart, received a majority of the vote and a runoff election was held on 15 March 1996. Kabbah won the election with 59.4% of the vote.
60. Major Johnny Paul Koromah of the Armed Forces Revolutionary Council (AFRC) overthrew Kabbah in May 1997. Clashes between the rebels and Nigerian troops ensued, forcing 12,000 Freetown residents to flee the capital. With ECOMOG's support, President Kabbah returned from exile on 10 March 1998. However, rebel forces remained firmly in control of the north, the Kono diamond field, and areas along the Liberian border.
61. A violent rebel offensive in January 1999, led by the AFRC and Revolutionary United Front (RUF), forced the evacuation of diplomatic and foreign aid personnel from Freetown. Between 3,000 and 5,000 residents were killed, 150,000 internally displaced, and 20% of Freetown was destroyed. Rebels amputated the limbs of thousands of civilians "to send a message" to the government. Human rights reports documented unspeakable abuses on all sides. The attack was repelled, but rebels gained control of two-thirds of the country.
62. President Kabbah was forced to grant temporary amnesty to Corporal Foday Sankoh, leader of the RUF, in March 1999. Sankoh received four ministerial positions and three deputies, giving the rebels seven government positions. Peace talks resumed, and a cease-fire was signed in May. In July, Jesse Jackson and ECOWAS Chairman Gnassingbe Eyadema presided over the signing of the Lomé Peace Accord.
63. Until May 2000, it appeared that the accords might be implemented. Foday Sankoh and Johnny Paul Koroma came back to Sierra Leone to join the government in October 1999. However, Sankoh criticised Kabbah for not offering former rebels the ministries of justice, finance, or foreign affairs in the new unity government. The Lomé agreement specified at least one senior ministry for the rebels. In December 1999, ECOMOG forces began withdrawing – to be replaced by 11,000 UN observer troops (UNAMSIL), eventually reaching troop strengths of 17,000.

Peace Agreement

64. In early May 2000, the RUF resumed the war, seized 500 UN personnel, and advanced to within 25 miles of the capital. On May 17, Foday Sankoh was captured. Liberian president Charles Taylor, an RUF supporter, helped obtain the release of some of the peacekeepers, but insisted that Sankoh be part of the solution to the war. By June 2000, the rebels were willing to trade their remaining captives for Sankoh's release. However, the exchange never materialised as a contingent of British, ECOMOG, and UN troops under UNAMSIL routed the RUF and other armed groups, resulting in a negotiated cease-fire and peace agreement that became fully effective in January 2002. President Kabbah and his party won overwhelming victories at the ensuing presidential and parliamentary polls, on 14 May 2002. Kabbah conducted an ambitious restructuring and downsizing of the army and security forces, and began prosecuting war crimes offenders under the UN Special Court. With RUF leader Foday Sankoh in prison, the RUF demonstrated cooperation, although an unsuccessful raid on an armoury outside Freetown in January 2003 was thought to be linked to Johnny Paul Koroma. An 18 January police raid on Koroma's residence failed, and he remained at large. In October 2002, Kabbah established a Truth and Reconciliation Commission (TRC), which was slow in getting off the mark. The main goal of the TRC was emotional healing and its mandate—even with a six-month extension—expired in April 2004. By February 2003, some 1,400 people had provided testimony containing information about 3,000 victims who had suffered more than 4,000 violations, including 1,000 deaths and 200 cases of rape and sexual abuse. One-third of the respondents were women and about 10% were children.
65. In the meantime, Kabbah was preoccupied with the declining number of peacekeepers in the country juxtaposed with escalating civil wars in Liberia and Côte d'Ivoire. In December 2002, UNAMSIL completed the first phase of its downsizing, withdrawing some 600 soldiers – in keeping with its Security Council mandate. Another 4,500 troops were scheduled to withdraw by the end of May 2003, and by December 2003, only 2,000 UNAMSIL troops were to remain in the country, placing the burden of security operations on Government. In February 2003, some 300 Gurkha soldiers (Nepalese) from the British Army's 2nd battalion Royal Gurkha Rifles arrived in Sierra Leone to repel cross-border incursions from rebels and Liberian army units. However, thousands of Liberian refugees crossed the border into Sierra Leone, and Liberian and Sierra Leonean refugees were repatriated from Cote d'Ivoire.
66. Sierra Leone experienced a decade-long civil war that only ended in 2002. It is one of nine countries in Africa whose income per capita actually fell, in

comparison with the levels of the 1960s. Peace has been consolidated and the country is now peaceful and stable. Sierra Leone has already had two full-fledged, peaceful, and credible presidential, parliamentary, and local council elections. The 2007 elections saw a peaceful and orderly transition of power from the Government to the Opposition Party.

2.2 Economic Performance and Prospects¹¹

67. The economy of Sierra Leone is on the path of recovery from the legacy of its civil crisis. Government has embarked on the formulation and implementation of various policy reforms to revamp the country's economy. In spite of these endeavours, government reform efforts are exposed to ominous threats posed by sub-regional issues including drug trafficking, money laundering and other criminal activities. For example, cocaine trafficking through West Africa is estimated to generate an annual USD 2.0 billion. It has become very difficult to apprehend these traffickers because they have ample cash to bribe government officials and subvert the rule of law. Apart from using Africa as a transit point, drug trafficking is creating a secondary market throughout the region, increasing drug use and addiction rates, leading to more crime, insecurity and pressure on the already overburdened healthcare system. This has serious implications for effective political stability, budget management and economic growth in the region.
68. Sierra Leone is rich in mineral resources, possessing some of the rarest and most valuable minerals in the world, many of which are found in significant quantities. The country has relied on mining, especially diamonds, for its economic base – being amongst the top 10 diamond producing nations in the world – and mineral exports remain the main foreign currency earner. Sierra Leone is also one of the largest producers of titanium and bauxite, and a major gold producer. The country has one of the world's largest deposits of rutile. Despite this natural wealth, the vast majority of its people live in poverty.
69. Since the end of the civil war, the economy has grown at an average of nearly 10 per cent a year, led by agriculture, construction, services, and mining. The current global economic crisis has hit the economy, lowering remittances and causing the price of diamonds – the main export – to fall by close to 40 per cent. Other minerals have also been hard hit. Nevertheless, economic growth seems likely to have settled at around 4 per cent in 2009, with higher growth predicted for 2010. Economic recovery remains fragile, and the country continues to rank

11 From AfDB/IDA/IFC *Joint Assistance Strategy 2009-2012*.

among the least developed countries. For instance, Sierra Leone was ranked 180 out of 182 countries in the 2008–2009 UNDP Human Development Index, and 158 out of 169 countries in the 2010 Index.

70. According to a recent AfDB/IMF joint Report¹², Sierra Leone’s post-conflict economic performance has been strong. The recovery, which began in 2000, continued for an eighth unbroken year into 2008 when real Gross Domestic Product (GDP) grew by an estimated 5.5 per cent despite a sharp spike in food and fuel prices. Much of this growth was concentrated in the informal agricultural, fishing, mining, and services sectors that make up the bulk of the economy. Formal economic activity is confined primarily to large scale mining, construction, retail services, tourism, and government employment. The main source of growth has been a post-conflict “catch up” effect and high productivity. The prospects of a rapid GDP increase are encouraging following the award of several mining concessions to several internationally renowned mining companies, provided that the Government ensures that mining sector development contributes to broad-based growth and development through down-stream linkages into mineral beneficiation and manufacturing and up-stream linkages into mining capital goods, consumables and service industries.

CHAPTER THREE

3. DEMOCRACY AND GOOD POLITICAL GOVERNANCE

3.1 Overview

71. The fulcrum on which the APRM gravitates is the imperative of democracy and good governance as the catalyst for peace, security, and sustainable socio-economic development in its member states and in Africa. The major objectives of the democracy and good governance APRM thematic area are, therefore, intended to lay theoretical foundations and outline democratic governance principles under which competitive electoral and party politics, public policy and governance processes in member states should be pursued. The objectives are to:

- Build and sustain peace and security, constructively managing intra-state and inter-state conflicts;
- Lay firm foundations for constitutional democracy based on the rule of law, separation of powers, modified by checks and balances, with an independent judiciary and an effective legislature as countervailing powers to the executive branch, which has historically been predominant in African states;
- Promote and protect the civil, political, economic and socio-cultural rights of the citizens, with special consideration to gender equality and the rights of women, ethno-linguistic minorities and vulnerable groups;
- Create a competent, development-oriented, ethical, professionalised, and efficient public service, committed to effective service delivery; and
- Fight corruption in all spheres of life, especially in the public service.

72. It is commendable that Sierra Leone is making steady progress towards these objectives, despite its chequered post-colonial history that has witnessed the ebb and flow of democracy, peace, security and development. Indeed, there has been significant progress in healing the wounds of the country's civil war. There have been no reports of major violent conflicts – other than inter-party ones – within the borders of the country since the end of the civil war, in 2002. On the whole, relations with other African countries are largely good despite provocations caused by Guinea's continued occupation of some parts of Sierra Leone (Yenga) since the civil war, and the role of immediate neighbours such as Guinea, the Ivory Coast, Burkina Faso, and Libya in the conflict.
73. A culture of constitutional government, based on the rule of law, competitive electoral politics, promotion and protection of rights, particularly of marginal groups like women, is, in effect, gradually emerging and taking firm root in the country. However, certain challenges persist. These include: (i) worrying signposts about the independence of the judiciary; (ii) the capacity issues affecting the legislature in its oversight and investigative roles; (iii) the continuing controversy surrounding the role of paramount chiefs and tradition in the country's governance process; (iv) the politically volatile high rate of youth unemployment; (v) the resurgence of violent inter-party conflicts, despite and after the inter-party accord between the two major parties – APC and SLPP – brokered by the U.N. Secretary-General's Executive Representative, the Presidency and the Political Parties Registration Commission in 2009; and (vi) historically deep-rooted ethno-regional inequalities, exacerbated by the persistence in post-conflict Sierra Leone of ethnicity as a tool for political mobilisation. Indeed, the possibility of a regression into election-related violence, on the eve of, and after the 2012 general elections, appears a reasonable conjecture.
74. Current developments in institutionalising democracy and development in the country must, therefore, be presented against the broader background of its colonial inheritance and post-colonial history. Post-colonial Sierra Leone went through decimating and fratricidal violent conflicts, culminating in the country's civil war as an element in the struggle for democracy and against unconstitutional rule and various kinds of authoritarianism, ranging from one-party to military rule. The country also experienced the carnage and the destabilising consequences of the political mobilisation of ethnicity and ethno-regional inequalities.
75. Sierra Leone has had six constitutions since 1896, when it came under formal British colonial rule: the 1924 and 1951 Constitutions; the 1961 Independence Constitution; the Republican Constitution of 1971; the 1978 One-party state Constitution; and the current Constitution 1991. The Constitutions represented

different phases in the transition from colonial rule to post-colonial constitutional democratic government. An important underlying current in the constitutional and political reforms leading to the promulgation of these constitutions, especially after 1945, was the demand and popular struggle for representative and responsible government and, more importantly, for enhanced participation and accountability in governance by various groups, associations and political parties.

76. Contradictions spawned by these struggles – and the response of both colonial and post-colonial (civilian and military) administrations in the country – must be seen as core, even defining elements and moments in the biography of constitutional government, the rule of law and democracy in the country. This is the broader historical context for the current constitution of the country, the Constitution of Sierra Leone 1991 (Act No. 6 of 1991) as part of the still unfolding trajectory charted by the post-colonial experiment in constitutional democracy in the country.
77. The essential building blocks of the 1991 Constitution are encapsulated in the provisions of Chapter II (Fundamental Principles of State Policy), Chapter III (The Recognition and Protection of Fundamental Human Rights and Freedoms of the Individual), and Chapter IV (Representation of the People). These chapters do not only establish the supremacy of the constitution but also define Sierra Leone as a liberal democratic state under a government of laws, the rule of law, and with political succession ordered by electoral governance rules that emphasise competitive party and electoral politics.
78. Despite this, partisan party politics in post-conflict Sierra Leone does have some negative effects. In addition to which a weak physical, human and cultural resource base underpinning the process of building, rebuilding and strengthening the democratic governance institutions, as well as reorienting the political elite and the general populace about democratic political culture poses many challenges. Nevertheless, post-conflict Sierra Leone is making remarkable, if sometimes fitful, progress in consolidating constitutional democracy under the rule of law. An “imperial” or “monarchical” presidency has not taken root in post-conflict Sierra Leone, although substantial power of patronage under the constitution resides in the presidency, and the office remains a problematic and contentious abundant source of patronage to advance dominant ethno-regional interests.
79. As part of an institutional design and new strategies to address an old problem – how to design and engineer a more effective system of ethics, accountability and transparency in public political life in the country – Sierra Leone has created

important horizontal institutions of governance, independent of the executive branch, in particular, to promote democracy and ensure the accountability of public and private sector functionaries. While some of these institutions are entrenched in the Constitution, others were established through legislation. The institutions are the: (i) National Electoral Commission; (ii) Political Parties Registration Commission; (iii) National Commission for Democracy; (iv) National Human Rights Commission; (v) Anti-Corruption Commission; (vi) Ombudsman; and (vii) Youth Commission.

80. While their contribution to promoting democracy and good governance varies from one institution to the other, a major challenge remains how to insulate them from partisan politics and, more specifically, from government and ruling party dominance. Another challenge is providing the institutions with adequate financial and human resources so they can diligently and faithfully carry out their mandates. Virtually all of them rely on logistics and financial support from the donor community. This dependence could hamper their long-term sustainability and leave them vulnerable to exploitation by the donor community for their own agenda.
81. President Joseph Saidu Momoh's administration initiated political and constitutional reforms for the transition from a one-party to a multiparty state, in August 1990. This produced an electoral reform package that included the establishment of an Interim National Electoral Commission (INEC). With the return to a multiparty system of government in 1996, further electoral reform, resulting in the establishment of the National Electoral Commission (NEC) to replace INEC was effected in March 2000 under the NEC Act 2000, followed by the Political Parties Act 2002, the NEC Reform Programme 2005-2008, and NEC Resolution 2005.
82. Under the Constitution of Sierra Leone 1991, the National Electoral Commission and the Political Parties Registration Commission (PPRC) share responsibilities to administer and manage competitive electoral politics in the country. Hitherto, only the Electoral Commission, whose membership included civil servants in the Ministry of the Interior, managed national elections. The Commission had no authority to recruit its own staff and no administrative autonomy. The Ministry of Interior prepared the Commission's budget, which was endorsed by the Ministry of Finance and approved by Parliament.
83. Sierra Leone held presidential and parliamentary polls in 1996, 2002 and 2007, and local government elections in 2004 and 2008. The 1996 elections were held at the height of the civil war, while the 2002 elections were conducted under the

supervision of the United Nations to start a new post-conflict era. For the first time in the country's electoral history, the 2007 elections were organised and fully managed by two electoral management bodies – NEC and PPRC. The former was in charge of organising and implementing all phases of the electoral process while the latter exercised oversight and regulatory powers over party political activities, as provided for under the 1991 Constitution and the Political Parties Act 2002. Although provided for under the 1991 Constitution, the PPRC did not come into existence until 2006.

84. Since their establishment, NEC and PPRC have played a significant role in post-conflict Sierra Leone's democratisation process. However, both commissions should be strengthened through: (i) adequate funding for both commissions, directed essentially to the PPRC, to reduce their almost 75 per cent dependency on external funding; and (ii) constitutional reforms to place more effective restraints on the presidential powers of appointment and dismissal over members of both commissions, and to enhance NEC's powers to make statutory regulations governing the management and conduct of elections.
85. Considerable progress has been made in establishing constitutional democracy and the rule of law in the country, since 1996. Nonetheless, overcoming the residual and debilitating scars of the country's civil war and its historically deep ethno-regional divide, reflected in the mutual distrust between the two major political parties – APC and SLPP – remains a major challenge.
86. In the course of the Country Review Mission many stakeholders identified: (i) ethnicity in partisan politics - using far-reaching presidential powers of appointment to politicise the public service, especially given the winner-takes-all attitude engendered by the first-past-the post electoral system; and (ii) violent conflict-prone electoral politics, especially during parliamentary by-elections and local government elections in 2008 and 2011 – premonitory signs of foreboding in the run up to the 2012 general elections. They cautioned that a regression to the pre-1991 legacy of a political and legal culture of impunity and violent competitive electoral politics was highly possible. They suggested that the situation did not only require – but demanded – strong political will from the political leadership and political parties nationwide to avert it.

3.2 Standards and Codes

i. Summary of the CSAR

87. The CSAR suggested that the Sierra Leone is not reticent when it comes to signing international treaties and conventions. The CSAR asserted that notwithstanding the impressive list of conventions and codes to which Sierra Leone is a signatory, this may also illustrate a lack of political will or interest in domesticating international codes. A country that does little to implement and domesticate international conventions that it signs will have little hesitation in signing them as they are unlikely to have any impact on, or lead to, any changes in the country.

88. The CSAR listed a number of Standards and Codes that had not been ratified by the Government of Sierra Leone:

- Convention on Consent to Marriage
- Minimum age of Marriage and Registration of Marriages
- Convention on the Reduction of Statelessness
- Convention relating to the Status of Stateless Persons
- Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity
- Convention on the Prevention and Punishment of the Crime of Genocide
- Cultural Charter for Africa
- Protocol to the Organisation of African Unity Convention on the Preventing and Combating of Terrorism

ii. Findings of the CRM

89. The CRM observes that as illustrated by Table 3.1, Sierra Leone is a party to several bilateral and multilateral codes, standards and treaties that require domestication through ratification in the form of implementing legislation by Parliament to have force of law in the country.
90. It has ratified 23 of them including: the Law of Armed Conflict (the Geneva Conventions), and Conventions relating to Employment and Forced Labour, Education, Rights of the Child, and Freedom of Association. It has also ratified The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and recently submitted its 5th and 6th CEDAW Report to the CEDAW Committee. However, Sierra Leone is not yet a state party to the Convention on the Nationality of Married Women, providing for equal rights to citizenship to women and further granting women the right to confer citizenship on their children and spouse. Among the treaties, signed but yet to be ratified in 2006, were: the Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa, and the Charter establishing the African Court on Human and Peoples Rights.
91. The CRM notes the following additional standards and codes acceded to by Sierra Leone: the Convention on the Political Rights of Women, and the International Convention for the Suppression of the Traffic in Women and Children. The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime, signed in 2001, is awaiting Cabinet approval.
92. The CSAR notes that Sierra Leone ratified the Convention on the Rights of the Child on 18 June 1990 and followed ratification with domestication, through the National Child Rights Act 2007. Sierra Leone has taken significant steps to adopt and ratify several other important international and regional codes and Standards on the rights of children and youth not included in the APRM list of standards, conventions and code. These include: (i) the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (protocol 2), on 17 September 2001; (ii) the African Charter on the Rights and Welfare of the Child, ratified on 13 May 2002; (iii) the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (Protocol 1) on 15 May 2005; and (iv) The African Youth Charter, signed on 17 June 2008.

93. The Review Mission observes that although Sierra Leone has made several commitments to international standards and codes on the Rights of Disabled Persons, the CSAR did not discuss them.
94. Although Sierra Leone has not acceded to the Declaration on the Rights of Disabled Persons, it has recently passed legislation, especially the Person with Disabilities Act 2011 that provides for the promotion and protection of the rights of people with disabilities.
95. Sierra Leone has neither signed nor acceded to the Convention relating to the Status of Refugees or the protocol relating to the Status of Refugees. Nevertheless, the country enacted the Refugee Protection Act 2007 and has given effect to the following international and regional codes and standards that were ratified: (i) The OAU Refugee Convention, ratified on 28 December 1987; (ii) the AU Convention for the Protection and Assistance of Internally Displaced Persons in Africa, ratified on 15 July 2010; (iii) the 1967 Rome Convention on the Status of Refugees (with reservations on Article 17 and 29); and (iv) the Addis Abba Convention Governing the Specific Aspects of Refugee Problems in Africa 1969.

Table 3.1: Human Rights Treaties Ratified by Sierra Leone

Treaty	Signature	Ratification	Accession	Succession	Entry into Force
International Covenant on Economic, Social and Cultural Rights			23 Aug 1996		
International Covenant on Civil and Political Rights			23 Aug 1996		
Optional Protocol to the International Covenant on Civil and Political Rights			23 Aug 1996		
Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty					
Prevention of Discrimination on the Basis of Race, Religion, or Belief; and Protection of Minorities					
International Convention on the Elimination of All Forms of Racial Discrimination	17 Nov 1966	2 Aug 1967			
Convention on the Elimination of All Forms of Discrimination against Women	21 Sep 1988	11 Nov 1988			
Optional Protocol to the Convention on the Elimination of Discrimination against Women	8 Sep 2000				
United Nations Convention against Transnational Organised Crime	27 Nov 2001				
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime Preamble, supplementing the United Nations Convention against Transnational Organised Crime	27 Nov 2001				

Treaty	Signature	Ratification	Accession	Succession	Entry into Force
Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organised Crime	27 Nov 2001				
Slavery and Slavery-Like Practices					
Slavery Convention	Not signed				
Protocol amending the Slavery Convention	Not signed				
Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery				13 Mar 1962	
Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others	26 Sep 2003				
Protection from Torture, Ill-Treatment and Disappearance					
European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment	Not signed				
Protocol No. 1 to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment	Not signed				
Protocol No. 2 to the European Convention for the Prevention of Torture and inhuman or Degrading Treatment of Punishment	Not signed				
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	18 Mar 1985	25 Apr 2001			
Rights of the Child					

Treaty	Signature	Ratification	Accession	Succession	Entry into Force
Convention on the Rights of the Child	13 Feb 1990	18 Jun 1990			
Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts	8 Sep 2000	15 May 2002			
Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour	Not signed				
Freedom of Association					
Freedom of Association and Protection of the Right to Organise Convention		15 Jun 1961			
Right to Organise and Collective Bargaining Convention		13 Jun 1961			
Employment and Forced Labour					
Convention concerning Forced or Compulsory Labour		13 Jun 1961			
Equal Remuneration Convention		15 Nov 1968			
Abolition of Forced Labour Convention		13 Jun 1961			
Discrimination (Employment and Occupation) Convention		14 Oct 1966			
Employment Policy Convention	Not signed				
Convention concerning Occupational Safety and Health and the Working Environment	Not signed				
Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	15 Sep 2000				
Education					
Convention against Discrimination in Education		Ratified			

Treaty	Signature	Ratification	Accession	Succession	Entry into Force
Refugees and Asylum					
Convention relating to the Status of Refugees			22 May 1981		
Protocol Relating to the Status of Refugees			22 May 1981		
Nationality, Statelessness, and the Rights of Aliens					
Convention on the Reduction of Statelessness	Not signed				
Convention relating to the Status of Stateless Persons	Not signed				
War Crimes and Crimes Against Humanity, Genocide, and Terrorism					
Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity	Not signed				
Convention on the Prevention and Punishment of the Crime of Genocide	Not signed				
Rome Statute of the International Criminal Court	17 Oct 1998	15 Sep 2000			
Law of Armed Conflict					
Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field		10 Jul 1965 (rat/acceded)			
Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea		10 Jul 1965 (rat/acceded)			
Geneva Convention relative to the Treatment of Prisoners of War		10 Jul 1965 (rat/acceded)			
Geneva Convention relative to the Protection of Civilian Persons in Time of War		21 Oct 1986 (rat/acceded)			

Treaty	Signature	Ratification	Accession	Succession	Entry into Force
Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I)		21 Oct 1986 (rat/acceded)			
Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims on Non-International Armed Conflicts (Protocol II)		21 Oct 1986 (rat/acceded)			
Terrorism and Human Rights					
International Convention Against the Taking of Hostages			26 Sep 2003		
International Convention for the Suppression of Terrorist Bombing			26 Sep 2003		
International Convention for the Suppression of the Financing of Terrorism	27 Nov 2001	26 Sep 2003			
International Convention for the Suppression of Unlawful Seizure of Aircraft	19 Jul 1971	13 Nov 1974			
International Convention on the Prevention and Punishment of Crimes Against International Protected Persons			26 Sep 2003		
U.N. Activities and Employees					
Convention on the Privileges and Immunities of the United Nations				13 Mar 1962	
Convention on the Safety of United Nations and Associated Personnel	13 Feb 1995				
Regional Conventions					
[European] Convention for the Protection of Human Rights and Fundamental Freedoms	Not signed				

Treaty	Signature	Ratification	Accession	Succession	Entry into Force
Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms	Not signed				
Protocol No. 2 to the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms	Not signed				
Protocol No. 3 to the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms	Not signed				
Protocol No. 4 to the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms	Not signed				
Protocol No. 5 to the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms	Not signed				
Protocol No. 6 to the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms	Not signed				
Protocol No. 7 to the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms	Not signed				
Protocol No. 8 to the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms	Not signed				
Protocol No. 9 to the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms	Not signed				
Protocol No. 10 to the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms	Not signed				
Protocol No. 11 to the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms	Not signed				

Treaty	Signature	Ratification	Accession	Succession	Entry into Force
Protocol No. 12 to the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms	Not signed				
European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment	Not signed				
Protocol No. 1 to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment	Not signed				
Protocol No. 2 to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment	Not signed				
African Regional Conventions					
African [Banjul] Charter on Human and Peoples' Rights *	27 Aug 1981				
Convention Governing the Specific Aspects of Refugee Problems in Africa *	10 Sep 1969				
Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa *	9 Dec 2003				
Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights *	9 Jul 1998				
African Charter on the Rights and Welfare of the Child *	14 Apr 1992	13 May 2002			

*No ratification information available.

Source: E:\ University of Minnesota Human Rights Library.mht

iii. Recommendations

96. The African Peer Review (APR) Panel recommends that the Government of Sierra Leone:
- Ratify outstanding conventions so as to ensure they have force of law in the country. [*Government and Ministry of Foreign Affairs International Cooperation*]

3.3 Assessment of Performance on African Peer Review Mechanism (APRM) Objectives

OBJECTIVE ONE: Prevention and reduction of intra- and inter-state conflicts

i. Summary of the CSAR

97. The CSAR takes as its point of departure the tremendous strides made at consolidating peace in Sierra Leone since 2002. Indeed, the CSAR confidently states that there has been no serious incidence of violent conflict within the country's borders since the end of the war.
98. The CSAR points out that a majority – about 80 per cent of Sierra Leonean stakeholders – believes that progress towards peace consolidation is generally proceeding well. According to the CSAR, there is a general consensus among Sierra Leoneans that *“ethnicity will not disturb that peace; and that there is a considerable amount of religious tolerance and harmony among the different communities in Sierra Leone.”*
99. Remarkably for a post-conflict country, a significant number of about 56 per cent of Sierra Leoneans are of the opinion that Sierra Leone does not face serious threats from organised crime or drug trafficking. This is in part due to tough anti-drug legislation passed in 2008 and the subsequent convictions of offenders.

100. The CSAR notes that considerable efforts are being made in the area of security sector reform in order to further consolidate the peace. In this regard, the Military, Police and Intelligence Service have all undergone reforms since 2002. Notable among such reforms are the National Security and Central Intelligence Act 2002, heralding the establishment of the Office of National Security (ONS) and the Central Intelligence Unit, charged with supervising, coordinating and managing all matters relating to national security.
101. Among the accomplishments of the security sector reform has been the role played by the ONS in providing security and mitigating violence during the 2007 elections through the formation of Provincial and District Security Committees. Transforming the Sierra Leonean Armed Forces into an institution under civilian oversight has been the lynchpin of security sector reforms in Sierra Leone.
102. At the regional level, the CSAR does not identify any significant threats to inter-state conflicts arising from neighbours within the Mano River Union (MRU)¹³. Although the continued presence of Guinean troops in the eastern border town of Yenga has created somewhat of a diplomatic row, there is no immediate threat of armed conflict with neighbouring Guinea.
103. As a full member of the Economic Community of West African States (ECOWAS), whose initiatives contributed to a peaceful settlement of the civil conflict from 1999-2002, Sierra Leone subscribes to all the normative sub-regional peace and security frameworks. Implementation of the Lomé Peace Accord of 1999, the pivotal agreement that ended the brutal civil war, was led by ECOWAS through its peacekeeping, mediation and negotiating leadership role in the conflict.

Threats to Peace

104. Despite significant progress made by Sierra Leone at consolidating the peace, the CSAR highlights the following three potential threats to peace and views them as the most probable sources of conflict in post-conflict Sierra Leone: (a) youth unemployment; (b) the tyranny of traditional chiefs; and (c) perennial political divisions along ethnic lines.

13 The Mano River Union is an intergovernmental organisation, comprising Cote d'Ivoire, Guinea, Liberia and Sierra Leone, established to foster economic cooperation among its member states.

105. To address the above threats to peace consolidation, the CSAR outlines the following three main strategies adopted without further elaboration, as the most critical areas of focus: (a) the need for an open dialogue; (b) youth empowerment and development; and (c) enhanced and peaceful competitive elections as the most critical areas of focus.
106. The CSAR does not go into any detail regarding the structural causes of these threats. Rather it proceeds with recommendations for their resolution. In addition, the National Programme of Action (NPOA) designed to address issues identified in the CSAR to reduce and prevent conflict in Sierra Leone, mainly focuses on security sector reforms and regional issues, with scant emphasis on customary governance institutions.

Mechanisms for Prevention of Intra- and Inter-state Conflicts

107. Although there have been several legislative and institutional mechanisms designed to address the sources of intra- and inter-state conflicts since the end of the civil conflict in 2002, the CSAR assumes that most people are unaware of how significant these legal and institutional mechanisms have been in ensuring post-conflict peace in the country. Nor are they aware of role of the government and people of Sierra Leone. This is perhaps due to the highly internationalised nature of the civil conflict, at times leading to the wrong perception that the country's post-conflict transitional mechanisms were all due to the efforts of the international community. Indeed, Sierra Leone has established various mechanisms for addressing the wounds of the war and has put in place various institutions and processes to prevent their recurrence.
108. The Truth and Reconciliation Act, which led to the establishment of the Truth and Reconciliation Commission (TRC), was passed in 2000, under the Lomé Peace Agreement of 1999. The TRC became fully operational in 2000 and completed its work in 2002. Among its objectives were the following: (i) to create an impartial historical record of human rights violations and international humanitarian law related to the armed conflict in Sierra Leone, from its beginnings in 1991 to the signing of the Lomé Peace Accord in 1999; (ii) to address the problem of impunity; (iii) to respond to victims' needs; (iv) to promote healing and reconciliation; and (v) to prevent repetition of the violations and abuses suffered (Truth and Reconciliation Commission Act 2000).
109. The TRC largely attributed the causes of the civil war in Sierra Leone to colonial rule and its lingering residual effects: corruption, excessive concentration of power in the executive, the subversion of the traditional system of rule, and abuse of emergency powers by successive regimes in the country. The TRC

recommendations included fighting corruption; promulgating a new bill of rights; the establishment of an independent judiciary and a strong parliament; decentralisation; public service effectiveness; youth and women empowerment; and a programme of reparations.

110. TRC findings and recommendations have served as a catalyst for social and legal reforms to address impunity and establish a culture of human rights and accountability in Sierra Leone. Implementing the recommendations has also helped to facilitate the social regeneration and integration of the most battered communities affected by war atrocities. The National Human Rights Commission Act 2004, and the National Commission for Social Action (NaCSA), established in 2006, were some of the legal and policy initiatives that flowed from the TRC recommendations. The Human Rights Commission (HRC) in Sierra Leone is unique among human rights commissions in Africa for its statutory power to prosecute human rights violations and abuses.
111. In its implementation of the TRC Recommendations, Government created and empowered an Anti-Corruption Commission (ACC) as part of its overall governance programme. The ACC was set up by an Act of Parliament in 2000 *“to investigate all instances of alleged or suspected corruption (...) and to take such steps as may be necessary for the eradication or suppression of corrupt practices.”*
112. In 2007, a Strategic Review of the ACC was undertaken with support from donors. The review led to an amendment of the 2000 Act and gave the ACC prosecutorial powers. This body, which launched its National Anti-Corruption Strategy (NACS) 2008-2013, has successfully engaged in hard-hitting and high profile prosecutions, including those involving a former Ombudsman, a former Minister of Health, a Magistrate, and a High Court Judge.
113. In view of the country’s long history of violent electoral and party political conflict, the Political Parties Registration Commission (PPRC) resorted to mediation rather than legal sanctions to establish a relationship of trust with, and between, political parties. To this end, it brokered an agreement in the form of a voluntary Code of Conduct, which the registered political parties signed on 23 November 2006, and it established the National Code of Conduct Monitoring Committee (NCCMC). The NCCMC is made up of a representative from each of the registered political parties, a representative of the electoral commission (NEC), two representatives from civil society, one from the Police, one from the Inter-Religious Council, and one from the National Commission for Democracy and Human Rights, with a chairperson chosen from among the non-political members.

114. The NCCMC established regional and district Code of Conduct Monitoring Committees. While the NCCMC were generally not effective in enforcing compliance with the Code of Conduct, the District Code of Conduct Monitoring Committees (DCCMCs) were generally successful in dousing potentially violent electoral and party political conflict flashpoints at district and local government levels.
115. Access to justice in Sierra Leone, according to the CSAR, improved significantly since the end of the war. The sector went through a number of improvements, especially in human resource and infrastructural development. These included new magistrate courts, a child-friendly court in Freetown, a fast-track Commercial Court, more prosecutors, magistrates and judges, specialised training for key actors on case management, juvenile justice, judicial administration, organised crime and corruption. Other measures have been taken to strengthen the justice sector through better IT infrastructure. These developments have had a positive impact on access to justice for Sierra Leoneans.
116. Sierra Leone established the Special Court for Sierra Leone (SCSL) to try certain criminal offences perpetrated during the war through a blend of Sierra Leonean and International Human Rights laws, buttressing its efforts to restore peace and justice. The purpose of the SCSL is to bring to justice those who “*bear the greatest responsibility for serious violations of international humanitarian law and Sierra Leonean law committed during the war.*”
117. The Special Court has sentenced three former Armed Forces Revolutionary Council (AFRC) leaders to long prison terms, and Civil Defence Force (CDF) leaders to shorter prison terms. Nevertheless, issues of inaccessibility to the public, overspending and mismanagement, slowness, and selective justice, have been raised about SCSL operations.

ii. Findings of the CRM

General Scepticism About Prospects for Peace

118. The Review Mission consultations with stakeholders throughout the country, however, reveal a rather different picture from the optimism for peace consolidation contained in the CSAR. Although stakeholders agree that the civil war is over and that there is only a remote likelihood of an outbreak of open,

violent conflict, many expressed some disquiet that the fundamental conditions that gave rise to the civil war have yet to be fully addressed. This group of stakeholders would like these underlying conditions, as much structural as they are cultural and institutional, to be confronted squarely for peace to be fully consolidated and its benefits fully realised. In this context, it is extremely important to recognise the fact that Sierra Leone suffered a great deal of structural violence prior to the start of the civil conflict in 1991 and unless genuine and significant efforts are put into addressing the underlying structural causes of the conflict, the current peace may be fragile, with much greater chances of an eventual relapse into war.

119. Thus, for peace to be consolidated, it is important to address the root causes of the war. According to stakeholders across the country, these causes include bad governance, denial of human rights and social justice, economic mismanagement and patronage, youth unemployment, social exclusion, the role of mineral resources in the conflict, and challenges from traditional institutions.
120. Throughout the Review Mission's consultations, there was widespread consensus that unless measures are taken to fully address the root causes of the civil conflict, Sierra Leone might move slowly but steadily from a situation of post-conflict into pre-conflict. This sober assessment, therefore, calls for a reflection on the root causes of the conflict and an urgent need for immediate attention to the issues identified by the CSAR.

Root Causes of the Conflict in Sierra Leone

121. The cultural, economic and political environment of governance and institution-building in post-conflict Sierra Leone has improved substantially. However, potential triggers of intra-state conflict remain as threats to national stability. These triggers include: (i) high poverty rates; (ii) youth unemployment; (iii) mutual distrust and lack of constructive cooperation between the two major parties – the APC and SLPP; (iv) electoral violence; (v) perceived ethno-regional imbalance in presidential public political appointments.
122. These triggers [as pointed out above] were the result of years of bad governance, characterised by political and administrative centralisation, the misuse of mineral resources – diamonds, in particular, contributing to the conflict, and problems with the governance of traditional institutions in Sierra Leone.

Years of Poor Governance

123. The years between 1968 and 1992 were marked by a systematic erosion of state institutions, characterised by the plundering of the country's resources to service patron-client relationships and rent-seeking activities. The state machinery was highly centralised, reaching its zenith in 1978 with the declaration of a one-party system of government by the then ruling APC party.
124. Over-centralisation led to the systematic crumbling of the state fabric, resulting in near collapse, and marked by the loss of control over political and economic space. In addition, the concentration of power in the capital, Freetown, led to neglect – or truncated development – in the rural areas and created the conditions for the disempowerment of the rural population.
125. The emergent centralised political system exacerbated corruption, nepotism and other patron-client practices, inimical to the welfare of the state. There was a pronounced lack of transparency and accountability in the public administration system. The centralised state, together with an inefficient and bankrupt one-party system, rewarded sycophancy and punished hard work, patriotism and independent thought. The effects were disastrous.
126. Weak access to justice was another palpable dimension of bad governance in Sierra Leone. The judiciary was compromised and access to justice for most people severely restricted. Corruption and politicisation within important state institutions, such as the judiciary and the traditional court system, led to abuse of power by judges, lawyers and local court officials.
127. In the provincial areas, young people bore the brunt of injustice at the hands of corrupt and high-handed local authorities. This sense of injustice contributed to youth involvement in the civil war, offering them the opportunity to seek reprisals for injustices borne under the justice system in their communities. Little wonder that during the war, some of these aggrieved young men were later to return to their communities to avenge the injustices meted out to them by their former oppressors.
128. Finally, due to the tenuous presence and lack of visibility of the state institutions beyond Freetown and the major provincial towns in Sierra Leone, there were severe security lapses throughout the countryside. In the 1970s, up to the onset of the war in the country, there was a continuing and dramatic decline in national security resulting from the politicisation of the military and the police, the creation of security organisations with personal or political allegiances, and systematic corruption. These seriously undermined the entire national security

apparatus, making it easy for them to be manipulated by the different warring factions that emerged in the course of the civil conflict.

Poor Economic Policies and Declining Economy

129. Maladministration went hand in hand with the fragile security situation in the country created by poor economic policies from a government incapable of translating the country's rich endowment of mineral and marine resources, as well as its considerable agricultural potential, into improved welfare for the majority of the population.
130. The 1970s and 1980s were characterised by fiscal constraints, high inflation rates, and shortages of essential imports. These problems were accompanied by the oil shocks of the 1970s and 1980s, which had a chilling effect on the economy. By the 1990s, Sierra Leone's human development and social indicators, including life expectancy, literacy, primary school enrolment and child mortality rates, were among the worst in the world. Just a year before the outbreak of the civil war, Sierra Leone was ranked 126 out of the 130 countries in the 1990 UNDP Human Development Report.
131. Thus, most analysts believe that the civil conflict in Sierra Leone was essentially a socio-economic war, following years of extreme economic hardships and poverty that still persists. Nearly ten years after the war, Sierra Leone is still rated among the 10 lowest countries on the UNDP Human Development Index.

Poverty and Youth Unemployment

132. Youth unemployment, social exclusion and alienation were critical factors that added fuel to the civil war in Sierra Leone. Over the years, poor educational facilities, inadequate curricula and programmes, and lack of employment opportunities for young people helped to marginalise and turn them into a rebellious group. The youth was socialised in an atmosphere of violence, drugs, criminality and general lawlessness and it was among this ready pool of alienated young people that the rebel groups and leaders recruited their first crop of fighters. Thus, youth were at the centre of the Sierra Leone conflict, for they became the most available source of recruitment that sustained the rebel groups, government soldiers and the civil militia.
133. This requires some socio-historical context. In 1991, at the start of the civil conflict, nearly 50 per cent of the 4.5 million people of Sierra Leone were youth.

The economic status of children and, indeed, of the youth prior to the war was deplorable. Years of economic mismanagement and corruption had siphoned off resources from significant public investment in the welfare of children and other vulnerable groups, including women. Thus, many children and youth found themselves working outside the home instead of going to school, with devastating social and educational effects.

134. Prior to the war, many children had become disenchanted and disaffected with successive governments and their poor service delivery. Marginalisation and exclusion from society led many youth to take up arms when the war broke out and to join the RUF (TRC Report, Vol. 3b, pp. 233-235). For many years throughout the 1970s and 1980s, in the face of a repressive one-party regime, the only form of opposition to the ruling party was the youth, as other opposition groups were co-opted and assimilated into government.
135. However, the utilisation of the youth in party politics had begun during the 1969-70 by-elections when the APC rallied soldiers, police and “*rarray, ma dem*” (delinquents, urban youth) to intimidate members of the opposition SLPP. These youth were later transformed into “*thugs*” (TRC Report, Vol. 3b, p. 346). Thus, youth became an auxiliary army for the two dominant political parties. In the rural areas, marginalised youth were known in Creole as “*nissan san boys*” who usually work on the sandpits of diamond mines. Frustrated youth from both urban and rural milieu, unable to become a part of the greedy, harsh and adventurous life they found around them, fell easy prey to both state and counter-state violence (TRC Report, Vol. 3b, p.346).
136. According to the TRC Report (2004, Vol. 3b, p.353), youth in the Sierra Leone Army (SLA) as well as in rebel RUF camps were both socially marginalised groups shaped by societal violence and prone to commit violence themselves. The Community Defence Forces (CDF), made up of traditional militia (Karmajors) and the youth were, in turn, a reaction to the atrocities unleashed by the RUF and the AFRC “*sobelis*”. They were civilian defence vigilante youth groups, determined to prosecute war against the illegitimate state forces in self-defence for their communities. In short, the Sierra Leonean civil war demonstrated that when youth become socially alienated and politically marginalised, they can – and do – unleash the worst forms of violence against the state, their communities and an entire population.

Role of Mineral Resources in the Conflict

137. Sierra Leone’s mineral wealth has served to distort the country’s economy, destabilised its politics and spawned unmitigated competition, conflict and

violence among different factions in the country. The economy of the country effectively depends on revenue from rich mineral resources such as diamonds, gold, bauxite, iron and rutile. These mineral resources have benefited a small elite in Sierra Leone as well as Lebanese, Senegalese, Gambians, and Nigerian traders.

138. The TRC Report (2004, Vol. 3b, pp.6-16) indicates that diamonds are the most important mineral resource the governance of which has contributed to the civil conflict in Sierra Leone. Extensive alluvial and Kimberlitic diamond deposits are found in the south and north of the country.
139. The ease with which alluvial diamonds can be mined and exploited, however, continually undermines state ability to direct diamond revenue through official channels. The scale of illicit mining and smuggling fosters an informal “shadow” economy which, over time, has come to dwarf the formal economy. This informal economy undermines the state’s revenue base and foreign reserves, thereby contributing to impair the state’s ability to build capacity and deliver public goods for its citizens.
140. In the context of the civil war, diamonds became a vital source of revenue for rebel groups to procure weapons and ammunition, allowing them to control mining areas in occupied zones and to further expand their territorial control over these areas and the mines, which they exploited for their own economic gains. This created a spiral effect, becoming a motivating factor for armed groups to further fuel the war.
141. The RUF, for example, took control over mining areas, often forcing individual miners and dealers to mine for them. In addition, they seized towns and mining sites and organised serious mining operations to finance arms purchases to prosecute the war. These diamonds were smuggled outside the country, mostly to Guinea and Liberia – sold and exchanged for more arms. Sierra Leonean diamond smuggling within the Guinea, Liberia and Cote d’Ivoire axis played a significant role in increasing demand for diamonds and revenue accrued from sales that, in turn, fuelled the war.
142. The absence of state security and control over diamond areas had major consequences for the conduct of the war in the country. Mining companies engaged the services of international private security companies, such as Executive Outcomes, Sandline International, Lifeguard Security, and Armsec International, all of which at one time or another were contracted to provide security for mining companies and the government. This extensive privatisation

of security services, which should have been provided by the state, not only undermined state legitimacy but also enabled the rebel groups to pose as liberators and emboldened them to prolong the war.

143. Current efforts by the government of Sierra Leone to effectively govern the mining sector would be the litmus test determining whether Sierra Leone has actually moved away from the old free-for-all mining mode of sector management. The very foundation for peace consolidation also depends on how well the minerals are managed by the nation.

Competitive Party Politics

144. Following the amalgamation of Sierra Leone that brought the Colony and Protectorate together under British rule in 1863, the political and socio-economic life of Sierra Leone has generally revolved around the following issues: (i) the place and role of chieftaincy institutions in politics and administration, particularly in the Protectorate; (ii) the relationship between Creoles and the peoples of the Protectorate; (iii) the developing schisms and conflicts along ethnic, sub-ethnic, religious and class lines – within and among the Creoles, and within and among the peoples of the Protectorate – over how to advance and manage this diversity in the context of economic and political participation in the country's governance process.
145. While the immediate post-independence period laid the foundations for a vibrant culture of competitive electoral politics, there were also premonitory indicators, foreboding signposts. Examples include: (i) isolated but not uncommon, election-related and other forms of political violence in the urban and rural areas; (ii) weak party organisation, demonstrated in the trend towards personality-based and elitist party and electoral politics; (iii) in-party schisms, leading to the formation of new parties by break-away factions; (iv) lack of internal democracy, especially regarding party nomination processes for legislative elections; (v) carpet-crossing in the legislature; and (vi) the problem posed by ethnicity, reflected in the role of chiefs and chieftaincy institutions, and in the Creole/Protectorate “cleavage” in party and electoral politics.
146. Electoral violence continues to be a recurrent source of intra-state conflict in post-war Sierra Leone. Sierra Leone's history of electoral violence and the magnitude of the violence during the civil war created apprehensions that the country's first post conflict elections of 2002 would be characteristically violent and might result in another civil war. However, elections were relatively peaceful and generally accepted as reflecting the will of the electorate.

147. The 2007 elections, during which the incumbent candidate was statute-barred from a third term in office, were intensely contested by three parties – the APC, PMDC, and SLPP. Violent clashes between SLPP and APC supporters erupted in Bo, Kono, Kailahun, Kambia, Port Loko and Freetown, and between SLPP and PMDC supporters in Bo and Kailahun. Tension escalated during the campaign for the presidential run-off elections between the APC and SLPP presidential candidates. Temporary curfews were imposed in the Kono and Kenema districts. President Alhaji Ahmed Tejan Kabbah, threatened to impose a state of emergency. However, tensions were doused when, ahead of the 2007 run-off elections, both presidential candidates signed a communiqué to maintain the peace and restrain their supporters – after negotiations brokered by the outgoing president.
148. In the course of 2009, two outbreaks of violence exposed the undercurrents of distrust still characteristic of inter-party relations between the ruling APC and the SLPP after the 2007 presidential elections. In the first incident, in March 2009, political violence and arson broke out after the local government by-elections in Tongo, and by-elections were postponed in Pujehun due to the violence in the run-up to the by-elections there. In both cases, local party offices and the homes of prominent local APC and SLPP party leaders were either vandalised and/or burnt, with the police accused of partisanship in arresting, or failing to arrest, suspected party thugs who engaged in criminal behaviour. The second incident of violent political conflict, again in March 2009, grew out of the SLPP protests over its non-inclusion in arrangements by the APC-controlled municipal authorities, as well as in the municipal commissioning ceremony for the Clock Tower, the recently re-furbished, major public landmark in Freetown that had fallen into desuetude for several years. The ensuing political violence caused extensive vandalism, resulting in conflagration and destruction in parts of the SLPP national headquarters in Freetown.
149. These two incidents, ill-omens portending pre-election political instability and violence with the approach of General Elections in 2012, led the United Nations, through the Executive Representative of the United Nations Secretary-General in Sierra Leone, the country's Presidency, and the Political Parties Registration Commission (PPRC), to broker a new agreement between the main parties, under the Joint APC-SLPP Communiqué of 2 April 2009. [See Box 3.1]

Box 3.1: Highlights of the Joint APC-SLPP Communiqué

Under the provisions of the Joint Communiqué, both parties:

Pledge to work jointly in preventing all forms of political incitement, provocation and intimidation that could lead to the recurrence of events witnessed in March 2009, while agreeing to uphold the following, among other undertakings pertaining to relations between the two parties [Preamble].

Agree on the need to maintain the operational independence and impartiality of the police and to work together on improving the professionalism of and the respect for the Sierra Leonean Police as a national institution and recommend to the Government to speed up existing arrangements for the establishment of an Independent Police Complaints Board [Paragraph 4].

Agree to work together to enhance the respective roles and responsibilities and to respect the independence of important democratic institutions such as the National Electoral Commission (NEC), the Political Parties Registration Commission (PPRC), the National Human Rights Commission (NHRC), the Anti-Corruption Commission and the Independent Media Commission (IMC) [Paragraph 5].

Recommend as a confidence building measure that consultations be held with the opposition parties before the names of such candidates are submitted to Parliament for confirmation, without prejudice to the constitutional prerogative of the President to nominate candidates of his choice to head important independent democratic institutions [Paragraph 6].

Recognise the dangers that heightened regional and ethnic divisions could pose to the peace and stability in Sierra Leone and stress the need to function as truly national parties that embrace all aspects of Sierra Leone's rich and diverse social fabric...and will therefore, strive to maintain regional balance in the membership and representation of their respective parties as well as within State institutions [Paragraph 8].

Recognise the problem of youth employment and, if not solved, the risk that this could pose for peace and stability in Sierra Leone. Both parties reaffirm their commitment to disband all youth task forces or any other militant youth groups and to refrain from inciting their respective party youth wings [Paragraph 9].

Recognise the need for multi-party talks in order to build consensus on critical issues of national interest and to reduce tensions. They agree to regular multi-party talks to be held not only in Freetown but also in the regional centres of Makeni, Bo and Kenema, to be chaired by the Political Parties Registration Commission and the Executive Representative of the Secretary-General will be invited to act as Co-Chair [Paragraph 12].

Extracted from: *Office of the President of the Republic of Sierra Leone [2009], Joint APC-SLPP Communiqué of 2 April 2009, Freetown.*

Critical Conflict Flashpoints

150. Mounting political tensions and the potential for conflict appear high. Although most of the root causes of the civil war have not been fully addressed, there are two critical conflict flashpoints that need serious attention because they have the chances of tipping Sierra Leone back into civil conflict, if not urgently addressed.
151. First, is the Youth Unemployment and Electoral Competition nexus in 2012 and second, the political economy of mineral governance, especially in the wake of new discoveries of mineral wealth and the influx of international investors to Sierra Leone. These two issues command great attention in the light of the APRM CRM findings.

Youth Unemployment-Competitive Election Nexus

152. Historically, the two dominant political parties – the SLPP and the APC – have appealed to and, in the urban areas largely relied on, unemployed youth for support and as foot soldiers of their parties. However, in relative terms, the SLPP is seen primarily as an elitist party with a support base among traditional rulers, while the APC support base is mainly urban workers and disenfranchised youth. Despite differences in their following, the events of 2009 suggest that both political parties are capable of initiating large-scale electoral related violence, led by the younger party firebrands. Youth supporting the SLPP and the APC clashed throughout 2009 and again in the summer of 2010, and during the by-elections of 2011.
153. The Review Mission's stakeholder consultations revealed the resurgence of identity politics and sharpening party divisions along SLPP and APC lines since the 2007 elections. This perception is buttressed by voting patterns during the 2007 elections, the most definitive since the war ended in 2002. The APC won almost all the seats in the Northern Temne and Limba area (APC stronghold), capturing 36 of the 39 seats in Parliament. By contrast, the party won only 2 out of the 53 seats in the entire Southern and Eastern province areas. This was in sharp contrast to the 2002 elections when the SLPP won substantial votes from both the Northern and Western parts of the country.
154. Most stakeholders expressed concern that people are getting more conscious of their ethnic identity as opposed to their national identity as citizens of

Sierra Leone. This development has tended to heighten electoral competition, degenerating into pre-existing ethno-regional tensions, and intra and inter-party violence. Most stakeholders believe that electoral violence is a recurring theme in Sierra Leonean politics and that political parties themselves ought to be held responsible for this phenomenon.

155. The CRM found that particularly worrying to most stakeholders was the perception that political parties are capable of unleashing organised violence on opponents, such as witnessed after the 2007 elections. In apparent celebrations over the APC electoral victory, hundreds of young people vandalised SLPP headquarters. In addition, the SLPP radio, newspaper and homes of several SLPP leaders were attacked. The Police was allegedly complacent about the abuses that took place and although a Commission was set up to investigate the mayhem, no action was taken on its report. Perhaps the most dramatic-election related violence came from running battles between APC and SLPP supporters in Freetown, in March 2009.
156. In the lead up to the 2012 elections, the Review Mission found tension extremely high between the two dominant political parties. Some stakeholders suggested that many high- and mid-level professionals from Southern and Eastern provinces – mostly Mende – had been dismissed without due process, within a year of the APC assuming power. They claimed that professionals, mainly from the North – the support base of the ruling APC government – were brought in to replace these professionals from the Southern and Eastern Provinces. More alarming, according to some stakeholders, is the fact that unusually few, if any, defections are observed from the opposition SLPP to the APC. On the other hand, there were stakeholders, who vehemently deny these allegations. The implication is that there is now a hard-line ethno-regional and political split in the country, a situation that bodes ill for national unity and the peaceful conduct of free and fair elections in 2012.

The Political Economy of Mineral Governance

157. Sierra Leone's fabled mineral wealth and its mismanagement were critical elements in the pre-war socio-economic conditions that precipitated the brutal war, of 1991-2002. President Bai Koroma, in a 2010 address to Parliament, stated unabashedly that "*our country is rich in mineral resources; however, these riches have not been translated into tangible benefit for our people (...)* My government is determined to change that."¹⁴

14 Quoted in Gberie, p. 8, International Security Studies, 2010.

158. Given the role diamond mining played in the Sierra Leonean civil war, the CRM heard repeatedly from stakeholders throughout the country that improved governance of the natural resource sector is a key feature of post-war reconstruction, stability and development. The Government of Sierra Leone reassured the CRM that it recognised the strategic importance of a strong, but well governed, private sector-led mining industry, and of the contribution it can make to the country's post-war recovery and sustainable economic and social development.
159. With the help of the donor community, Sierra Leone has adopted a comprehensive strategy to promote private sector-led initiatives and investments, administer mineral rights, and implement clear and consistent policies for the sector's growth¹⁵.
160. Although ending the informal and illicit production and marketing of minerals may produce sector growth, it may not solve the fundamental development problems at the root of the war: poverty, social exclusion and corruption. The CRM is of the considered view that accountability, transparency and social equity in fairly distributing sector revenue are essential to the development and growth of the mining sector.
161. Furthermore, the CRM notes the alarm expressed by stakeholders about recent concessions being granted to international mining and oil exploration companies, thereby raising more questions than answers. The discovery of both iron ore and oil – in commercial quantities – has raised the stakes in the political economy of natural resource governance in the country.
162. Some mining investors in Sierra Leone have been accused of involvement in unethical conduct – including bribery of public officials – and a lack of adequate corporate social responsibility¹⁶. Unethical practices include operating with a number of front companies in order to hold prospecting and exploration licences for tax evasions purposes¹⁷. There is also a widespread perception, confirmed by the Review Mission's interactions with the leadership of the Sierra Leone Parliament, that mining companies have been granted extremely favourable concessions in recent years. For example, the review mission is aware that one company involved in mining Sierra Leone's iron ore deposits was given very favourable tax treatment in December 2009, including an 80 per cent reduction in income taxes for 25 years; an 80 per cent reduction in other major revenue

15 *Sierra Leone: Tapping the Mineral Wealth for Human Progress*, pp.19-24, World Bank, 2005

16 Gberie, p. 11, ISS, 2010

17 Gberie, p. 12, ISS, 2010

streams; a corporate tax rate of 6 per cent instead of 30 per cent; duty set at 1 per cent instead of 5 per cent; and royalties reduced from 4 to 3 per cent. This deal has been roundly condemned in Sierra Leone as contravening key provisions of the Minerals and Mining Act 2009.

163. The CRM would like to recall that the link between a weak or unaccountable state with flawed and inequitable natural resource management, on the one hand, and conflict, on the other hand, is well established in Sierra Leone¹⁸. It is not clear that private sector-led investments in the mining sector alone would provide answers to the problems that led to the war in the first place. While investments in the mining sector would grow the economy and give people stakes in peace, the reinvention of the political economy that led to the war in the first place could be just as precarious as the situation of the past.
164. Yet, a key lesson of the war is that Sierra Leone does not only need investments, but a new political economy providing livelihoods to those most victimised by the war, as well as society at large. International donors pushing for privatisation and neo-liberal policies need to prioritise equity issues in post conflict Sierra Leone so as to tackle the root causes of the war.
165. NaCSA is the implementing agency for administering government's reparations programme. When the APRM Country Review Mission visited the country in May 2011, 30,000 victims had registered and had received interim compensation of USD 100 each. In this respect, government should proceed more vigorously with its reparations policy to compensate those most affected by the war as a strategy to push forward equity considerations. NaCSA should, therefore, be given more resources to carry out the reparations programme more effectively.

iii. Recommendations

166. The Panel Recommends that:
- The Government of Sierra Leone (GoSL) consolidate and accelerate the implementation of economic, social and political empowerment youth programmes that fully integrate the youth into the fabric of Sierra Leonean society; [GoSL, Youth Commission, CSOs, Political Parties and International Partners]

18 David Keen, *Conflict and Collusion in Sierra Leone*, London: 2005; UN, 2002 (b)

- Outstanding provisions of the Joint Communiqué between the SLPP and the APC be fully and expeditiously implemented and monitored, with a special focus on striving to maintain regional balance in the membership and representation of their respective political parties as well as within state institutions; [*GoSL, SLPP, APC*]
- The Government consider disbanding Youth Task Force groups, well before the 2012 general elections, and instilling discipline in Youth Associations without regard to political, ethnic or regional affiliations; [*Political Parties, Youth Commission, private sector, Youth Associations, Traditional rulers*]
- Implementation of reparations and compensation programmes under the recommendations of the Truth and Reconciliation Commission be speeded up; (TRC) [*GoSL, Ex-Combatants, CSOs, Human Rights Commission*]
- There be an end to impunity, with all those culpable for political-ethnic violence and human rights violations investigated and punished; [*GOSL, Political Parties, CSOs, and Youth Commission*]
- Youth channel their efforts towards national growth as stakeholders who participate fully and constructively in the political fabric of the country, without resorting to war; [*GoSL, Youth Commission*]
- Transparency and rigorous public screening of mining and oil investment agreements be ensured, in full consultations with all stakeholders, including parliamentarians, civil society, journalists, youth associations, and the communities involved; [*GoSL, Parliament, the Judiciary, CSOs, Traditional Leaders and Media*]
- A Standing Committee to review and investigate all investment agreements granted to investors that violate Sierra Leone investment codes and laws be established. [*Parliament, Judiciary, CSOs, Private Sector and GOSL*].

OBJECTIVE TWO: Constitutional democracy, including periodic political competition and opportunity for choice, the rule of law, citizen rights and supremacy of the Constitution

i. Summary of the CSAR

Supremacy of the Constitution, the Rule of Law and Constitutional Democracy

167. The CSAR outlines and describes the various constitutional provisions and institutions for promoting and ensuring the supremacy of the constitution and the rule of law, as the bedrock of constitutional democracy in Sierra Leone under the Constitution of Sierra Leone 1991. This Constitution is the supreme law of the land, anchored on the stipulation that “*the Republic of Sierra Leone shall be a State based on the principles of Freedom, Democracy and Justice.*”¹⁹
168. The CSAR states that no one is above the law in Sierra Leone. Although the 1991 Constitution contains provisions that grant immunity from “*civil or criminal proceedings in respect of anything done by him either in his official or private capacity,*” to the President, while he “*performs the functions of the office of President*”²⁰. The Constitution also contains provisions and the procedure for his removal from office for misconduct. [Article 51].
169. The laws of Sierra Leone consist of the 1991 Constitution; laws made by or under the authority of the country’s Parliament; any rules, regulations or other statutory instruments made by any person or authority pursuant to a power conferred to it by law; the existing law; and the common law, which comprises the rules of law generally known as the common law, the rules of law generally known as the doctrine of equity, and the rules of customary law, including those determined by the Superior Court of Judicature²¹.
170. In line with these principles, the 1991 Constitution provides for fundamental principles of State policy (Chapter II); the recognition and promotion of fundamental human rights and freedoms of the individual, under the due

19 *The Constitution of Sierra Leone 1991*, Section 5(1)]

20 Article 48(4), *The Constitution of Sierra Leone 1991*.

21 *Ibid.* Section 170(1).

process of law; and the representation [and participation] of the people in the governance of the State, including the electoral system, competitive multi-party elections, universal adult suffrage, and secret ballot. [Chapter IV].

171. The fundamental principles of state policy stipulate that, “*sovereignty belongs to the people of Sierra Leone from whom Government through this Constitution derives all its powers, authority and legitimacy.*” The principles encapsulate political, economic, social, educational and foreign policy objectives, as well as the obligations of the mass media, the enhancement of national culture, and the duties of the citizen.
172. Although the fundamental principles are “*not justiciable,*” in the sense that they “*shall not confer legal rights and shall not be enforceable in any court of law,*” the Constitution provides that, “*they shall nevertheless be fundamental in the governance of the State, and it shall be the duty of Parliament to apply these principles in making law.*” [Article 14].
173. The fundamental human rights and freedoms of the individual, “*subject to respect for the rights and freedoms of others and the public interest,*” fall under the following categories of rights and freedoms: “*(i) life, liberty security of person, the enjoyment of property, and the protection of law; (ii) freedom of conscience, of expression and of assembly and association; (iii) respect for private and family life: and (iv) protection from deprivation of property without compensation.*” [Article 15].
174. Regarding the representation and participation of the people in the governance of the state, the 1991 Constitution provides for: (i) the registration of voters, on the basis of universal adult suffrage (“*eighteen years of age and above*”) (Article 31); (ii) registration and conduct of political parties (Article 35); (iii) secret ballot (Article 36); (iv) delimitation and periodic review of constituencies (Article 38); (v) the filling of parliamentary vacancies (Article 39); (vi) the establishment of two electoral management bodies, the National Electoral Commission (Article 32); (vii) the Political Parties Registration Commission. (Article 34); (viii) the tenure of office of the President (Article 46(1)), Members of Parliament (Article 85) and other elective public officeholders; and (ix) periodicity of competitive party elections for President (Article 43), Parliament (Article 87) and other elective public offices.
175. However, the CSAR notes threats to the rule of law reflecting “*holdover practices, perceptions and dispensations (...) from the pre-conflict emasculation of the justice sector,*” and which tend to erode (“*draw back*”) due process and the independence of the judiciary.

176. Notable among the threats are: (a) the “*excessive [use of the] powers*” of the President “*to appoint, suspend or retire judges without recourse to parliamentary approval or other constitutional checks*”, as reflected in the forced retirement or resignation of chief justices of the country’s supreme court between 1996 and 2007, and the “*hiring of judges on contract (...) without recourse to parliamentary approval or other constitutional checks;*” (b) the delay in the administration and dispensation of justice, and the high cost of litigation; (c) human, financial and infrastructure inadequacies facing the judiciary; (d) the conduct of cases in the formal justice sector in English, “*which cannot be understood by the majority of the poor;*” (e) prosecution of cases in magistrates’ courts by police officers, many of whom lack prosecutorial training; and (f) the country’s traditional institutions and customary court system.
177. Steps to abate and remove the threats, with the support of the international donor community, are being taken under the Justice Sector Development Programme. These include rehabilitation of some basic justice sector infrastructure, staff training (including the Police) and recruitment, the revision of the Criminal Procedures Act, commencement of a Pilot Legal Aid Scheme, the development of itinerant courts in the provinces, the adoption of a Child Justice Strategy, and three Gender Acts.

Periodic Competitive Party Electoral Politics

178. The CSAR notes that the electoral law provides for the first-past-the-post electoral system for the election of members of parliament and local councillors, with renewable five-year tenure and four-year tenure, respectively.
179. Sierra Leone has held competitive multi-party elections since the return to democratic rule in 1996, 2002 and 2007 for presidential and parliamentary elections, and in 2004 and 2008 for local council elections.
180. The National Electoral Commission (NEC) is empowered to conduct all public elections and referenda, undertake registration of voters, demarcate constituencies with the approval of Parliament, make regulations for voting and for the efficient performance of its functions²²
181. The President appoints members of NEC, “*after consultations with the leaders of all registered political parties and subject to the approval of Parliament.*”²³ But there are no guidelines about how consultations should be carried out, or

²² Article 33, *Constitution of Sierra Leone 1991*.

²³ *Ibid.* Article 32(3).

whether commissioners could be appointed were a political party to oppose their appointment.

182. The 1991 Constitution guarantees the autonomy of NEC by providing that *“in the exercise of any functions vested in it by this Constitution, the Electoral Commission shall not be subject to the direction or control of any person or authority.”*²⁴
183. The Board of Commissioners is the policymaking and oversight body responsible for the supervision and management of the process of elections.
184. The Political Parties Registration Commission (PPRC) is another body mandated to ensure competitive party electoral politics in Sierra Leone. [Article 34] The PPRC has responsibility *“for the registration of all political parties and for that purpose may make such regulations as may be necessary for the discharge of its responsibilities under this Constitution,”*²⁵, such as monitoring the conduct of political parties, ensuring that political parties act in compliance with the Constitution and within the terms and conditions of their membership.
185. The CSAR also notes that stakeholders are worried about the regional structure of support for the two main parties that have alternated in power – the All Peoples Congress (APC) and the Sierra Leone Peoples Party (SLPP) – with the APC support base in the north-west, and the SLPP in the south-east.
186. Furthermore, the CSAR points out that although 92 per cent of household respondents state that they do not feel excluded from political participation because of ethnicity and 98 per cent do not feel excluded because of religion, 97 per cent of the respondents are worried that political division could disturb the peace in the country.
187. Reinforcing this response is, according to the CSAR, the disaffection of the SLPP leadership with the outcome and credibility of the 2007 presidential election – continuing source of rancour between the APC and the SLPP – as well as the inflammatory statements in the print and electronic media, representing partisan party political positions among media practitioners and journalists.
188. The CSAR also points to worrying signals arising out of post-2007 parliamentary by-elections and the 2008 local council elections in the south-eastern towns of Pujehun, Tongo Fields and Sorogbiema local government elections, marked by violent clashes between supporters of the APC and SLPP in March 2009.

24 *Ibid.* Article 32(11).

25 *Ibid.* Article 34(5).

189. The CSAR also recounts how violent clashes between APC and SLPP youth at the SLPP offices in Freetown, in March 2009, led to the signing of a joint peace communiqué by the leadership of both parties at a peace meeting brokered by the Executive Representative of the UN Secretary-General.

Decentralisation

190. The CSAR points out that decentralised local government structures in Sierra Leone include the traditional and the modern. The traditional local government structures consist of 149 chiefdoms ruled by Paramount Chiefs, who are elected for life from among members of the ruling families, with the eligibility to vote restricted to members of an electoral college.
191. The Constitution of Sierra Leone 1991, Article 72(1) “*guarantees and preserves the institution of paramount chieftaincy, as established by customary law and usage and its non-abolition by legislation*”. Article 72(5) empowers Parliament to “*make laws for the qualifications, election, powers, functions, removal and other matters connected with chieftaincy.*” The Chieftaincy Act 2009 principally looks at matters of election of paramount Chiefs and differentiates the roles of the National Electoral Commission and the Ministry responsible for Local Government with respect to the crowning of paramount Chiefs.
192. The paramount chieftaincy undertakes law and order functions, including the determination of rights to local resources and dispute resolution, and there are statutory provisions to ensure its accountability.
193. The CSAR identifies the following among the democracy and good governance deficits of the paramount chieftaincy: (i) the restrictive nature of the eligibility criterion for the office, including the exclusion of women in the Northern Province and some parts of the Eastern Province; (ii) the exclusion of women and youth from the chiefdom’s governing processes; and (iii) the “*very restrictive*” nature of the electoral college.
194. The modern local government structure comprises 19 local councils, established under the Local Government Act 2004, which also created the Local Government Service Commission, the Local Government Finance Committee, the Inter-Ministerial Committee on Local Government and Decentralisation, and the Provincial Coordinating Committee. Each local council is further subdivided into wards, as elaborated in Commendable Practice Box 3.1.
195. Local council functions include: (i) mobilisation of human and material resources for development; (ii) promotion of productive activities; (iii) provision of basic infrastructures; (iv) overseeing chiefdom councils; and (v) cooperating with

relevant authorities to ensure security. The President can assume the powers of local councils, for a period not exceeding 90 days, subject to the approval of two-thirds of the Members of Parliament.

Commendable Practice Box 3.1: Ward Committees

Under Section 19 of the Local Government Act (LGA) 2004, Sierra Leone is divided into 19 local government councils which are further subdivided into wards. At present the 19 local councils are subdivided into 394 wards presided over in each ward by a ward committee.

According to the LGA, ward committees comprise the elected councillor from the ward, a Paramount Chief within whose locality the ward is located, and ten (10) other people elected at a public meeting. Furthermore, it is mandatory that at least five (5) of the ward committees should be women, making this the only gender-balanced level of governance. The main function of a committee is to mobilise ward residents for self-help and development projects.

The Ministry of Local Government notes in its *Local Government and Decentralisation Training Manual For Local Councils In Sierra Leone*¹ that the functions of a ward committee are to:

- Implement self-help projects;
- Arrange communal and/or voluntary work, especially in the area of sanitation;
- Propose to the local councils on ways and means to levy and collect funds for special projects;
- Be the focal point for discussing local problems in the ward; and
- Educate ward residents on rights and obligations vis-à-vis local government, such as the need to pay taxes.

Ward committee members are tasked with acting as the voice of the people, and are responsible for collecting views from members of the ward and presenting these to the district council. They are also responsible for communicating council decisions to ward residents.

It should be noted that ward committee effectiveness has been affected by the absence of transport allowances, as well as the lack of an adequate leadership role for the paramount chiefs within the structure, as a chief is only required to be a sitting member of a ward committee. Furthermore, the requirement to have women constitute fifty per cent of ward committee members has been difficult to implement, due to factors such as time constraints, as many women are engaged in other duties such as on the family farm or in trading.²

Source: *Country Self-Assessment report (CSAR), Local Government and Decentralisation Training Manual For Local Councils In Sierra Leone (Ministry of Local Government)*, World Bank

1 http://www.ircbp.sl/drwebsite/uploads/final_manual_on_local_government_and_decentralisation_-_sample.pdf

2 *Decentralisation, Democracy and Development: Recent Experience from Sierra Leone*, p. 5-6, World Bank, 2009, Washington DC.

196. Except in Freetown and the Western Rural District, membership of local councils is made up of paramount chiefs appointed by their peers and ordinary members elected on the basis of universal adult suffrage to serve a four-year term, renewable only once. The Chairman of the Local Council, elected to serve a four-year term, renewable only once, can be removed from office by a two-thirds majority of councillors through a process that includes the constitution of a panel by the Chief Justice to investigate the grounds for the proposed removal.
197. Local council reform measures undertaken to date include the Institutional Reform and Capacity Building Project (IRCBP), aimed at coordinating and supporting decentralisation activities, under a grant from the World Bank, the European Union, and DfID. The IRCBP has, since its inauguration, initiated the Rapid Result Initiative (RRI) through the design and implementation of programmes within 30 days, and the Local Government Grant Programme.
198. The CSAR points to the following constraints and challenges faced by local councils: (i) delays in funds transfers; (ii) lack of capacity programme implementation; (iii) over-staffing and the ensuing budgetary strains; (iv) inability and failure to meet many of their statutory participatory, transparency and accountability functions; (v) strained relationships between councils and chiefs; (vi) heavy dependence on donor support; (vii) failure to generate adequate internal revenue; and (viii) failure to attract and retain professional staff.

Civilian Control of the Security Forces

199. The CSAR notes that the Constitution of Sierra Leone 1991 subjects the security forces to democratic civilian oversight. To this end the Constitution provides that: (i) no armed forces shall be raised without the consent of Parliament; (ii) the President shall be the Commander-in-Chief of the Armed Forces of the Republic, and Chairman of the Defence Council, the country's highest Armed Forces decision-making council; (iii) the Minister of Defence shall be a civilian. In addition, Parliament has a Defence Committee with oversight functions, and parliamentary approval of the Defence budget is required. The Chairman of the Police Council is the Vice President of the country.

ii. Findings of the CRM

Supremacy of the Constitution, the Rule of Law and Constitutional Democracy

200. Since the multi-party elections of 1996, post-conflict Sierra Leone has made great strides towards consolidating multi-party democracy. This development is a great improvement on the country's precipitous decline into authoritarian rule

between 1967. This came after the post-1967 election political and constitutional crisis and 1990, when mounting domestic and international pressure led to the establishment of a constitutional reform commission, which in turn led to the adoption of the 1991 Constitution.

201. However, before elections scheduled under the constitution could hold in May 1992, pre-election violence and insurgent attacks by the Revolutionary United Front (RUF), signalling the onset of the country's civil war – amidst a series of military coups and counter-coups between 1991 and January 1996 – effectively prevented the return to constitutional rule. The ruling National Provisional Ruling Council (NAPRC) had announced a democratic transition programme in December 1993, and had established a National Advisory Council (NAC) to prepare the grounds and the roadmap for the return to democratic rule.
202. Arising out of the work of the NAC, the government created the Interim National Electoral Commission (INEC) and the National Commission for Democracy (NCD). INEC fixed presidential and parliamentary elections for February 1996. Alhaji Ahmad Tejan Kabbah emerged as President. He was overthrown in a military coup in May 1997, but was reinstated in March 1998, through military action by ECOWAS. The 1991 Constitution, under which Sierra Leone has since been governed, envisions and is designed to create a liberal democratic, multi-party state in which rights are protected and where there is a separation of powers, moderated by checks and balances. Thus, the Constitution provides for a first-past-the-post, single member constituency electoral system, as well as a decentralised system of local government.
203. The Executive and Legislature hold power for five years, through separate presidential and parliamentary elections. While there is no term-limit for the tenure of Members of Parliament²⁶, the Constitution²⁷ provides that *“no person shall hold the Office of President for more than two terms of five years each whether or not the terms are consecutive.”*
204. Local Government Councillors are elected on a party political competitive electoral basis to serve for a four-year term. The Constitution [Chapter VII] also provides for the modalities and processes for the appointment, independence and removal of judges; for the removal of the president²⁸; and the conditions under which a Member of Parliament *“shall vacate his seat in parliament.”*²⁹

26 *Ibid.* Article 77.

27 *Ibid.* Article 41.

28 *Ibid.* Article 51.

29 *Ibid.* Article 77.

205. These constitutional provisions notwithstanding, the Review Mission discussions with various stakeholders in Freetown and the provinces at Makeni, Bo and Kenema, underscored the importance of placing the prospects and challenges of constitutional democracy and competitive electoral politics in post-conflict Sierra Leone within the broader context of the country's constitutional and political history, its inherited political culture, and its fragile, dependent, and essentially mono-cultural economy.
206. While there was a consensus among stakeholders about the considerable progress made since 1996 in establishing constitutional democracy and the rule of law in the country, most stakeholders cautioned that the pre-1991 legacy of a political and legal culture of impunity and violent competitive electoral politics was characterised by the erosion of constitutional government and the poor management of diversity.
207. The following conclusion in Witness to Truth: Report of the Sierra Leone Truth and Reconciliation Commission, Volume 3A³⁰ best expresses the general challenge of democracy and constitutional government that emerged from most of our discussions with stakeholders. *"...Up to the present, Sierra Leoneans expect arbitrary administration of "justice", nepotism and cronyism in all public institutions, and little genuine prospect of a fairer and better future (...) Deep-seated pessimism now prevails as to whether things can ever really get better (...) Tragically, many of the characteristics identified in this chapter as antecedents to the conflict persist today in Sierra Leone. The vital test in preventing the recurrence of such a tragedy lies in whether Sierra Leone can learn the lessons of the past."*
208. Briefly put, the Review Mission observes that while many stakeholders share the view that the Constitution of Sierra Leone 1991 substantially provides the framework for a durable legal and political framework for democracy and the rule of law in the country, albeit requiring a number of amendments to strengthen the institutions and processes of democracy, they are unequivocal in asserting that the complementary normative and cultural anchors, and the socio-economic foundations of democracy remain weak and threatened. As one stakeholder put it, *"Democracy is being used to kill Democracy."*
209. Although the Constitution of Sierra Leone 1991 stipulates that, *"sovereignty belongs to the people of Sierra Leone from whom Government through this Constitution derives all its powers, authority and legitimacy,"* [Article 5(2)(a)] the CRM thinks that stronger and categorical provisions are required to underscore the supremacy of the Constitution and to proscribe unconstitutional change of government, in line with provisions in a number of international codes and

30 Truth and Reconciliation Commission 2004b: 36.

standards to which Sierra Leone is a signatory. This is more so, because Article 5(2)(a) falls under the provisions for fundamental principles of state policy, which are, under Article 14 of the Constitution, “...*not enforceable in any court of law*” in the country. In fact, when the Government of President Alhaji Ahmad Tejan Kabbah was overthrown in a military coup in 1997, it took the military intervention of the ECOWAS to intervene to restore him to power.

210. The CRM notes in this respect and agrees with the observation from the Commission for the Review of the Sierra Leone Constitution that “*Chapter One of the current Constitution (...) makes no mention of the supremacy of the Constitution and the sovereignty of the people.*”³¹”
211. To rectify these omissions, the Report recommended the addition of two new sections to Chapter One, namely, “(a) *The Constitution shall be Supreme Law of Sierra Leone, and (b) Sovereignty belongs to the people of Sierra Leone from whom Government through this Constitution, derives all its powers, authority and legitimacy*”³².”
212. The CRM notes with concern that, although the Government of Sierra Leone, by Government Notice No. 6, Vol. CXXXIII of the Sierra Leone Gazette No. 2 of 11 January 2007, established the Commission for the Review of the 1991 Constitution, no White Paper has been issued on the Commission’s Report since its submission to government in 2008.
213. The CRM has looked at the Report, and believes it contains a number of recommendations whose acceptance and implementation would strengthen and consolidate constitutional democracy and the rule of law in Sierra Leone. Among such recommendations are the following proposed amendments: (i) amendment to Section [Article] 32(7)(b) by deleting “*any other cause*” from the power of the President to remove a member of the Electoral Commission, and to subject the exercise of the power of the President to remove the electoral commissioner to “*consultation with the leaders of all political parties*” [p.43]; (ii) amendment to Section 64 by deleting the words “*Attorney-General and Minister of Justice,*” and replacing them with “*Attorney-General,*” whose office “*shall be a public office which shall be filled in the same way as that of the Solicitor-General, i.e. he shall be appointed by the President on the advice of the Judicial and Legal Service Commission, with approval of Parliament.*” [p.48]; (iii) amendment to Section 77(1)(K) by “*the inclusion of...voluntarily*”

31 *Report of the Commission to Review the Constitution of Sierra Leone*, p. 19, January 2008

32 *Ibid.* p.19.

between “he” and “ceases”, and the repeal of Section 77(1)(l) [p.59]; and (iv) the establishment of a Local Court Service Commission in each province, *“with the responsibility of being the Principal Adviser to the Chief Justice on issues relating to appointments, transfers, promotions, discipline of members, officers and servants of the Local Court.”*³³

214. A recurrent concern expressed about the future of the rule of law in the country in the CRM meetings was the general perception, among stakeholders, that governments are typically wont to use the enormous presidential power of appointment. This is because under an electoral system of “winner-takes-all”, power can be used to effect the sometimes allegedly arbitrary termination, dismissal or retirement of public officers suspected of harbouring sympathies for opposition parties, without due process and also to advance ethno-provincial hegemony.
215. At some of the CRM meetings with stakeholders, reference was made to the cases of the Governor of the Central Bank of Sierra Leone, the Head of the Sierra Leone Stock Exchange, the Accountant-General, and the Managing Director of the National Power Authority who were all relieved of their appointments; all, allegedly, without due process.
216. For example, a recent report by Amnesty International refers to *“the current APC government’s replacement of roughly 200 high-level government – mostly Mende – professionals from the Southern and Eastern provinces,”* who were allegedly *“replaced by people almost entirely from the north of the country, in particular Bombali District (the president’s home).”* The report also refers to *“perceived ethnic and political biases in the police and army [which] have also produced inflammatory and corrosive results. Doubts have been raised about army independence, and tensions are emerging in the ranks.”*
217. At the sub-national level, the CRM learned and confirmed that the Ombudsman received and was investigating some complaints of alleged politically motivated dismissals and terminations in the public service. The most recent occurrence being some employees of the Freetown City Council allegedly dismissed, without due process or regard to their terms of employment, on the suspicion of being supporters of the opposition party. The CRM also learned that the Ombudsman’s formal written request to meet Council management over the matter had gone unanswered, up until the time of the CRM visit to the country. The CRM also learned that the Office of the Ombudsman was powerless to intercede in and pursue such matters with employees, other than through its moral power of suasion, because it lacks the power to make compliance obligatory.

218. Although it was not in a position, owing to time constraints, to investigate these allegations, the Review Mission was overwhelmed by the repeated perceptions of politically motivated terminations and dismissals expressed at stakeholders' meetings. Because perceptions of abuse of power matter in aggravating violent political conflict, the Mission views them as portending worrisome signals about the fragility of constitutionalism and the rule of law in the country.
219. The CRM believes that such allegations reflect genuine fears about the possible relapse into an earlier period of the country's experiments with democratic politics. The period was characterised by a political culture of official impunity and politicisation of the civil service, which precipitated the political crisis that partly contributed to the civil war.³⁴
220. The CRM is convinced that to consolidate the gains of the post-conflict years, and thereby lay enduring foundations for the sustainability of democracy and development in the country, government must not only appear – but also be seen – to play the leading role by resisting social and partisan political pressures for arbitrary use of presidential and sub-national executive power to appoint, dismiss, or effect the termination of public service officials who are assumed not to be party loyalists..

The Electoral System and Political Competition

221. The 1991 Constitution sets out in Chapter IV the constitutional and politico-legal framework of laws and rules for the electoral governance institutions and processes designed for the management, regulation and the periodic conduct of competitive party and electoral politics in Sierra Leone. The Electoral Laws Act 2002, the Electoral Laws (amendment) Act 2007, the National Electoral Commission Act 2002, the Political Parties Act 2002, and the Local Government Act 2004 also contain provisions relating to, and regulating, electoral governance in the country.
222. With the coming into force of the Constitution in October 1991, seven political parties that satisfied conditions laid down in the constitution, were registered.³⁵ The three major parties are currently the APC, the SLPP, and the Peoples Movement for Democratic Change (PMDC), registered as a political party in 2006. Provisional registration was granted to another party in 2011.

34 See, John R. Cartwright, *Politics in Sierra Leone, 1947-1967*, pp.195-6; 250-1, Toronto: University of Toronto Press, 1970.

35 These were (i) The All People's Congress (APC); (ii) The Sierra Leone People's Party (SLPP); (iii) The People's Democratic Party (PDP); (iv) The National Action Party (NAP); (v) The Democratic People's Party (DPP); (vi) The National Democratic Party (NDP); and (vii) The Unity Party.

223. Party political activities and finances are regulated by the PPRC. However, there is no state funding of political parties in Sierra Leone. There is no limit to how much funding political parties can raise or receive from non-state internal or external sources. A number of stakeholders expressed the view that lack of state funding places parties other than the APC and SLPP at a disadvantage, with the effect of eroding the competitiveness of party political and electoral politics in the country. This, they argued, was because at various times, while in power, the two major parties have used state patronage as major sources for funding their activities.
224. The breakdown and failure of electoral governance and its institutions and, therefore, of competitive political party and electoral politics sounded the death knell of constitutional government and democracy in pre-conflict Sierra Leone. The future of democratic politics in post-conflict Sierra Leone is, in this respect, seamlessly interwoven with the credibility of electoral governance in ensuring free and fair elections in the country. Table 3.2 shows the types of elections that have been conducted in Sierra Leone since 1951.

Table 3.2: Types and Dates of Elections in Sierra Leone (1951-2008)

Type of Election	Year
Parliamentary	1951; 1957; 1962; 1967; 1973; 1977; 1982; 1986; 1996; 2002; 2007
Presidential	1985; 1996; 2002; 2007
Referenda	1978; 1991
Local Government*	1951; 1966; 2004; 2008

Source: Ismaila Madior Fall, Mathias Hounkpe, Adele Jinadu and Pascal Kambale, *Election Management Bodies in West Africa: A Comparative Study of the Contribution of Electoral Commissions to the Strengthening of Democracy in West Africa*, p.213, Pretoria: Afrimap/OSISA and OSIWA, 2011

*Local government council and local government elections were abolished in 1972. The Constitution of Sierra Leone 1991 provided for the establishment of local government councils and of democratically elected local government councils. The local government election scheduled for 1996 could not hold.

225. In the view of the Review Mission, drawing on lessons from the country's political history and elsewhere in Africa, there is a need for a serious scrutiny into ensuring credible electoral governance in Sierra Leone. This entails implementing reforms that strengthen electoral administration – overhauling and empowering it, in such a manner as to make the electoral management body seriously independent of and insulated from partisan control. In addition, it is imperative to nurture, particularly among political party leadership, a political culture of tolerance, respect for diversity and political pluralism, and a corresponding abhorrence of the abuse of the power of incumbency for improper electoral gain. Leaders should also foster internal democracy within their political parties.

226. To this end, the CRM notes the introduction of constitutional and electoral reform, even before the end of the conflict in the country – under the National Advisory Council – with the establishment of the INEC and NCD in 1994. The interrelated objectives of these institutions are to improve and strengthen electoral governance and its institutions and processes, and to nurture a democratic culture of political competition in the country.
227. The powers and functions of these two democracy promotion institutions have since been “unbundled,” and shared with other democracy-promoting institutions. For example, some of the INEC powers and functions were shared between the new National Electoral Commission (NEC) and the Political Parties Registration Commission (PPRC), as stipulated in the 1991 Constitution; while those of the NCD were divided up between it and the National Human Rights Commission (HRC), upon the recommendation of the Sierra Leone Truth and Reconciliation Commission to establish the HRC.
228. Sierra Leone has since held presidential and parliamentary elections in 1996, 2002 and 2007, local government elections in 2004 and 2008, and elections for paramount chiefs. The 1996 elections were held at the height of the civil war, while the 2002 elections were conducted under the supervision of the United Nations to start a new post-conflict era. The 2007 elections were organised and fully managed for the first time in the country’s electoral history by two electoral management bodies: the National Electoral Commission (NEC), in charge of organising and implementing all phases of the electoral process; and the Political Parties Registration Commission (PPRC), with oversight and regulatory powers and functions over party political activities, as provided for under the 1991 Constitution, and the Political Parties Act 2002. Though the 1991 Constitution provided for it, the PPRC did not come into existence until 2006.
229. Post-1996 presidential and parliamentary elections and local government elections, though problematic, were successful. In addition, there was a smooth democratic transfer of power from one party, the SLPP, to another, the APC, at the level of the country’s presidency, in 2007. These processes represent, for the CRM, a welcome development. However, the highly competitive nature of the 2007 general (presidential and parliamentary) elections partly explains the controversy that trailed their conduct and the post-election acrimony, tension and violence that flowed from them. As one informed observer of the elections put it: “*The presidential elections of 2007 were controversial, and the consequences have been a nation polarised along ethnic and regional lines.*”
230. Rightly or wrongly, SLPP leadership continues to believe that it was cheated of victory in the 2007 presidential elections, through what it believes were the

“*hasty*” announcements of results from the Northern Provinces – the APC stronghold – and the “*controversial*” invalidation of results in 477 polling stations, which recorded more than 100 per cent voter-turnout. The SLPP leadership persists in this belief, in spite of strong denials from the NEC and indications that its action in nullifying results from the 477 polling stations were in line with regulations governing the conduct of the elections.

231. Indeed, the optimism arising from the smooth transfer of power in 2007 has been tempered by lingering and residual contested matters arising from the conduct of the general elections of that year. For example, the SLPP opposed the reappointment of the Chairperson of NEC, when it came before Parliament, on the grounds that there was a case pending before the Supreme Court regarding her “*work performance as Chief Electoral Commissioner of NEC,*” and “*that during her tenure certain rules, regulations and orders were not laid before Parliament in accordance with Section 170(7) a, b, and c, in accordance with the Sierra Leone Constitution Act, No. 6 of 1991.*” The latter allegation is in respect of the regulations under which NEC invalidated the results from 477 polling stations during the 2007 re-run presidential elections.
232. To take another example, by one account, there has been post-election violent conflict between the APC and SLPP supporters since 2007, often during by-elections³⁶. Post-election party political violence between both parties had reached such disturbing heights by March 2009 that the President of the country and the Resident Executive Representative of the United Nations Secretary-General brokered a peace meeting between the APC and the SLPP, in April 2009.
233. The result was the Joint APC-SLPP Communiqué of 2 April 2009 in which both parties pledged to maintain the peace, and to “*work jointly in preventing all forms of political incitement, provocation and intimidation that could lead to a recurrence of the disturbances witnessed in March 2009.*” [Page 1] While the spirit and letter of the Joint Communiqué has generally been adhered to, some areas of the agreement remain acrimonious because they are yet to be implemented or their spirit was allegedly violated. (Re. Box 3.2)

Box 3.2: Areas Not Yet Implemented Under the Joint APC-SLPP Communiqué of 2 April 2009

Among the areas of the Joint APC-SLPP Communiqué yet to be implemented are (i) the establishment of the Independent Police Complaints Commission and (ii) prosecution of those found culpable of sexual violence committed against women at the SLPP Headquarters in Freetown on March 16 2009. On its part, the SLPP leadership has complained a number of times, including by means of a letter written to the President, that two recommendations in the Joint Communiqué (paragraphs 6 and 8) have virtually remained a dead letter.

The first is the recommendation that *“without prejudice to the constitutional prerogatives and authority of the President of the Republic to nominate candidates of his choice to head important democratic institutions as a confidence building measure consultations be held with the opposition parties before the names of such candidates are submitted to the Parliament for confirmation.”* The SLPP claims that no such consultations were held with it before the nomination for the re-appointment of the Chairperson of NEC was sent to Parliament for consultation.

The second is the recommendation that both parties *“strive to maintain regional balance in the membership and representation of their respective parties as well as within state institutions.”* This is an important recommendation in view of the regional basis of the strength of the two parties, and the “winner-takes-all” imputations read into the first-past-the post electoral system.

This requires some illustration. During the 2007 parliamentary elections, the APC won 36 of the 39 parliamentary seats in the North, while it won only 2 of the 53 seats in the South and East. The SLPP won no seats in the West and only 3 in the North. Nationally the APC won 40.73 per cent of the total valid votes cast, while the SLPP won 39.54 per cent. President Koroma won by a margin of 1.1 per cent in the 2007 presidential rerun elections.

Source: Lansana Gberie, *Sierra Leone: Business As Usual*, p. 5, Institute for Security Studies Situation Report, 4 November 2010

234. In meetings with stakeholders in the provinces and consultations in Freetown and Kenema, the Review Mission was repeatedly told of a pattern in recent cabinet and other political appointments, including ambassadorial ones, suggesting a disproportionate bias in favour of some provinces and marked disadvantage to others, potentially heightening ethno-regional tension, engendering a feeling of marginalisation, and impairing the constructive management of diversity.
235. Table 3.3 summarises a comparative analysis of cabinet appointments between 2007 and 2011 under SLPP and APC governments, showing that by 2011, over 70 per cent of ministerial positions went to the North.

Table 3.3: Comparative Analysis of SLPP and APC Cabinet Reshuffles (2007 -2011)

SLPP Cabinet – 2007			APC Cabinet 1 – 2007			APC Cabinet 2 – 2009			APC Cabinet 3 – 2010		
	No. of Ministers	Per cent		No. of Ministers	Per cent		No. of Ministers	Per cent		No. of Ministers	Per cent
North	9	37.50	North	15	68.18	North	15	68.18	North	17	70.8
South	5	20.83	South	2	9.09	South	2	9.09	South	4	16.6
East	4	16.67	East	1	4.55	East	1	4.55	East	1	4.17
West	4	16.67	West	3	13.64	West	3	13.64	West	1	4.17
Kono	2	8.33	Kono	1	4.55	Kono	1	4.55	Kono	1	4.17
Total	24	100	Total	22	100	Total	22	100	Total	24	100

Source: Compiled by CRM

236. Moreover, as many stakeholders pointed out at the Review Mission meetings, questions raised about mining concessions granted by government to some mining companies and news of iron ore and oil deposits discovered in commercial quantities in the country have raised the political stakes even higher and stepped up the levels of pre-election party political tension, in the run up to the three elections—presidential, parliamentary and local government, due in 2012.

Democracy and Popular Participation

237. It is clear from CRM observations that the institutions established by the Constitution or by legislation to advance and strengthen competitive democracy in Sierra Leone, primarily the NEC, PPRC and NCD, face enormous challenges. These are due as much to weaknesses and ambiguities in their enabling laws as to resource and related capacity problems. These weaknesses and ambiguities include: (i) the process for appointing and removing their members, (ii) their regulatory powers and functions, (iii) their interlocking responsibilities, (iv) their sources of funding, among others, and (v) their resource and related capacity problems. These weaknesses, in the view of the CRM, portend encumbrances for the country's electoral process.

238. Regarding the enabling laws establishing these institutions and the legal framework of electoral governance in the country, the Review Mission heard

general sentiment expressed in favour of a review of the composition, tenure, status, functions and powers of NEC and PPRC, in particular, so as to promote and protect their fiscal and functional autonomy. For example, presidential powers of removal of NEC members for “*cause*” or “*misbehaviour*,” under Section 32(8) of the 1991 Constitution do not seem to be subjected to investigation or special parliamentary majority vote, similar to that for the removal of judges, thereby offering them cast iron protection for their independence.

239. Although it does not go this far, the Report of the Commission to Review the Constitution of Sierra Leone 1991 (paragraph 64, page 43) recommends that Section 32(8), which reads, “*a member of the Electoral Commission may be removed from office by the President for inability to discharge the functions of his office (whether arising from infirmity of mind or body or any other cause) or for misbehaviour,*” should be amended by the deletion of “*or any other cause,*” and the addition of “*in consultation with the leaders of all registered political parties.*” Yet as the controversy over the nomination of the current Chairperson of NEC for a second term shows, the constitutional provision for the President to hold “*consultations*” with registered political parties before the nomination is sent to Parliament for confirmation is not itself unproblematic as to the interpretation given to “*consultations*” in concrete terms, and may require more clear-cut checks on the exercise of power.
240. The CRM notes that there is also need to resolve the legal status of the supplementary provisions of the National Electoral Commission Act 2002 on the removal of NEC members. The controversy over the removal of two NEC members in the aftermath of an internal crisis over the nullification of votes in 477 polling units and the declaration of results during the presidential re-run elections in 2007 makes it imperative to address the issue of NEC and PPRC independence from executive/presidential interference.
241. Taken together with the controversy surrounding the nullification of election results that surfaced during the 2007 presidential re-run elections, the CRM agrees with the NEC that there is need to “*ensure clarity in the Legal Framework governing the conduct of credible elections by reviewing existing ambiguous and inadequate electoral laws and regulations to enhance their consolidation.*”³⁷
242. The CRM draws attention to the fact that an important incapacitating weakness of both the NEC and PPRC is their lack of explicit power to enforce their authority, especially to prosecute electoral offences in their own name, instead

37 NEC Strategic Plan, p. 18, 2010-2014.

of relying on the police to do so, as a study of electoral governance in Sierra Leone has observed:

“although the PPRC was central to the development of the 2006 Code of Conduct for political parties, and the establishment of monitoring committees to strengthen respect for its provisions, it is the responsibility of the police to prosecute those engaged in political thuggery, and they have been slack in doing so. The NEC has its power to make regulations to give itself the role of annulling results in certain cases (such as when results have been more than 100 per cent), it does not also have the power to prosecute violations of the laws that provide the rules for elections.”³⁸

243. The Review Mission discovered that NEC, PPRC and NCD require much more substantial funding from government to meet their operational and capital costs, and thereby reduce their dependence on the international donor community which, in the case of the NCD, is virtually non-existent. It seems the donor community has taken a cue from the government’s progressive cut-backs in funding to the NCD to reduce or virtually stop funding it. The Review Mission believes this is unfortunate in view of the key foundational role played by the NCD in paving the way for post-conflict re-democratisation in Sierra Leone. It has gained useful experience in voter and political education that should now be tapped to strengthen and reinforce democracy.
244. Indeed, the major source of funding for NEC and the PPRC, managed through a project management unit in the UNDP, Freetown office, is from donors. For example, according to the NEC, the joint donor basket fund contribution to the 2008 local government elections was 84.7 per cent of the total elections budget, while the Government of Sierra Leone contributed 15.3 per cent.

Tables 3.4 and 3.5. give a comparative analysis of the “actual comparative cost” in US dollars and in percentages of the contributions of the Government of Sierra Leone, the joint donor basket fund, and others to the NEC budgets between 2005 and 2009.

38 Madior Fall, Mathias Hounkpé, Adele Jinadu and Pascal Kambalé, *Election Management Bodies in West Africa*, p. 241.

Table 3.4: Actual Comparative Cost of Contributions to NEC Budget, 2005-2009

Description	2005	2006	2007	2008	2009	Total
	USD	USD	USD	USD	USD	USD
Government of Sierra Leone	288,375.28	2,062,395.48	388,0430.23	2,206,945.00	1,273,854.74	9,712,001.11
Basket Fund/UNDP	--	1,988,098.00	21,088,972.00	13,539,812.00	3,425,474.00	40,042,356.00
Others*	--	63,882.46	1,072,647.00	--	--	1,136,530.37
Total	288375.28	4114375.94	26042050.15	15746757.37	4699328.74	50890887.48

Source: *National Electoral Commission of Sierra Leone*

*Other sources include Peace Building Fund (2007), Japanese Government Electoral Support (2007), and German Government BEAC Programme (2006)

Table 3.5: Actual Comparative Percentage Costs to NEC Budget, 2005-2009

Description	2005	2006	2007	2008	2009	Total
	per cent	per cent	per cent	per cent	per cent	per cent
Government of Sierra Leone		50	15	14	27	
Basket Fund/UNDP		48	81	86	73	
Others		2	4			
Total		100	100	100	100	

Source: *National Electoral Commission of Sierra Leone*

245. At the time of the visit, the CRM noted with concern the gradual neglect and decline of the NCD as a democracy-promoting institution, “*entrusted with the task of creating and sustaining a conscious political society,*” and helping, thereby, to nurture a democratic political culture³⁹. The CRM noted that not only was the salary structure in the NCD low, but salaries had not been paid for over six months.
246. The NCD still holds great promise and potential in helping to nurture a democratic political culture among the generality of the citizenry, so badly needed at this critical period in post-conflict Sierra Leone. Renewed focus should now be placed on its original mandate as an agency for civic education throughout the country, taking advantage of its offices in the provinces to spread out into the districts. In this respect, the CRM urges government to take advantage of the new visibly dynamic and visionary leadership, to reposition and re-energise the NCD.
247. The Review Mission is of the opinion that, with the NCD so re-energised with a special focus on voter education and engendering related good citizenship values in the general population, the NEC and PPRC can then concentrate on their own specialised electoral management functions and activities, and not get unduly burdened, overstretched and distracted by combining them with voter education. This is a good example of where division of powers can provide good dividends for democratic consolidation.

iii. Recommendations

248. The APR Panel recommends that the Government of Sierra Leone consider:
- Releasing a White Paper on the Report of the Commission to Review the Constitution of Sierra Leone 1991, and thereafter initiating necessary national dialogue and legislation to amend the 1991 Constitution accordingly, to strengthen constitutional government and the rule of law in the country; [*Presidency; Parliament*]
 - Funding political parties as an investment in democracy and to create a more open space for competitive party and electoral politics; [*Parliament; PPRC*]

39 Osman Gbla, *The Crisis of Globalisation and Its Impact on Democracy and Good Governance in Post-Colonial Africa: Case Study of the March to Multi-Party Democracy in Sierra Leone -1990-1998*, pp. 93-94, 104, *Journal of Development Alternatives and Area Studies*, Vol. 20, No. 1&2, 2001.

- Implementing more faithfully the agreements reached under the Joint APC-SLPP Joint Communiqué of 2 April 2009, especially in respect of (a) the establishment of an Independent Police Complaints Commission; (b) prosecution of those found culpable of sexual violence during the March 2009 attack on the SLPP Headquarters in Sierra Leone; (c) consultations with the political parties by the President before appointments to important democracy-promoting institutions are sent to Parliament for confirmation; and (d) maintaining regional balance in representation within state institutions; [*President; Political Party leadership; Police*]
- Reviewing electoral laws in the country, so as to clarify and/or remove ambiguities in them while giving the NEC and PPRC greater and more meaningful independence, and more adequate powers to carry out their mandates. [*Parliament, NEC, PPRC*];
- Increasing resources provided to NEC, PPRC, and NCD to reduce their dependence on external funding. [*President, Parliament, NEC, PPRC, NCD*];
- Revitalising and re-energising the NCD, as a democracy-promoting institution, specialising in voter education and citizenship training; and
- Improving the general cultural, economic and political environment through appropriate socio-economic policies to reduce unemployment and poverty, so as to strengthen constitutional government and the rule of law.

OBJECTIVE THREE: Promotion and protection of economic, social and cultural rights, civil and political rights as enshrined in African and international human rights instruments

i. Summary of the CSAR

Civil and Political Rights

249. The CSAR notes that Sierra Leone has made “fair” progress in the protection and promotion of civil and political rights. It focuses on three rights in this category of rights – freedom of association, freedom of expression, and freedom of information.

250. The CSAR suggests that, of these three rights, the most progress has been made in the protection of the right of freedom of expression. The state-owned broadcaster has been transformed into an independent broadcaster. The number of privately-owned radio stations has increased significantly in the last few years, and although there are challenges, Sierra Leone's media is among the most vibrant on the continent. It is generally agreed that citizens have the freedom to express themselves on a wide range of issues. In addition, the CSAR suggests that the introduction of a Freedom of Information Bill is evidence of the Government's commitment to greater openness and transparency in public life.
251. The CSAR further notes Sierra Leoneans generally have relatively unencumbered freedom of association rights. This is exemplified in the growing number of civil society, and community-based organisations, which conduct advocacy on a wide range of issues including gender, conflict prevention and election monitoring.

Economic, Cultural, and Social Rights

252. In respect of economic, cultural and social rights, the CSAR focuses on the right to health and the right to education. Regarding the latter, the CSAR outlines the steps the government of Sierra Leone has taken in recent years to improve access to education, notably the Education Act (2004) that makes basic education mandatory. Government has abolished fees for primary schools.
253. Under the right to health, the CSAR outlines government's health care promotion measures. These include the adoption of the National Health Policy (2008-2015), the National Health Strategic Plan (2008-2015), the Reproductive Health Policy (2007-2015) and the Child Health Policy (2007-2015). In addition to these policies, the Government introduced the Free Health Care Initiative for Pregnant Women, Lactating Mothers and Children who are under five years of age. Furthermore, the Government has, in recent times, increased the salary of health care workers as well as expanded the technical health care workforce by over one thousand workers.

Limitations

254. The CSAR points out that serious challenges remain with regard to the promotion of economic, social, cultural, political and civil rights in the country. The Constitution of Sierra Leone 1991 makes economic, social, and cultural rights non-justiciable. Hence, enforcement of these rights is dependent on a combination of active political will and resource availability.

255. The right to education, according to the CSAR, continues to be hampered by poor classroom conditions, insufficient learning materials, and disgruntled, poorly trained teachers. Efforts to introduce free primary education are hampered by the continued imposition of fees, often very necessary in many schools. Enrolment rates for primary, secondary and tertiary institutions are still depressingly low. Learning conditions are, in most instances, only barely adequate or grossly inadequate.
256. The CSAR shows that similar challenges face the health sector. The CSAR points out that Sierra Leone continues to have some of the worst maternal and child care indicators in the world. Resource allocation to the sector remains inadequate. User fees still exist, and are unaffordable for the poorest and most vulnerable members of the population. The CSAR suggests that these issues are exacerbated by corruption and the continued theft of medical supplies from government health facilities.
257. Despite progress made in promoting and protecting political and civil rights, the CSAR makes it clear that significant challenges still remain. The CSAR suggests that the right to freedom of speech, for example, is reportedly constrained by the continued presence on the statute books of repressive laws that are used occasionally to harass, intimidate, frustrate or silence journalists. These include the Criminal Libel Law and an Official Secrets Act. In addition, the media environment, although free and progressive in some respects, is facing severe obstacles that hamper the media's capacity to play its expected role as the sentinel of democracy and good governance in Sierra Leone. Corruption, poor training, and logistical constraints remain pervasive in the media environment of Sierra Leone.

ii. Findings of the CRM

Economic, Cultural and Social Rights

258. The Review Mission's consultations reinforced CSAR conclusions about the challenges Sierra Leone is facing in the promotion and protection of economic, social and cultural rights. The Mission's findings indicate that rent-seeking activities of strategically placed public officials contribute to the erosion and denial of these rights in various ways.
259. The Mission observes that Sierra Leone must vigorously confront the under-mentioned challenges if the country is to continue to make progress towards the protection and promotion of economic, social and cultural rights.

Harmful Traditional Practices

260. Harmful traditional practices (Box 3.3) are pervasive throughout Sierra Leone, especially in rural areas. These traditional practices include female genital mutilation, early marriage and child trafficking. Also, many citizens resort to traditional courts for the adjudication of disputes. In the course of its visits outside Freetown, the Review Mission heard repeated complaints that customary courts frequently impose excessive fines. In addition, the Mission observed that the perception of many stakeholders in the provinces is that the rules of customary law are generally hostile to, and contribute greatly, to the abuse and violation of gender and children's rights.

Box 3.3: Traditional Courts

Local or traditional courts are part of the Judicature and are established by Parliament, through enabling legislation. They are inferior courts, as opposed to the Superior Court of Judicature comprising the Supreme Court of Sierra Leone, the Court of Appeal and the High Court of Justice.

Local courts exercise exclusive jurisdiction in matters arising within their geographical areas. They administer customary law in provincial communities, outside the Western Province.

Customary laws are rules of law, which are by custom applicable to particular communities in Sierra Leone. They derive from the communities' acceptance of the laws as a binding obligation on them. Largely unwritten, customary laws are also taken to include Islamic law.

Summarised from, Hanatu Kabbah, *Sierra Leone Legal System and Legal Research*, [http://www.nyulawglobal.org/globalex/Sierra Leone.htm#_Customary_law](http://www.nyulawglobal.org/globalex/Sierra%20Leone.htm#_Customary_law)

Workers' Rights

261. Although the law allows both public and private sector workers to join unions of their choice without prior authorisation, it also prohibits civil service employees from joining unions. This constitutes a significant challenge to their constitutionally guaranteed right, as citizens of the country, to freedom of association.
262. The law allows unions to conduct their activities without interference, and unions have the right to strike, although government may require 21 days' notice. The

unions generally exercised this right, in practice. However, the law does not prohibit retaliation against strikers. Although not stipulated under the law, the standard working week is 40 hours. Overtime is to be paid if an employee's work hours exceed the duration of a standard working week. However, there is no prohibition against excessive compulsory overtime.

The Right to Land

263. The Constitution of Sierra Leone 1991 guarantees the right of all Sierra Leoneans to own property, subject to the interest of public need and/or in the general interest of the community. Some stakeholders alleged violations of this right by commercial interests and road construction projects. Complaints that compensation for the compulsory acquisition of land was often inadequate often accompanied such allegations. In Kenema, the CRM heard from some stakeholders that the unsatisfactory mode of resolving land disputes, especially between rival chieftaincies, or between farmers and pastoralists, amounted to a constructive violation of their right to land.

Civil and Political Rights

264. The Review Mission concurs with the CSAR conclusion that there have been great strides in the protection and enforcement of civil and political rights in Sierra Leone, generally. However, there are still significant challenges in this area. For example, although the right to free expression is enshrined in the constitution, isolated incidents in which government officials have attempted to stifle speech or influence media content still occur (Box 3.4), including efforts to interfere with Sierra Leone Broadcasting Corporation (SLBC) operations. In addition, an attempt to challenge the constitutionality of Sierra Leone's Criminal Libel Laws failed at the Supreme Court.

Box 3.4: The Media and Freedom of Expression in Sierra Leone

The media in Sierra Leone is extremely vibrant. In 2010 alone, the industry regulator – the Independent Media Commission – registered 10 new newspapers, despite the fact that close to two-thirds of the population is illiterate. Radio remains the most popular medium, with many radio stations broadcasting in local languages as well as in English. There are currently 64 radio stations registered with the IMC.

The media environment, however, faces significant challenges. The print media, in particular, and with few exceptions, is characterised by stories that are often defamatory and vituperative, indicating a general lack of professionalism. Accusations of corruption within media houses are rife – there is a widespread belief that stories are often planted to promote or deride characters or institutions. Partisanship is also increasingly becoming a feature of the media in Sierra Leone – both major parties, the APC and the SLPP, have sections of the media that are clearly sympathetic to them. The IMC was compelled to shut down radio stations belonging to the two major parties. In addition to the above, capacity and resource constraints facing journalists and media houses are often severe. Despite the creation of a Mass Communication Programme at Fourah Bay University, most journalists are poorly trained. There are very few journalists with specialisations in court reporting or financial investigative journalism, for example.

The severity of the challenges faced by the media makes it difficult for it to play its proper role in consolidating Sierra Leone's democracy. The CRM heard not only frequent references to the media being "too free" but also a number of calls for greater restraints to be imposed on the media. The CRM notes that the current and on-going IMC efforts to monitor the media environment, that is, creating training opportunities for journalists and enforcing the media code of conduct, are steps in the right direction and should be encouraged. The Criminal Libel Provision of the Public Order Act of 1965 should be repealed, but greater freedoms to the media should come with frequent reminders that these freedoms come with responsibilities.

Source: CRM

266. In respect of the freedom of information, it is clear that the government recognises the need for greater transparency in governance. Initiatives such as the Open Government Initiative are laudable – although they should be confined to serving as platforms for sharing information on government activities, policies and programmes rather than for promoting the ruling party agenda.
267. The remarkably high levels of religious tolerance are to be commended. The establishment of the Human Rights Commission (HRC) is also another laudable step. It is hoped that concrete efforts will be taken to ensure that the HRC is adequately resourced and is sufficiently empowered to play its role in the promotion and enforcement of human rights in Sierra Leone.

268. Regrettably, and less commendable, is the continued legislative and financial marginalisation of the Office of the Ombudsman. This important office is not sufficiently resourced with the necessary authority to play its proper role – not only in rights protection and enforcement but also in the resolution of administrative disputes.
269. The CRM identifies three areas as deserving the special attention of state and non-state stakeholders in the human rights arena in order to consolidate and secure the protection and promotion of human rights in the country. These are: (i) Right to Vote; (ii) Right to a Free Trial; and (iii) Right to Life

The Right to Vote

270. As elaborated in Objective Two of this chapter, Sierra Leone has held periodic multi-party elections conducted by the National Electoral Commission. These elections have largely been accepted and acclaimed by the international community as being free and fair.

The Right to a Fair Trial

271. The right to a fair trial is enshrined in the 1991 Constitution. The Constitution provides that an accused person has the right to a fair hearing, within a “reasonable time” by an appropriate court [Section 23(1), 1991 Constitution]. However, this right is frequently violated in practice through excessive pre-trial detention, long delays before trials, unjust sentencing laws, and a near absence of legal representation for the indigent. However, the Government of Sierra Leone and the Justice Sector Development Programme in April 2010 took concrete steps towards legal aid or representation for the indigent in the country, with the inauguration of the pilot national legal aid scheme by government. According to a news item in the Concord Times (Freetown, 24 April 2010), the principal objective of the scheme is to establish an accessible, credible, sustainable and affordable national legal and scheme for Sierra Leoneans who cannot afford to pay for the services of a lawyer. The constitution provides that arrested persons must be charged within 24 hours of detention, but this is rarely observed. Delays are a serious problem across the country in all stages of the judicial process, particularly at the magistrate court level and in the provinces. The Constitution mandates time limits in which courts above the magistrate level must issue judgments,⁴⁰ but these provisions are rarely respected.

40 For example, Section 78 of the Constitution requires the High Court and Court of Appeals to issue a judgment within four months of commencing a case or appeal.

The Right to Life

272. Section 16 of the Constitution of Sierra Leone 1991 provides for the death penalty, and makes it mandatory for the crimes of murder, treason and related offences, mutiny under the Treason and State Offences Act 1963, and robbery with aggravation.⁴¹ Section 121 of Sierra Leone's Criminal Procedure Act 1965 provides for death by hanging for all condemned persons in non-military trials. However, there has been a *de facto* moratorium on executions since 1998.⁴² Article 63 of the Constitution allows the President the discretion to grant pardons. The TRC recommended the abolition of the death penalty.

iii. Recommendations

273. The African Peer Review (APR) Panel recommends that the Government of Sierra Leone:

- Continue efforts to strengthen Human Rights enforcement mechanisms and, more especially institutions that promote human rights such as the Sierra Leone Human Rights Commission and the Office of the Ombudsman; [*Government; Parliament; Office of the Ombudsman; Human Rights Commission*]
- Consider the problems faced by the media in Sierra Leone – strongly support the Independent Media Commission's efforts to foster a sense of professionalism and responsibility among media; [*Government; Media Commission; Parliament; NJS*]
- Re-integrate traditional courts and customary laws into the legal system in ways that will protect and promote human rights and enhance rights enforcement in rural areas by encouraging oversight over traditional justice mechanisms by the civil law courts. [*Government; Judicial System*]

41 Robbery with aggravation under the Larceny Act 1916 as amended by the Larceny (Amendment) Act No. 16 of 1971.

42 AdvocAid, *Press Release: Presidential Pardon Sought*, 21 April 2009, available at <http://www.thenewpeople.com/advocaid.doc>

OBJECTIVE FOUR: Uphold the separation of powers, including the protection of the independence of the judiciary and of an effective legislature

i. Summary of the CSAR

Government Structure

274. The CSAR points out that the Constitution of Sierra Leone 1991 provides for a presidential system with three distinct arms of government, namely, the Executive, the Judiciary, and the Legislature. The Executive consists of the Head of State, a single Vice President, and cabinet ministers. Law-making authority is vested in Parliament, which consists of 112 elected members and 12 paramount chiefs, representing each of the country's 12 districts. The Judiciary, headed by the Chief Justice, consists of the Supreme Court, the Court of Appeal, the High Court, the Magistrates Court, and local courts.

Legal Provisions for Separation of Powers

275. The CSAR rightly points out that the 1991 Constitution attempts to separate the powers and functions of the three arms of government. Ministers and Judges are prohibited from serving as parliamentarians. The functions of the three arms of government are clearly defined. The Executive is charged with: (i) the day to day running of the state; (ii) service provision (iii) law and order; (iv) external affairs; and (v) the security of the state. Parliament is the supreme law making authority of the state, with primary oversight responsibility for government expenditure. The Judiciary is given final jurisdiction in all civil and criminal matters.

276. The Constitution also provides for institutional processes and mechanisms that allow for a system of checks and balances to operate between the arms of government. The CSAR points out that some Presidential appointments are subject to parliamentary approval. They include cabinet ministers, judges, ambassadors and heads of public corporations. Bills require input from both the Executive and the Parliament, and once passed also require the assent of the President to become law, subject to the power of Parliament to override the refusal of the President to assent to the bill. The Constitution permits the courts to pronounce on the constitutionality of an Act of Parliament, and to declare it unconstitutional and null and void.

277. The Review Mission also points out that the 1991 Constitution contains provisions to insulate the judiciary from both legislative and executive interference. The tenure of judges, once their appointment is confirmed, is protected until they reach retirement age, and they can only be removed under certain conditions stipulated in the Constitution – for cause or misbehaviour.
278. Judges have immunity from prosecution in the performance of their functions. The independence of judges is further strengthened by the Constitution, which provides for their salaries to be charged directly to the Consolidated Fund. The Constitution also forbids the alteration of their salaries to their disadvantage.

Encumbrances on the Practice of Separation of Powers

279. The CSAR points out that in practice, separation of powers and checks and balances fall short in a number of significant respects. Regarding the Judiciary, for example, the government still exerts significant amounts of influence over the funding allocations to this arm of government. Furthermore, the CSAR concludes that the process of appointing and promoting judges leaves too much influence and discretion to the President. The CSAR also highlights the issue of Contract Judges. These are judges who are appointed by the President on a temporary but renewable basis, without the need for parliamentary scrutiny and confirmation. Such contract appointments are not subject to the constitutional rules guaranteeing security of tenure for judges. This not only compromises their independence but reinforces the general perception that the Judiciary is subservient to the Executive.
280. The CSAR also points out that the fusion of functions of the Attorney-General and the Ministry of Justice further undermines confidence in the judicial system, as it unduly politicises prosecutions within the country. It highlights the anomalous position of the Director of Public Prosecutions, who is supposed to function as an independent figure but whose office comes under the oversight of the Attorney-General. The CSAR also points out how weak local courts are, only minimally insulated from executive influence.
281. In respect of the separation of powers between the Executive and the Legislature, the CSAR reports that in addition to the severe logistical constraints that parliamentarians experience, there are also severe constitutional impediments adversely affecting the impartiality of Parliament.

282. The primary impediment is a potentially powerful parliamentary party whip-system which, taking advantage of Article 77(k) of the country's constitution, allows the party to withdraw the party "*whip*" from its MP who does not toe the party line in the Legislature. Fearing the application of this constitutional provision, the ability of parliamentarians to exercise oversight over the Executive is compromised.

ii. Findings of the CRM

Government Structure

283. As Box 3.5 indicates, the failure of the Constitution of Sierra Leone 1991 to provide for a strong system of separation of powers between the three branches of government has given rise to weaknesses and contradictions in the practice of constitutional government in the country. These weaknesses and contradictions have resulted in the creation and hardening of a strong Executive, similar in nature to the pre-eminent position of the Executive during the pre-conflict period in the country.

Box 3.5: The Independence of the Judiciary

The findings of the CRM suggest that there are constitutional provisions to protect the independence of the judiciary and to enable it play its role as a countervailing force, under the separation of powers to the executive and legislature. However, in the spirit of separation of powers, there are also constitutional provisions to limit and check its powers, so that it does not get too powerful or abuse its powers. The CRM's finds it useful to consider the establishment and composition of the judiciary, its powers and functions, and the provisions for the appointment, tenure and removal of judges from this constitutional arrangement, particularly under Chapter V11 of the 1991 Constitution of Sierra Leone.

The Constitution of Sierra Leone, Article 120(1) stipulates that the judicial power of Sierra Leone shall reside in the Judiciary, with the Chief Justice of the Supreme Court as the Head. By the provision of Article 120(4), "The Judicature shall consist of the Supreme Court of Sierra Leone, the Court of Appeal and the High Court of Justice, which shall be the superior courts of record of Sierra Leone and which shall constitute one Superior Court of Judicature, and such other inferior and traditional courts as Parliament may by law establish."

Box 3.5: The Independence of the Judiciary (Continued)

Article 120(3) guarantees the independence of the judiciary, by providing that, *“In the exercise of its judicial functions, the Judiciary shall be subject only to this Constitution or any other law, and shall not be subject to the control or direction of any other person or authority.”* Article 120(9) specifically protects judges, in providing that *“A judge of the Superior Court of Judicature shall not be liable to any action or suit for any matter or thing done by him in the performance of his judicial functions.”* Article 120(15) provides further protection to the judiciary in stating that *“No office of a Judge of the High Court, Justice of Appeal or Justice of the Supreme Court shall be abolished while there is a substantive holder thereof.”* The modalities and procedures for the appointment, tenure and removal of judges contain additional provisions and measures to guarantee their independence, or to make their arbitrary removal difficult and subject to due process, as elaborated in the paragraphs that follow.

Article 135(1-2) provides for the President, on the advice of the Judicial and Legal Service Commission, to appoint the Chief Justice and other Judges of the Superior Court of Judicature, in both cases on the advice of the Judicial and Legal Service Commission and subject to the approval of Parliament. But Article 136(2) empowers the President, acting on the advice of the Judicial and Legal Service Commission, to appoint *“a person who has held office as, or a person qualified for appointment as, a Judge of the Superior Court of Judicature to act as a Judge of the High Court of Justice or the Court of Appeal or the Supreme Court, if there are judicial vacancies.”* If there is a vacancy in the office of the Chief Justice, the Constitution (Article 36(1)) provides that, until a new Chief Justice is appointed, the *“most senior for the time being of the Justices of the Supreme Court shall act as Chief Justice.”*

Article 137 regulates the tenure of judges. It provides that a judge *“shall hold office during good behaviour”* [Article 137(1)], or till he retires or vacates the office on becoming sixty-five years old, or unless removed only for inability to perform functions of his office, whether arising from infirmity of body, or mind or for misconduct and shall not be so removed save in accordance with the provisions of Section 137 of the Constitution, which are intended to insulate them from arbitrary removal.

Article 137(5-8) contains such provisions to protect judges from arbitrary removal. Article 37(5) provides for conditions under which *“the question of removing a Judge of the Superior Court of Judicature, other than the Chief Justice, under sub-section (4), ought to be investigated,”* by a tribunal, whose *“members (...) shall be persons qualified to hold or have held office as a Justice of the Supreme Court.”* If the tribunal recommends the removal of the Judge to the President, Section 137(7)(b) requires the approval by a two-thirds majority in Parliament, for his removal from office by the President. Article 137 contains similar provisions for the removal of the Chief Justice from office. But, in constituting the investigatory tribunal, the President is required to consult the Judicial and Legal Service Commission, in the case of a judge of the Superior Court of Judicature, and the cabinet, in the case of the Chief Justice.

These provisions, however, do not constitute cast iron guarantees for the independence of the judiciary, especially where a legal culture of respect for the spirit as much as for the letter of the constitution is weak, where the judiciary fails to stand up and defend its independence, and where onslaughts on the independence of the judiciary go unchallenged by a timid judiciary or indifferent public.

Source: CRM

284. Pre-conflict Sierra Leone experienced several years of one-party rule, in which the Executive arm of government dominated the Legislative and Judicial branches. The 1991 constitution represents a break from this era. However, it has also left significant powers within the executive. One example of the continuing pre-eminence of the Executive can be seen in the very broad, almost unfettered presidential power of appointment that the 1991 Constitution confers on the President. under Article 170.
285. Where the President is required to seek approval or consult with other organs before making appointments, the consultations are often perfunctory. The Constitution, for example, in Articles 157 and 168, stipulates that the President may appoint the senior-most police and military officers acting on the advice of the Police Council and Defence Council, respectively. Yet it is the President who appoints the members of both the Police Council and the Defence Council, weakening, through this provision, the attempt by the same 1991 Constitution to provide oversight over the President's power of appointment in both cases.
286. This is also true – in almost equal measure, of appointments in the public service. Though upper level technocrats are to be appointed by the Public Service Commission, not only to insulate them from partisan political pressures or interference but also to guarantee their independence. Article 151(2) of the 1991 Constitution, which states that the members of the Public Services Commission are also to be appointed by the President, negates this objective.

Legal Provisions for the Separation of Powers

Parliament-Executive

287. The Review Mission findings largely confirm CSAR conclusions in respect of the challenges faced by the Parliament of Sierra Leone in asserting its independence from the Executive.
288. In respect of the structural/constitutional obstacles, the Review Mission notes that the 1991 Constitution attempts to create a Parliament that has the capacity to conduct effective oversight over the actions of the Executive. Under the Constitution and the parliamentary rules, Members of Parliament are guaranteed freedom of speech and debate, and freedom from service or process and arrest.

289. In addition, Article 110, in specifically stating that, “*No taxation shall be imposed or altered otherwise than by or under the authority of an Act of Parliament,*” provides for a pivotal role for Parliament in the appropriation and administration of the nation’s finances. This provision and others like it suggest that the Sierra Leonean Parliament has a significant role to play in the administration of the nation’s finances. However, the Parliament of Sierra Leone interprets its financial oversight powers in a very restricted manner.

Article 77 (k) and (l)

290. Indeed, the ability of the Parliament of the country to exercise its statutory executive oversight appears to be extremely limited. For example, many stakeholders, including members of parliament, and non-state stakeholders, with whom the CRM interacted, suggested that though there is often very rigorous debate in Parliament, the Executive rarely has trouble getting bills passed. The reasons for this appear to lie in a combination of two factors: firstly, the effect of Article 77(k) and (l) of the Constitution, as previously described; and secondly the capacity and resource constraints faced by Parliament as an institution and by individual parliamentarians.

291. The stakeholders, particularly the non-state stakeholders, were almost uniformly of the view that Members of Parliament were more responsive to the Executive and to their parties than to voters in their constituency. Some stakeholders suggested that the reason for this state of affairs, as already pointed out above, was Article 77(k) of the Constitution⁴³. The CRM findings suggests that Members of Parliament tend to consider this provision as a disincentive to independent, principle-based voting in Parliament.

292. The CRM also found out that although Article 77(k) has rarely been invoked, it serves as a powerful, if symbolic reminder of the power of the Executive (and the party) relative to the powers of Members of Parliament. In the CRM’s interaction with MPs, it was often invoked by MPs belonging to the ruling party as one of the reasons why they rarely challenge the Executive, or even agitate too vigorously for an improvement in their conditions of service. Indeed, an attempt to agitate for such an improvement was once defeated by the Executive – partly by indirectly threatening to invoke Article 77(k) against disgruntled MPs.

43 Section 77(k) and (l) of the Sierra Leone Constitution Provides as follows. “A Member of Parliament shall vacate his seat in Parliament— if he ceases to be a member of the political party of which he was a member at the time of his election to Parliament and he so informs the Speaker, or the Speaker is so informed by the Leader of that political party; or if by his conduct in Parliament by sitting and voting with members of a different party, the Speaker is satisfied after consultation with the Leader of that Member’s party that the Member is no longer a member of the political party under whose symbol he was elected to Parliament;”

293. Article 77(k) therefore provides an exceedingly effective tool for the Parliamentary Whips to ensure loyalty to party positions. It makes the penalty for not following the official party line potentially calamitous for Members of Parliament across party lines. As a result, there are few instances of cross party coalitions and caucuses for the promotion of matters of mutual interest (e.g. gender, youth,).

Capacity and Resource Constraints

294. However, it is entirely possible that even if parliamentarians were freely afforded the opportunity to ‘vote their conscience,’ they might still be unlikely to effectively conduct oversight over the Executive, because of the incapacitating logistical and resource constraints they have to contend with and struggle against. The salaries of the Members of Parliament are very low. They face extremely high demands from their constituents to provide both developmental projects as well as to contribute to more private, individual needs – such as providing money for funeral and medical expenses. In addition to this, offices, research staff and other logistics remain deficient, if not absent.

The Executive, Legislature and Civil Society

295. The CRM found considerable evidence of the intersecting role of the executive, legislature and civil society organisations, and of the spirit of partnership that anchored it, moving Sierra Leone forward out of the embers of the civil war to pursue reconciliation and reconstruction. This partnership, pursued through formal and informal processes and networks, remarkably resulted in the yet unfolding legislation and reform measures that envelope the cultural, economic, political and social landscape of the country. This gives vitality and robustness to the national dialogue on the path to democracy and sustainable development in the country. As in much else in politics and social life, the partnership has also had its down-side, fed by mutual mistrust, lack of reciprocity and misunderstanding. This is no doubt a residual manifestation of the historic antipathy between state and society, arising out of the experience of the long years of authoritarian trends and tendencies of the state in pre-conflict Sierra Leone. The CRM received signals of deteriorating relations between state functionaries in the Executive and Legislature, on the one hand, and a number of civil society organisations on the other. While this may be inevitable and understandable, the CRM cannot but draw attention to it and to the need to create confidence-building mechanisms, found useful elsewhere, to institutionalise and constructively manage state-civil society relations.

Independence of the Judiciary

296. The independence of the Judiciary is greatly influenced by: (i) financial autonomy, (ii) career management and (iii) the disciplinary procedure. The findings of the CRM suggest that there are constitutional provisions to protect the independence of the Judiciary and to enable it play its role as a countervailing force, under the separation of powers, to the Executive and Legislature. However, in the spirit of the separation of powers, there are also constitutional provisions to limit and check its powers, so that it does not get too powerful or abuse its powers. The CRM's finds it useful to consider the establishment and composition of the Judiciary, its powers and functions, and the provisions for the appointment, tenure and removal of judges from this constitutional arrangement, particularly under Chapter V11 of the Constitution of Sierra Leone, 1991.
297. The Constitution of Sierra Leone, Article 120(1) stipulates that the judicial power of Sierra Leone shall reside in the Judiciary, with the Chief Justice of the Supreme Court as Head. By the provision of Article 120(4), *“The Judicature shall consist of the Supreme Court of Sierra Leone, the Court of Appeal and the High Court of Justice, which shall be the superior courts of record of Sierra Leone and which shall constitute one Superior Court of Judicature, and such other inferior and traditional courts as Parliament may by law establish.”*
298. Article 120(3) guarantees the independence of the judiciary, by providing that, *“In the exercise of its judicial functions, the Judiciary shall be subject only to this Constitution or any other law, and shall not be subject to the control or direction of any other person or authority.”* Article 120(9) specifically protects judges, in providing that *“A judge of the Superior Court of Judicature shall not be liable to any action or suit for any matter or thing done by him in the performance of his judicial functions.”* Article 120(15) provides further protection to the judiciary in stating that *“No office of a Judge of the High Court, Justice of Appeal or Justice of the Supreme Court shall be abolished while there is a substantive holder thereof.”* The modalities and procedures for the appointment, tenure and removal of judges contain additional provisions and measures to guarantee their independence, or to make their arbitrary removal difficult and subject to due process, as elaborated in the paragraphs that follow.
299. As previously indicated in Box 3.5, Article 135(1-2) provides for the President, on the advice of the Judicial and Legal Service Commission, to appoint the Chief Justice and other Judges of the Superior Court of Judicature, in both cases on the advice of the Judicial and Legal Service Commission and subject to the approval of Parliament. But Article 136(2) empowers the President, acting on

the advice of the Judicial and Legal Service Commission, to appoint “a person who has held office as, or a person qualified for appointment as, a Judge of the Superior Court of Judicature to act as a Judge of the High Court of Justice or the Court of Appeal or the Supreme Court, if there are judicial vacancies.” If there is a vacancy in the office of the Chief Justice, the Constitution (Article 36(1)) provides that, until a new Chief Justice is appointed, the “most senior for the time being of the Justices of the Supreme Court shall act as Chief Justice.”

300. Article 137 regulates the tenure of judges. It provides that a Judge “shall hold office during good behaviour” [Article 137(1)], or till he retires or vacates the office on becoming sixty-five years old, or unless removed only for inability to perform functions of his office, whether arising from infirmity of body, or mind or for misconduct and shall not be so removed save in accordance with the provisions of Section 137 of the Constitution, which are intended to insulate them from arbitrary removal.
301. Article 137(5-8) contains such provisions to protect judges from arbitrary removal. Article 37(5) provides for conditions under which “the question of removing a Judge of the Superior Court of Judicature, other than the Chief Justice, under sub-section (4), ought to be investigated,” by a tribunal, whose “members (...) shall be persons qualified to hold or have held office as a Justice of the Supreme Court.” If the tribunal recommends the removal of the Judge to the President, Section 137(7)(b) requires the approval by a two-thirds majority in Parliament, for his removal from office by the President. Article 137 contains similar provisions for the removal of the Chief Justice from office. But, in constituting the investigatory tribunal, the President is required to consult the Judicial and Legal Service Commission, in the case of a judge of the Superior Court of Judicature, and the cabinet, in the case of the Chief Justice.
302. These provisions, however, do not constitute cast iron guarantees of the independence of the Judiciary, especially where a legal culture of respect for the spirit as much as for the letter of the constitution is weak, where the Judiciary fails to stand up and defend its independence, and where onslaughts on the independence of the Judiciary go unchallenged by a timid Judiciary or indifferent public.
303. The CRM heard serious apprehensions expressed by a cross-section of stakeholders, including knowledgeable and high placed ones in state and society during its meetings across the country. The CRM’s own reading of the constitution reveals weaknesses in the constitutional and political architecture of separation of powers, whose effect might serve, as was repeatedly asserted before it at meetings, to undermine separation of powers. We offer the

following illustrations of such weaknesses and apprehensions, in respect of (i) the financial autonomy of the Judiciary; and (ii) the tenure (appointment and removal) and promotion of Judges.

Financial Autonomy of the Judiciary

304. The CRM found that the Judiciary of Sierra Leone lacks financial autonomy⁴⁴. The Executive controls vital state resources needed for the administration of the Judiciary. Even the revenue emanating from court fines and other sources goes to the government through the National Revenue Authority. Such difficulties currently undermine the independence of the Judiciary. Economic independence will ensure the Judiciary is not held back as a result of the hold exercised by the Executive branch over vital resources necessary for its operations. Further, gross under-funding of the justice sector has caused the sector to rely heavily on the good will of donors and development partners who contribute about 80 per cent of the sector's funding.

The Appointment and Promotion of Judges

305. Constitutional and practical flaws in the appointment process of judges seriously weaken judicial independence in Sierra Leone. Article 135 of the Constitution stipulates that all judges, including Supreme Court, Court of Appeals, and High Court judges, should be appointed by the President, *“acting on the advice of the Judicial and Legal Service Commission (JLSC) and subject to the approval of Parliament.”*⁴⁵
306. However, this provision is vitiated by the dominant role of the Executive in shaping the composition of JLSC membership. All JLSC members are appointed by the President in some way, either specifically to serve on the Commission, or to hold public office that qualifies them automatically for membership on the Commission. The seven members of the JLSC include the Chief Justice (who is chairman), the most senior justice on the Court of Appeals, the Solicitor General, the Chairman of the Public Service Commission,⁴⁶ one practicing

44 This assertion was confirmed in by the Chief Justice during the CRM's interaction with her.

45 Article 135, 1991 Constitution.

46 Article 151 of the Constitution mandates that the appointment of the Chairman of the Public Service Commission be done by the President, subject to the approval of Parliament.

counsel⁴⁷ nominated by the Bar Association and appointed by the President, and two other persons who cannot be legal practitioners, appointed by the President.⁴⁸

307. The JLSC framework raises the risk that the President and the ruling political party leadership will almost entirely dominate the pre-parliamentary appointments process. One of the Commission's members—the Solicitor-General—is the principal assistant to the Attorney-General and the Minister of Justice, thus leaving only one attorney on the Commission who might (but is not required to) work outside of the Executive branch.⁴⁹
308. When it comes to promotions, the fact that judges must again be recommended by the JLSC and reappointed by the Executive to be promoted to a higher court further serves to underscore the dependence of the Judiciary on the Executive branch. In the course of discussions with them, senior members of the judiciary affirmed that the appointment and promotion process in the Judiciary was based upon a record of service, seniority, and integrity.
309. However, some stakeholders suggested to the CRM that the President influences advancement within the Judiciary and, more seriously, that the Judiciary was subservient to the Executive. This belief appears quite pervasive, (though some studies suggest that this is improving), and finds support in the observation of a former Chief Justice of the Supreme Court, in a public address, that despite constitutional guarantees of security of tenure, Judges could be forced to retire by the Executive.
310. In support of this claim, the former Chief Justice mentioned that several Chief Justices had been forced to leave.⁵⁰ The CRM was also informed that the immediate past Chief Justice was forced to go on leave and had to resign out of frustration when the leave seemed to become interminable, paving the way for the appointment of a chief justice, who was subsequently appointed and confirmed as Chief Justice. Many stakeholders pointed out to the APRM what they described as the anomalous fusion of the office of the Attorney-General and

47 Must have at least 10 years standing.

48 Article 140 (1).

49 Article 65 (4).

50 Chief Justice Ade Renner-Thomas, Keynote Address, Sierra Leone Bar Association, 2005. Reported in Sierra Leone Afrimap: *Justice Sector and Rule of Law*

Minister of Justice in one person. According to them, all offences prosecuted in name of the Republic of Sierra Leone are initiated by the Attorney-General and Minister of Justice, or any party authorised by him in accordance with applicable laws.⁵¹ The Attorney General and Minister of Justice have jurisdiction in all courts of Sierra Leone except the local courts. The most problematic aspect of the prosecution service, these stakeholders argue, is the constitutional provision that fuses the Attorney General and Minister of Justice into one office.

311. Opponents of the provision argue that this structure prevents the Attorney General from exercising his/her prosecutorial authority without undue interference from the Minister of Justice, who is a political appointee, and whose decision to prosecute or not to prosecute might be informed by partisan party political considerations. Thus it is claimed that Executive influence is particularly apparent in the power of *nolle prosequi* granted to the Attorney-General under 44(1) Criminal Procedure Act (CPA) of 1965. This power allows the Attorney-General/Minister of Justice to terminate criminal proceedings at any stage before delivery of the verdict or judgment, resulting in the discharge of the accused.

Local Courts

312. The structure of Local Courts also makes them susceptible to pressure or undue interference by the Executive. Customary Law, which by the Constitution of Sierra Leone 1991 is among the sources of the country's laws, is administered by Local Courts that fall under the jurisdiction of the Minister for Internal Affairs and Local Government and not the judiciary. The Minister has the power to suspend a Local Court Chairman in certain circumstances. The CRM's interaction with stakeholders in the regional capitals suggested that there was widespread disquiet about the quality of justice handed down by the local courts. The transition of political power from SLPP to APC led to changes in local court personnel in some districts. This has reinforced the widespread belief that the Executive branch influences the judicial process in the country

iii. Recommendations

313. The APR Panel recommends that:
- Sierra Leone undertake a Constitutional review to reduce executive dominance over the state – particularly in the area of presidential appointments; [*Government and Parliament*]

51 Article 64 (3).

- The country continue and improve ongoing efforts to address capacity constraints faced by Parliament; *[Government and Parliament]*
- Section 77(k) of the Constitution of Sierra Leone 1991 be reviewed and possibly be removed by constitutional amendment; *[Government and Parliament]*
- Steps be taken to further insulate the judiciary from executive influence, through reforms to change the Judicial and Legislative Council into an independent judicial oversight body with substantial input in the appointment and promotion of judges. *[Government and Judiciary]*

OBJECTIVE FIVE: Ensure accountable, efficient and effective public office holders and civil servants

i. Summary of the CSAR

The Civil Service is being rebuilt, but the challenges are daunting

314. The CSAR states that the Secretary to the Cabinet, who is appointed by the President, is the head of the country's civil service. The President also appoints the Chairman and members of the Public Service Commission, empowered by the Constitution to appoint, dismiss or transfer officials in the Public Service.
315. However, it is the Secretary to the Cabinet who coordinates and supervises all administrative heads of ministries and departments in the Public Service. Civil Service General Orders lay out the rules for the civil service as a non-partisan institution, provide for a stable career path for civil servants, and set normative rules for recruitment and reward.
316. The CSAR notes that the Civil Service of Sierra Leone was associated with the pervasive corruption of the past, and seen as inept and poorly motivated. The civil war period accentuated the problems of all state institutions, including the civil service. Provision for infrastructure and equipment for the civil service during the period was low, and the working environment increasingly inimical to productivity.

317. After the war, Government embarked on public sector reforms, with DfID, UNDP and EU support. The broad goal of which, according to the CSAR, is *“to have at all times a transparent and accountable public service with the highest standards of professionalism that is capable, efficient and effective in delivering quality goods and services to improve people’s lives”*.

Public Service Reform

318. The CSAR points out that in pursuit of reform objectives, Government established a number of institutions, mechanisms and processes including:

- A Decentralisation Programme to promote effective public service delivery to local communities;
- The National Public Procurement Authority to ensure effective and efficient public procurement processes; and
- A Governance Reform Secretariat to support the coordination of reform processes in government ministries, departments and agencies, transformed in 2007 into the Public Sector Reform Unit which leads, coordinates, and provides direction for public sector reform initiatives for improved service delivery.

319. In an effort to right-size the civil service, a Verification Exercise was undertaken in 2008, scaling down the service from 17,560 in 2007, to fewer than 13,000 in 2009.

Human Resources Management Office

320. The CSAR points out that the Establishment Secretary’s Office was transformed into a modern Human Resource Management Office in July 2008. The key objective for this transformation is to: (i) modernise human resource management in the civil service through building HR capacity and expertise; (ii) design and introduce human resource policies, systems and practices that will enhance quality service delivery across all MDAs; (iii) provide efficient and effective services to MDAs through merit-based recruitment and appointment of new staff; (iv) observe values of impartiality, integrity and advancement on merit; and (v) turn the civil service into an attractive employer by providing opportunities for staff to develop their skills and potential.

321. However, attracting, retaining and managing a competent workforce have continued to pose considerable challenges to the Public Service. Hundreds of middle-level positions in the service remain vacant largely because of low remuneration. Training in the civil service has been extremely uncoordinated and *ad hoc* since the closure of the Civil Service Training College, in 1982.

The Public Service Academy

322. According to the CSAR, to address these challenges, in October 2010 Government announced its intention to establish a Public Service Academy to train civil servants. A new Pay Structure was developed, although it is awaiting approval and implementation. An E-Government Unit has been established at the Ministry of Information and Communications to ensure a common platform for the Government, and to fast-track the E-Governance Project. However, many senior government officials lack computer and other ICT skills, making it impossible for the public service to effectively utilise information technologies. Furthermore, the Government has prepared a new “Civil Service Code, Regulations and Rules” to replace the old-fashioned “General Orders.”

Centralisation and Poor Services

323. The CSAR observes that Sierra Leoneans can access some services only in the capital city, Freetown. These include acquisition of passports (currently being decentralised), company registration, registration of certain categories of non-profit associations, postal services, and the acquisition of certain categories of licenses.
324. The CSAR notes that the provision of social services is equally problematic, reflecting the country’s status as one of the poorest in the world. Besides the capital city, and the second and third largest cities in the country, nowhere is electricity provided by the state or by the private sector. There are no established and generally-known processes or mechanisms through which members of the public can make complaints about services or suggestions for improvement.

The Ombudsman

325. According to the CSAR, there are statutory provisions that give the Ombudsman responsibilities to promote an efficient public service responsive to citizens’ needs. However, barely any complaints are lodged by the public against state-owned utilities institutions.

ii. Findings of the CRM

Weak Civil Service: a constraint to development

326. The civil service of Sierra Leone, poorly remunerated, weak and politicised before the 1990s, emerged from the civil war depleted in numbers and quality, psychologically traumatised, and severely under-resourced. The resultant loss of capacity became a major post-conflict constraint impeding the effective implementation of Government's development and poverty reduction agenda. Since capacity deficiency was system-wide, nothing short of a holistic revitalisation of the entire public service was considered appropriate. Thus, the various governance and sector reforms were brought together under the comprehensive public service reform programme managed by the Public Sector Reform Unit, which replaced the Governance Reform Secretariat.

Public Service Reform

327. Components of the public service reform programme include Civil Service Reform; Local Government and Decentralisation; Security Sector Reform; Justice Sector Reform; and other MDA-related reforms affecting land, health, business regulations, tax codes.
328. This was complemented by reforms to strengthen governance through, among other reform measures, legislation against corruption and the establishment of an anti-corruption commission; audit service improvement; and revamping the Office of The Ombudsman. The impact and challenges of key governance reform components such as the ACC, NPPA, ASSL and Parliament (PAC), are examined under Objective VI.

Civil Service Reform

329. The Civil Service component of Public Service Reform focuses on seven core areas considered critical to transforming the civil service into a vibrant instrument for managing development. The components described below are: (i) strategic and structural alignment; (ii) rationalisation of staff pay and incentives; (iii) improved systems and tools; (iv) improved service delivery; (v) civil service reform coordination and management; (vi) capacity building; and (vii) gender and anti-corruption measures.

Strategic and structural alignment

330. The goal of this component is to ensure that all MDAs are aligned to the requirements for implementing the PRSP II, the Agenda for Change, and the Decentralisation Programme. This is to be achieved through Management and Functional Reviews (MFR) of the MDAs to ensure they all have appropriate organisational structures, adequate staffing and required systems in place for effective performance.
331. The Review Mission confirmed that MFRs have been concluded for all MDAS to ensure that they have the right management structures, mix of skills, appropriate systems, These diagnostic reviews are being used to redesign MDA management and organisational systems to make them more efficient and effective. MFR reviews of the NRA and Immigration Department had been completed and were being reviewed for implementation at the time of the Mission's visit.

Drivers of reform absent in MDAs

332. However, the CRM also observed that MDAs had not embraced the reforms enough to guarantee their success. Change Management Teams (CMT) for each MDA to drive reforms in-house had not been established. Therefore, reform drivers within the MDAs were hard to find and the reforms were still being implemented by the PRSU.

Rationalisation of staff, pay and incentives

333. This is directed at ensuring immediate availability of civil service staff to perform critical functions required to kick start reform programme implementation while, in the longer term, putting in place a system of optimal staffing levels, with adequate compensation, in all MDAs. The ability to retain needed staff will depend upon the adoption of short-term incentives and rationalised pay schemes.

New pay structure proposed

334. The CRM notes that Sierra Leone public service salaries are very low and uncompetitive. There is an invidious differentiation caused by the higher

salaries paid to those in positions funded by development partners in Project Implementation Units. Thus, in practice, two pay systems are emerging in the public service, creating problems for harmonious inter-personal relationships and an *esprit de corps* in the service. Furthermore, the dual compensation system raises concerns about the long-term impact and sustainability of the dual system once development partner support comes to an end.

335. The CRM also found out that despite civil service downsizing, a structural imbalance persists in the personnel profile. For example, 85 per cent of the workforce is in the junior cadre with very few in the technical and middle cadres. Professionals have to be recruited on special salaries when needed.
336. The CRM was informed that in July 2010, the Steering Committee on Public Sector Reform (SCPSR) set up a sub-committee, under the supervision of the PSRU, to design a competitive Pay Structure for the Public Service, and to draft a Pay Policy. The Committee's report recommended a uniform pay structure of 1-17 Grade levels that makes provision for all public servants, including paramount chiefs and contract workers.

Funding gap: A problem in implementation of new salary structures

337. The new salary structure can only be implemented once the funding gap between the old and new salaries is bridged. The Committee (SCPSR) proposed many cost-saving and revenue generation measures in the MDA budgets, including raising new tax revenues and increasing mining license fees, fuel subsidy removal, use of proceeds of privatised enterprises, and more efficient and effective NRA performance.
338. One of the dangers of making new salary payments contingent on conditions such as fuel subsidies became apparent during the CRM's visit. A coalition of youth organisations and CSOs threatened to go on strike to protest against fuel price increases. Government reversed its policy to avert the protest. The dilemma is that the pay reform policy approved by the Government since January 2007 cannot be put in abeyance indefinitely.
339. The CRM was informed at validation workshops in Freetown, Bo, Kenema and Makeni that seeking employment in the public service was seen as a last resort since employees could stagnate on the same salary grade level for ten or more

years – without promotion – and remain on the same salary when promoted. The CRM notes that implementation of the new pay structure was postponed twice and low salaries remain a disincentive to revitalising the public service.

340. The CRM found that, also outstanding, is the Committee recommendation that Government establish a special permanent authority to ensure that public service salaries are fair and competitive, and periodically engage workers in salary negotiations.

Improved systems and tools

341. The reform seeks to modernise the civil service by installing a results-based management system; improved records management system; expansion and refinement of the Integrated Financial Management System (IFMIS); and improved planning, budgeting and accounting systems.

Implementation of improved systems and tools is slow but progressing

342. The CRM found that automation of public finance records through IFMIS, rolled out in six MDAs, has gone a long way to help sanitise the payroll and reduce payroll fraud. However, it has not eliminated high-level political corruption. The Medium Term Expenditure Framework (MTEF) is operational at MDAs, and public procurement has been reformed, as examined in detail under Objective VI. The ICT supply is slow but on-going, affected by low budget allocations and capacity issues.

Improved service delivery

343. The objective of this component is to re-engineer key institutions to enhance their efficiency and effectiveness in service delivery, especially as it concerns public-private sector partnerships and ensuring customer satisfaction.
344. The CRM learned that Ministers have been signing Performance Contracts with the President since 2008. There are now plans to extend performance contracting to senior civil servants, including Permanent Secretaries, Professional Heads, and some key Heads of Department.

345. Newly-designed contract documents, with modalities for implementation defined, are under review by the Steering Committee set up for this purpose. The seven pilot MDAs selected for immediate implementation are: Ministry of Agriculture, Forestry and Food Security; Ministry of Foreign Affairs and International Cooperation; Ministry of Trade and Industry; Ministry of Works, Housing and Infrastructure; Ministry of Energy and Water Resources; Ministry of Fisheries and Marine Resources; and Ministry of Health and Sanitation.
346. Records management is being modernised, and the following manuals have been developed: office procedures manual; decongestion and restructuring training manual; records office users' handbook; in-service training guide draft scheme of service for record class; and draft records law.

Civil Service Reform Coordination and Management

347. This Reform Programme component confers the coordination and supervisory role for civil service transformation to a central agency (the Human Resource Management Office, (HMRO)), responsible for guiding MDAs as they develop programmes and processes that should reflect reform principles and objectives.

The HRMO and the PSC

348. The Establishment Secretary's Office has been transformed into the HRMO that is leading and driving the process of civil service personnel system reforms and ensuring skills acquisition appropriate to the functions of each MDA. It has produced a new Civil Service Code, Rules and Regulations, updated the Civil Service Establishment List, and created records for all civil servants. In the past, only about 30 per cent of civil servants had records. The staff verification exercise has resulted in monthly savings of about Le 500m, through staff reductions from 17,560, in 2007, to under 13,000, in 2010.
349. A key issue that the HRMO is grappling with is the institution of merit-based recruitment into the civil service. While the HRMO struggles to achieve this goal, political heads of MDAs or even senior Permanent Secretaries do not yet appear to be attuned to the new rational and moral dispensation.
350. The CRM notes, however, that 3,500 new staff members have been employed on merit. As a result of proper record keeping, the HRMO can easily identify and schedule civil servant departures upon attaining retirement age. The HRMO is also training and deploying HR managers to MDAs and has also been engaged in reviewing all job descriptions.

351. The Public Service Commission (PSC) is assigned the role of macro-level policy direction, control and advice in public sector human resources management. Established under Section 151 of the 1991 Constitution, it is empowered to appoint people into the public service and maintain disciplinary control over them, except for senior judges and other specified high-ranking government officials.

Capacity Building

352. This sixth component of the Reform Programme refers to short- and long-term efforts – especially training programmes – intended to equip civil servants with the necessary skills and competences to meet the challenges of results-oriented management, and foster the sharing of experiences and mutual learning through the dissemination of good practices.
353. There have been several capacity building training programmes involving not just civil servants, but also ministers, deputy ministers and parliamentarians. These programmes were designed and executed with development partner support.

Gender and Anti-corruption

354. This last component seeks to redress gender inequity in the composition of the civil service workforce, through gender audits and programmes of redress. It also aims to mainstream anti-corruption strategies and objectives into civil service systems and processes.
355. Gender imbalance and inequities in Sierra Leone is further addressed under Objective VII of this chapter, as well as in Chapter VII on Cross-Cutting Issues.

iii. Recommendations

356. In order to deepen and sustain on-going reforms to make public office holders and civil servants accountable, more efficient and effective, the APR Panel recommends that Government:
- Establish a Change Management Team in every MDA to drive reforms, as envisaged in the Reform Strategy; [PSC]
 - Review public sector salaries and conditions of service with the view to attracting the best and brightest into the public sector. [Government, Parliament]

OBJECTIVE SIX: Fighting corruption in the political sphere

i. Summary of the CSAR

The Anti-Corruption Commission (ACC)

357. The CSAR observes that before 2002, the battle against corruption was waged mainly through the Auditor-General, special commissions of enquiry, and the police, which investigated and ensured prosecution of corruption cases. The Anti-Corruption Commission Act 2000 was passed to establish a commission to replace these institutions and mechanisms as the main instrument of fighting corruption. [See Commendable Practice Box 3.2]

Commendable Practice Box 3.2: The Anti-Corruption Commission and its Prosecutorial Powers

The Anti-Corruption Commission (ACC) started operations in 2002 with the power to investigate corruption cases and make recommendations to the Attorney-General on cases to be prosecuted. The ACC has carried out Governance and Corruption Perception Surveys from which it has published Best Practices Guides and made recommendations to MDAs on record-keeping, monitoring and audit.

The CSAR notes that in 2008, the ACC Act was revised and amended to strengthen the Commission by vesting it with the power to prosecute corruption cases in its own right. The new Act enlarged the scope of offences under its coverage to include new ones such as illicit enrichment and abuse and misuse of office. It also provides protection for whistle blowers and informers, and makes it compulsory for all civil servants to declare their assets.

Source: CRM

The National Public Procurement Authority

358. The CSAR mentions that in 2004, the National Public Procurement Authority (NPPA) was established to: regulate the procurement of goods and services in institutions; decentralise public procurement to procuring entities; promote capacity building in the field of public procurement by ensuring the participation of qualified suppliers, contractors, consultants and other qualified providers of goods, works and services in public procurement; and ensure value for money in public expenditures.

The Audit Service of Sierra Leone (ASSL)

359. The CSAR further points out that the Office of the Auditor-General is also a principal agent in the battle against corruption, as the Constitution guarantees its functional autonomy and the security of tenure of the Auditor-General.

District Budget Oversight Committees (DBOCs)

360. According to the CSAR, the Government Budgeting and Accountability Act of 2002 provided for the establishment of DBOCs to monitor district-level service delivery and development projects funded from government resources. The DBOCs were established in 2003 by the Ministry of Finance and Economic Development (MoFED) and empowered to assist in checking corruption by reporting cases of suspected fraud to the Ministry, or to the ACC.

Public Expenditure Tracking Survey

361. The CSAR says that efforts to curb corruption led MoFED to carry out a Public Expenditure Tracking Survey (PETS) in 2001 to track whether funds released for service delivery actually reached intended beneficiaries. A PETS is now undertaken about once a year and six have been conducted between 2001 and 2009, leading to corrective measures by Cabinet to redress perceived lapses.
362. The impact of the various legal and institutional measures has been salutary. The CSAR observes that the international corruption watch-dog Global Integrity noted in its 2009 annual report that Sierra Leone had recorded modest improvements in its anti-corruption performance, having made an eleven-point gain to move up the ladder to the 69th position, out of 100 countries surveyed, between 2007 and 2009.
363. Nevertheless, the CSAR admits that serious challenges remain in the fight against corruption. It cites an inconsistent and frail political will, entrenched attitudes, low wages and institutional weaknesses as undermining the fight against corruption. In particular, frequent resort to the “restricted bidding provisions” in the National Public Procurement Act raises concerns about the integrity of the bidding process.

364. Other weak links in the fight against corruption in the country, according to the CSAR, include the following: (i) the inability of the Auditor-General to submit audited accounts when due, reflected in the fact that audit accounts for 2000, 2002 and 2003 were submitted to Parliament only in 2006; (ii) DBOCs and PETS adversely affected by insufficient information flows from the Ministry of Finance and local government councils to DBOCs; and (iii) under-resourced DBOCs, making it difficult for them to fulfil their mandate.

ii. Findings of the CRM

Corruption: Still a Significant Challenge

365. The CRM confirmed that corruption was and remains a major stumbling block that stifles the political and socio-economic development of Sierra Leone (Box 3.6). Corruption is pervasive across all sectors of the economy and strata of society. However, it is most prevalent in natural resources management, the civil service (education and health especially), the judiciary and police, and development aid administration.
366. When corruption is viewed against the broader compass of the country's post-colonial history, many stakeholders identified it as one of the primary causes of the Sierra Leone's war. For example, the Truth and Reconciliation Commission set up in 2000 to establish the violations and abuses of human rights that occurred during the war, and to promote forgiveness and reconciliation found, *inter alia*, that:
- The central cause of the war was endemic greed, corruption and nepotism that deprived the nation of its dignity and reduced most people to a state of poverty.
 - Successive political elites plundered the nation's assets, including its mineral riches, at the expense of the national good.
 - Government accountability was non-existent. Institutions meant to uphold human rights, such as the courts and civil society, were totally co-opted by the Executive⁵².

52 *Witness to Truth: Report of the Sierra Leone Truth and Reconciliation Commission*, Vol 2 p. 27. Truth and Reconciliation Commission, 2004.

Box 3.6: Corruption in Sierra Leone

Corruption is widely acknowledged as a principal factor for socio-economic decay, poverty and instability in Sierra Leone¹ as well as a major factor that led to and fuelled the decade-long civil war. The undermining of the state's ability to utilise resources, collect taxes and exercise a monopoly of violence in the country was a result of the 'personalisation' of Government and its services. The emergence of a Shadow State that uses the apparatus of the formal state for informal or personal uses was a key factor of state collapse in Sierra Leone.

Corruption has proven to be a major stumbling block in the establishment of an effective and modern state in Sierra Leone. Corruption is also seen as the number one threat to security, as assessed by the Security Sector Review undertaken by the Office of National Security².

The misuse of public office for private benefit (the classic definition of corruption) is both rampant and endemic in the country and has been a cancer that eats away at the 'body' of government. As outlined in Section 2 of the Strategy Corruption Hot Spots - Institutional Risks for Corruption and Priority Reforms in Sierra Leone, the main concerns for the citizens of Sierra Leone (as seen from complaints to the ACC; studies and the Survey/ focus group evidence) are from the Education, Health and Judiciary departments. In short, these areas of the public service which citizens are most often exposed to are seen as being rampant with corruption. However, all is not grim. There is a strong public will to fight corruption, with over 70 per cent of Sierra Leoneans willing to come forward to report on corruption³. One of the intended aims of this Strategy is to tap into this will to combat corruption.

Sources: *Government of Sierra Leone, National Anti-Corruption Strategy*, p.7;¹ Fredrick Konteh, Abdulai Jalloh and Andrew Alieu, *Governance and Corruption Study 2002*, p. 30, Conflict Management and Development Associates. Freetown 2002;² Institutional corruption and bad governance/corruption occupy ranks 2nd and 7th on the ONS "*Threat Calculations to Sierra Leone Vision*" prepared for the Security Sector Review. These two subject headings being essentially the same, should give it the top rank in terms of security threats.³ Lappia, et al.

367. Set against this historical compass, fighting corruption has been one of the strategic goals of successive governments since 2000, to avert a return to conditions that provoked the civil war. Since dysfunctional state institutions are primarily responsible for the rampant occurrence of corruption, successive governments have exerted considerable effort in creating a robust legal and institutional framework for the fight against corruption.

A Robust Anti-corruption Legal and Institutional Framework

The Anti-Corruption Act 2000 and the ACC

368. The CRM sees the country accession to, and ratification of UNCAC and AU-CPCC, as an indication that Government appreciates the critical importance of

fighting corruption for the political stability and socio-economic development of the country. Indeed, Sierra Leone has honoured its commitments under these conventions by expeditiously passing appropriate laws and establishing anti-corruption bodies and mechanisms. The CRM found that a robust anti-corruption legal framework exists in Sierra Leone because of the Anti-Corruption Act 2000, strengthened by the Anti-Corruption Act 2008.

369. The ACC, Sierra Leone's first anti-corruption agency, was established to lead the fight against corruption on enactment of the Anti-Corruption Act 2000. The Act empowered the Commission to take measures necessary to eradicate corruption, not limited to, but expressly including:

- Investigating alleged or suspected cases of corruption;
- Reviewing MDA practices and procedures to detect loopholes that could lead to corruption and advising on appropriate remedies; and
- Educating the public on the negative consequences of corruption and seeking their support in the fight against corruption.

370. The Act criminalised certain conducts in the management of public affairs: (i) corrupt acquisition of wealth; (ii) soliciting or accepting pecuniary and/or related advantage; (iii) using influence for contracts; (iv) corrupting a public officer; (v) soliciting or accepting advantage for public officers; (vi) misappropriation of public funds or property; (vii) misappropriation of donor funds or property; (viii) impeding foreign investments; and (ix) corrupt transactions with agents.

371. The CRM confirmed that the ACC, under the initial ACC Act 2000, investigated and secured the prosecution of many corruption cases through the Attorney-General and Minister of Justice, the only one at that time, before the amendment of the Act, empowered to prosecute criminal cases for government.

372. Amongst high-profile cases that were successfully prosecuted, the following incumbent officials were affected (i) the Minister of Agriculture, convicted for embezzling donor funds meant for the purchase of agricultural equipment; (ii) the Permanent Secretary in the Ministry of Education; (iii) the Chairman of the Board of Directors and the General Manager of the Ports Authority; and (iv) the Permanent Secretary in the Ministry of Transport and Communication.

Weaknesses of the Anti-Corruption Act 2000

373. The CRM found out that the ACC was hampered by the fact that it could only make recommendations to the Attorney-General who could use his discretion to decide which cases to prosecute.
374. The ACC's lack of independent prosecutorial powers led to delays in the prosecution of corruption cases. It also raised concerns that the Attorney-General may decline to prosecute for political reasons. Furthermore, public perception was that many of the sentences passed appeared light when compared with the gravity of the impact of corruption on the country.

National Anti-Corruption Strategy

375. The ACC, in consultations with government, MDAs, CSOs and development partners formulated and adopted a National Anti-Corruption Strategy, in 2005, to meet the challenges faced in carrying out its mandate and improving public service delivery.
376. Background studies conducted to support governance reforms had indicated that health, education, the judiciary, agriculture, local government and mineral resources were the sectors most prone to corruption and which needed reform. The Anti-Corruption Strategy focused on these and other critical parts of the machinery of government. Each of the MDAs was examined and appropriate strategies formulated for dealing with problem areas. The Anti-Corruption Strategy has been a valuable reform reference document.

The Anti-Corruption Act 2008

377. The CRM found that Sierra Leone has made serious attempts to remedy weakness in the anti-corruption law of 2000. The Anti-Corruption Act 2008 reflects lessons learned from the challenges faced in fighting corruption under the Act of 2000. It also draws lessons from the broader scope and more trenchant provisions of the UNCAC and AU-CPCC.

378. Thus, under the new Act, the Commission is empowered, among other things, to;

- *“1.118: monitor the implementation of any contract awarded by a public body to ensure that no irregularity or impropriety is involved therein;*
- *1.119: draft model codes of conduct and advise public bodies as to the adoption of such code of conduct as may be suited to such bodies;*
- *1.120: monitor current legislative administrative practices in the fight against corruption and advise Government on the adoption and ratification of international instruments relating to corruption;*
- *1.121: advise Government on such legislative reform as it considers necessary to foster the elimination of acts of corruption;*
- *1.122: co-operate and collaborate with foreign Governments, local, regional and international institutions, agencies and organisations in the fight against corruption particularly in relation to development and humanitarian aid and co-operation programmes.”*

379. Moreover, the scope of corrupt offences has widened. It now includes *“possession of unexplained wealth,”* which must be satisfactorily explained to the Commission, if investigated. Other new offences introduced into the law include influencing a public officer, peddling influence, bid-rigging in procurement, and offering treats to a public official. The broadened scope of the law aligns it with the scope of the UNCAC and AU-CPCC.

380. The Act has strengthened the ACC in other ways as well. It is mandatory for MDAs, and especially the Auditor-General, the Accountant-General, the Commissioner-General of the National Revenue Authority, the National Security Adviser, the Inspector-General of Police, the Chief Executive Officer of the National Public Procurement Authority and, financial institutions to cooperate with the ACC. Thus, the ACC, as currently strengthened and empowered, has enhanced legal authority to obtain the collaboration of critical public bodies that could facilitate its work.

381. It is obligatory for members of the ACC and ACC staff, as well as all public servants, to declare their assets within three months of assumption and exit from office to the ACC, which also has the powers of verification, as necessary.

In addition, Section 7(1)(d) of the Anti-Corruption Act 2008 empowers the ACC “to prosecute corruption all offences under this Act,” i.e. without reference to the Attorney-General and the Minister of Justice.

382. Since 2008 when the new law enhanced its powers, the ACC has achieved some success in fighting corruption. It secured 21 convictions between May 2008 and June 2010. Powerful and charismatic politicians such as the Minister of Fisheries and Marine Resources and the Minister of Health and Sanitation were among those convicted of corruption charges, while judgment in the trial of the Commissioner-General of the National Revenue Authority was pending at the time of the Review Mission’s visit.
383. In 2010 alone, the ACC paid government Le 1.8 billion and USD 9,450 recovered from people accused of corruption. However, the recoveries were obtained through out-of-court settlements between culprits and the ACC, a practice, critics liken to the ACC being both judge and jury.
384. Nevertheless, ACC performance leaves much room for improvement for many reasons. To start with, the average of 10 convictions a year is insignificant compared to the magnitude of corruption cases reported, investigated, or under investigation annually.
385. By one account in the Freetown Concord Times of 17 May 2010, the ACC had received over 500 complaints or reports about corruption. Table 3.6 gives a summary of corruption cases investigated by the ACC in 2009. Civil society representatives informed the CRM at stakeholder meetings in Freetown, Bo, Kenema and Makeni that the ACC was still not completely independent of political interference. They cited the slow pace of investigations and prosecution of corruption allegations against some well-connected people.

Table 3.6: Cases Under Investigation by Sierra Leone’s ACC in 2009

Category	Number
Cases concluded and sent to court	9
Cases that were closed for lack of sufficient evidence	24
Continuing cases	59
Cases on which prosecution reports have been submitted	24
Cases concluded by caution	10
Cases kept in view	5
Convictions	11
Total	142

Source: *Annual Report 2009*, p.29, Sierra Leone Anti-Corruption Commission, 2009.

386. The purchase by the National Social Security Insurance Trust (NASSIT) of non-functioning ferries, which had to be refurbished at public expense, was most frequently cited as a typical example of the ineffectiveness of the ACC, unable to deal decisively with corruption cases where politically well-connected people were involved. It is noteworthy that ACC recovered the cost of the ferry repairs from the NASSIT officials implicated, but laid no charges against them.
387. However, most civil society representatives at the CRM stakeholder workshops were of the opinion that the investigation was deliberately benign and the recovery of repair costs was unlikely to serve as a deterrent to public officers. Generally, civil society representatives were dissatisfied with and decried the 'slap-on-the- wrist' out-of-court settlements imposed as alternatives to prison sentences.

ACC's Challenges

388. The CRM observed that the ACC is doing a difficult job without adequate resources. It is under-funded and understaffed. According to the ACC's 2009 Annual Report, 90 per cent of its funding comes from Government but was "*grossly inadequate to carry out all its activities countrywide*", and "*important aspects of the Commission's work remain unfunded.*" It lacks adequate vehicles, computers, cameras and tape recorders, trained and qualified staff with modern investigative and systems review techniques for effective and prompt investigations⁵³.
389. The paucity of government budget allocations, and the policy enabling ACC to keep 10 per cent of recovered funds to finance its activities, suggest that the ACC may be more driven to negotiate out-of-court settlements to enhance recoveries and hence its share of funds so recovered, than to prosecute and secure stiff deterrent sentences.
390. The ACC has had to contend with Sierra Leoneans' ambivalent attitudes to corruption. The President pronounced and maintained a policy of zero tolerance towards corruption, but the populace seems to condone it in a general way, and this is reflected in various social surveys. Society is split on how to deal with the problem.

53 *Annual Report 2009*, p.8, Anti-Corruption Commission.

391. Civil society activists demand tougher punishment for culprits of grand corruption, but excuse petty corruption on account of low wages and salaries. They contend that corruption cannot be eradicated among public servants without improving wages and salaries.
392. Attitudes also vary between the private and public sectors and, as the ACC noted, *“Support from the public and private sector remains varied. Without naming names, some institutions have embraced the fight whilst others have not.”*⁵⁴

The Attitudinal and Behavioural Change Programme

393. The CRM notes that President Koroma set up the Attitudinal and Behavioural Change (ABC) Secretariat in 2007 to promote the values of patriotism, integrity and diligence in the service of the country. ABC’s value-reorientation agenda was severely compromised, and confidence in its leadership undermined, when its three senior-most managers (Executive Director, National Coordinator and Regional Coordinator) were convicted on corruption charges in May 2011 and sentenced to 3 years in prison, with the option of fines of ranging from Le 30m to Le 90m.
394. Thus, a noble idea to promote positive value-reorientation seemed, at the time of the CRM’s stakeholder workshops, to have been temporarily paralysed. The CRM is of the opinion that the ABC urgently needs to be reinvigorated.

The National Public Procurement Authority (NPPA)

395. The CRM ascertained that the anti-corruption framework has been strengthened since 2004 with the enactment of the National Public Procurement Act 2004. The Act established the National Public Procurement Authority to, among other functions:
- Formulate policies and standards on and regulate public procurement;
 - Assess and make suggestions for improving public procurement;

54 *Ibid.* p.8

- Ensure that public procurement policy, systems and procedures are consistent with and integrated into other relevant government policies, systems and procedures;
- Decentralise public procurement to procuring entities;
- Build capacity in the field of public procurement; and
- Cooperate with other bodies responsible for oversight of public expenditures.

396. NPPA powers to regulate the procurement of goods and services covers all MDAs, commissions, local councils, and state-owned enterprises that utilise public funds – public universities, colleges, hospitals, and all companies – wholly owned by the State or in which the State has majority interest; and any private sector entity responsible for carrying out activities using public funds.

397. In furtherance of ensuring professionalism in procurement, all procuring entities have set up Procurement Committees and Procurement Units that are in the process of being staffed by qualified, professional and scheduled procurement officers. To ensure transparency and accountability in the procurement process, it is mandatory for the Procurement Unit to preserve all records pertaining to each procurement, and to facilitate verification, should there be a complaint from a bidder.

398. To address transparency and accountability issues in the procurement process, the Independent Procurement Review Panel has been established to conduct administrative reviews of procurements, upon request by aggrieved bidders.

The Public Procurement Regulations 2006

399. In 2006, NPPA issued detailed public procurement regulations that provide mandatory standard contract and bidding documents, in addition to issuing a Procurement Manual to guide public service procurement officers. Public Procurement Regulations (2006) covers all aspects of procurement from initiation to award of contracts, and ethical standards to be observed by all participants in the process of procurement.

400. The CRM has learned of some positive changes in public procurement since 2003, when the Central Tender Board gave way to the current procurement system. Procurement planning is built into the national budget calendar and the Ministry of Finance and Economic Development is better able to coordinate procurement financing.
401. The NPPA has trained procurement officers for several MDAs and there is now a professional cadre of procurement officers in the public service. Thus, the public service in Sierra Leone is gradually being transformed into a competitive procurement system.
402. Nevertheless, several challenges remain. Some of the key challenges are:
- Trained procurement professionals are in short supply and this affects the capacity of some MDAs and Local Councils to follow procurement procedures to the letter;
 - Bureaucratic resistance to change because of the cumbersome procedures entailed in the procurement process;
 - Low budget allocation to the NPPA has resulted in poor staffing and inadequate logistics support;
 - Resistance at the highest levels of the public service, manifesting in frequent transfers of trained procurement personnel by vote controllers in the MDAs to make it easier to override procurement procedures and, in the eyes of the NPPA, deliberate mishandling of the procurement process in order to deviate from the rules;
 - Frequent recourse to restricted bidding, permitted by the Procurement Act, when the goods, works or services are only available from a limited number of bidders or when the time and cost of considering a large number of bids is disproportionate to the estimated value of the procurement, but which has become a significant proportion of bidding; and
 - Inability of MDA Procurement Units to follow their procurement plans faithfully and low market confidence because of the inability of the Ministry of Finance and Economic Development to pay contractors promptly.

403. Thus, expectations that the new system was likely to eliminate or reduce to the slightest loopholes that could be exploited to perpetrate procurement malpractices have largely gone unfulfilled.

The Audit Service of Sierra Leone (ASSL)

404. The CRM notes that Section 119 of the Constitution of Sierra Leone 1991 establishes the office of the Auditor-General with the power to audit the accounts of all public offices, including the courts; the accounts of the central and local government administrations, of the universities and public institutions and the like; and any statutory corporation, company or other body or organisation established by an Act of Parliament or statutory instrument, or otherwise set up partly or wholly out of public funds.

405. The Auditor-General is the head of the Audit Service of Sierra Leone. He is appointed by the President, in consultation with the Public Service Commission, but subject to parliamentary approval. Similarly, he can only be removed with the approval of a two-thirds majority of the Members of Parliament, while Section 119(6) of the Constitution guarantees his/her independence. The Auditor-General then submits a report to Parliament.

406. The CRM was informed by the Audit Service of Sierra Leone that the Service has brought the audit of public accounts up to date. The CRM obtained the Auditor-General's Report on the Accounts of Sierra Leone for the Year Ended 31st December 2009, which confirmed that auditing was up to date, but not all public agencies or corporations were covered by the audit. Nevertheless, the report made substantive findings and recommendations on the accounts of the various MDAs audited.

407. The CRM notes that the challenges facing the Audit Service of Sierra Leone revolve primarily around capacity constraints affecting budgetary allocations, personnel and vehicles – preventing the Audit Services from conducting audits on all MDAs.

408. Senior officials of the Auditor-General's Department confirmed these challenges in discussions with the CRM while noting that the Service operates from several offices scattered around Freetown. This poses a problem for the effective coordination of its activities. The Auditor-General is further encumbered by MoFED's failure to release its budget allocations on time. The resulting effect, according to him, has been to prevent the Service from carrying out scheduled audits. Meanwhile, the ASSL spends large sums hiring private accounting firms to audit some public organisations.

The Public Accounts Committee (PAC)

409. The Auditor-General has limited powers to enforce recommendations intended to reduce fraud and mismanagement in public sector financial management. The Constitution (Section 119(4)) requires the Auditor-General to submit a report to Parliament, which refers the report to the Public Accounts Committee for a more thorough examination. However, the PAC does not appear to be any more effective than the ASSL. Its recommendations are often not implemented, and it does not appear to have any power to enforce implementation. As the Auditor-General's Report for 2008 observed, "*The recommendations of the Public Accounts Committee on issues dealt with in the Auditor-General's Report for the years up to 2005 have still not been fully implemented. Much has not been achieved with matters referred by the Auditor General to either the Accountant-General or the Attorney-General.*"⁵⁵
410. As has already been noted in this report, the CRM believes that parliamentary weaknesses are structural. Parliament is not well funded and parliamentarians lack sufficient legislative aides and clerical support to carry out oversight functions; only a handful of clerks serve the 35 or so Parliamentary Committees. As discussed under Objective V, Parliament is further constrained by the stranglehold of the political parties over their members who, under Section 77(k-m) of the Constitution, could lose their seats for not respecting party lines. In addition, a member of the ruling/majority party in Parliament chairs the PAC. This is a situation that is likely to make partisan considerations paramount in Committee operations.
411. Above all, turnover of members of the PAC is high and, therefore, few members gain enough experience and seniority to be able to challenge political and bureaucratic intransigence.

District Budget Oversight Committees (DBOCs)

412. The CRM found that Sierra Leone passed a fiscal responsibility law in 2007 entitled The Government Budgeting and Accountability Act, 2005, to enhance transparency and accountability in public financial management. Section 21 of the Act establishes the DBOCs, to be appointed by the Budget Bureau, from among notable people in the districts who are not public servants, in consultation with the communities. Appointees represent each ward or chiefdom in the district.

413. The main functions of the DBOCs are to:

- Assist in the formulation and monitoring of all poverty-related activities within the district;
- Serve as a focal point at the community level for all discussions and consideration of the medium term expenditure framework budget, and public expenditure tracking surveys;
- Monitor the expenditure of all central government allocations to all local councils in the district, and coordinate them for maximum effectiveness;
- Report to the Budget Bureau every four months on progress in execution of budget programmes in the district; and
- Generally, to serve as an intermediary between government and the people concerning all budgetary allocations to their district.

414. The DBOCs are a useful instrument for ensuring that government budgetary allocations to the districts pass through to the target groups or are expended for intended purposes, thereby helping to reduce misappropriation and mismanagement of funds, especially for decentralised projects. They have also helped to draw government's attention to inadequate budget allocations to projects and thus secure greater funding to ensure their completion.

415. The CRM notes that, notwithstanding their contributions to checking corruption and mismanagement, the DBOCs face challenges. They are weak and need capacity building to be able to carry out their functions effectively. The MoFED's 2009 Monitoring and Evaluation of Development Projects Report called attention to the need to strengthen the DBOCs⁵⁶. As pointed out by a 2009 survey carried out by the Network Movement for Justice and Development (NMJD), DBOC members were mostly nominated by the Paramount Chiefs, and were not even issued formal appointment letters. This made their authority questionable and rendered them ineffective in dealing with recalcitrant contractors. Membership turnover was high due to frustration.

56 *Monitoring and Evaluation of Development Projects*, Ministry of Finance and Economic Development, November 2009.

416. The CRM was informed that information flows about project implementation was poor. DBOCs often had no knowledge about contract specifications and bills of quantities. Above all, MoFED and local government council officials sometimes bypassed DBOCs in carrying out project monitoring and evaluation.

iii. Recommendations

417. The APR Panel recommends that the Sierra Leone Authorities:

- Consider increasing the budget allocation to the ACC to enable it acquire the staff, logistics support and capacity it needs to perform more effectively; [*MoFED, Parliament*]
- Ensure that the ACC focuses more on securing sentences that could deter corruption rather than on revenue recovery, which makes civil society cynical about its effectiveness; [*MoFED, Parliament*]
- Engage and train more procurement officers for all spending agencies to ensure mastery and compliance with procurement processes; [*ACC*]
- Encourage the ASSL to employ more professional staff to enable it cover examination of all public accounts rather than relying on expensive outsourcing to cope with its responsibilities. In this regard, appropriate accommodation should be provided for ASSL to bring all headquarters staff under one roof to enhance operational coordination and effectiveness; [*Government, ASSL*]
- Reinvigorate the ABC through the appointment of more credible leadership. [*Government, ABC*]
- Ensure that the orders of PAC are enforced and obeyed by persuading Parliament to invoke its power to withhold appropriation to culpable MDAs as penalty where necessary. [*Government, Parliament, PAC*]
- Strengthen and enhance the DBOCs through better flow of information to members and clearer formalisation of their role in the monitoring and evaluation of projects. [*DBOC, MoFED*]

OBJECTIVE SEVEN: Promotion and protection of the rights of women

i. Summary of the CSAR

418. The CSAR states that Sierra Leone has ratified a key international treaty pertaining to the rights of women: The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW); and subsequently developed legislation to domesticate it, in 2007.
419. The key gender legislation, arising out of the domestication of CEDAW, known collectively as the Gender Acts, comprises three pieces of legislation: The Domestic Violence Act, The Devolution of Estates Act, and The Registration of Customary Marriage and Divorce Act. The CSAR further notes that complete domestication of CEDAW is required with further legislation to cover other rights beyond marriage and violence, for example in the areas of political representation and social and economic rights.
420. The CSAR draws attention to the need to make statutory provisions for the non-discrimination principles in the Constitution to enable the pursuit of adequate and appropriate remedies where the principles are not reflected in policy and practice.
421. It further notes that Sierra Leone has not signed or ratified the Conventions on Consent to Marriage, Minimum Age of Marriage, and Registration of Marriages. Another area needing attention, according to the CSAR, stems from the fact that the International Convention on Economic, Social and Cultural Rights is not provided for in the 1991 Constitution. Therefore, CSAR highlights the need for Sierra Leone to take steps to enact the required legislation, in line with this particular Convention.
422. Sierra Leone has not adopted the recommendation of the TRC for affirmative action to increase women's representation in public office to at least 30 per cent, especially at decision-making levels. However, the CSAR records progress in the form of increased women represented in appointive and elective public political positions – as ministers, deputy ministers, parliamentarians, and local government councillors.

423. Among other positive institutional steps taken to promote women's rights in the country:
- i. A Ministry of Social Welfare, Gender and Children's Affairs has been created to support women's rights, with regional structures. Gender Focal Points have been established in all ministries, and Gender Committees at the Council level. The effect of this development has been to advance and enhance women's rights and to promote gender equality.
 - ii. A Family Support Unit (FSU), with the primary objective of addressing domestic violence, has been instituted with some success at urban police stations. The FSU deals with crimes, violations and abuses in the homes between husband, wife and children and non-provision of care for spouse or child. According to the CSAR, the FSUs have proved to be not only efficient in dealing expeditiously with cases of abuse and neglect of children but also popular with mothers who seek redress from defaulting fathers for the cost of a child's upbringing.
 - iii. Decentralisation has offered an opportunity for women's participation in the affairs of their communities through the Ward Committee requirement for equal representation, adhered to in some regions. The CSAR thus notes that local government councils are required by law to have at least five women elected to a Ward Committee of no more than ten persons. This law makes the Ward Committee the only level of governance in the country where there is provision for gender balance.
424. The CSAR nevertheless recognises that these institutional arrangements face severe constraints due to weak capacity for their operation and enforcement, lack of logistical support, inadequate devolution, and low budgetary resources that hinder the advancement of women's rights and of gender equality.
425. However, concerns were expressed over the serious threat to the rule of law posed by traditional authorities and customary justice systems, upon which the state overwhelmingly relies to ensure law and order in the regions. In this respect, the existing Local Court Act 1963 that bars chiefs from adjudicating cases has not had the intended effects. Instead communities continue to utilise customary systems which they find more accessible, although, under the Act, they fall outside the purview of the law and thus remain unsupervised.
426. The country's customary justice systems, intrinsically patriarchal, fail to protect and promote the rights of women, youth and other vulnerable groups, and thereby constrain the fair and just delivery of justice. The CSAR also points to

the inadequate functioning of formal courts outside Freetown, and to citizens' distrust of the court system's ability to uphold and enforce constitutionally protected rights.

427. In 2010, the government commenced a Pilot Legal Aid Scheme, which it hopes to expand. The Local Courts Bill has been recently revised to remove the control of local courts by the Executive and place them under the jurisdiction of the Judiciary, as stipulated by the Constitution. The Bill now awaits enactment into law.
428. The Justice Sector Development Programme plans for improved access to justice through the development of itinerant courts in the regions. The CSAR does not, however, indicate if and how these reforms will specifically address the fears and apprehensions of vulnerable groups and women.
429. The CSAR acknowledges that several democracy promotion institutions have been established in post-conflict Sierra Leone to promote and sustain a culture of human rights. However, the CSAR notes that there are challenges especially with the Political Parties Registration Commission (PPRC). The Commission faces severe limitations in the exercise of its mandate, including the non-compliance of political parties with its regulations and the code of conduct it brokered between the political parties. Although the legislation establishing the PPRC provides it with regulatory functions over political party activities, it is silent on penalties and sanctions for actions that incite violence or have divisive connotations, such as the mobilisation of race, region, tribe, gender or religion for partisan political ends.

ii. Findings of the CRM

430. The CRM found that the end of the country's civil war provided the country with the rare opportunity to promote and strengthen women's participation in politics. The war had underscored the important role women could play in society in the absence of men, who were engaged in the prosecution the war. A major victory for the promotion of the rights of women was recorded on 14 June 2007 with the passage through Parliament of 3 laws, collectively called the Gender Acts, designed to improve the legal status of women in the country.
431. The three laws: (i) criminalised wife-beating and other acts of domestic violence against women; (ii) extended property rights, including inheritance rights, to women; and (iii) protected young women from forced marriage. Other positive

developments in promoting and improving the status of women in public life include the appointment of women as ministers and deputy ministers, as Chief Justice of the country, and as Chairperson of the country's National Electoral Commission.

432. But the CRM observed that for many stakeholders it met with, the current status of implementation of the Gender Acts remains inadequate. This is partly due to lack of awareness by the general public, and partly due to inadequate technical, human and financial resources – including delays in budgetary disbursements – that jeopardise timely implementation of the Acts' provisions. Other stumbling blocks to legal and policy reform to strengthen, promote and protect the rights of women include the view of women as an “outsider caste,” illiteracy, socio-cultural barriers, and lack of awareness about the contribution women have made, and can still make to national development, if doors of opportunity currently closed to them are open.
433. Briefly put, the CRM found that women in Sierra Leone continue to face high levels of discrimination in public life. The discrimination reflects gender discrimination and enduring cultural and patriarchal-related obstacles to their political empowerment. In fact, Sierra Leone came last in the 2007/2008 Gender Development Related Index and third from the last in the OECD Social Institutions and Gender Index that measures gender equality.
434. The case of Elizabeth Simbiwa Sogbo-Tortu well illustrates the residual cultural and patriarchal impediments to mainstreaming gender equality into the country's public political life. In 2009, she was disqualified – on the basis of her gender – from contesting as the Paramount Chief in Sewase, in the county's eastern Kono district, although she was the oldest candidate and was a member of the ruling house. Her disqualification violated the Chieftaincy Act (2009) Section 8 (1)(a), which provides for women to compete for paramount chieftaincy, if their lineage makes them eligible to do so. The case also illustrates differences in the customary law between the various provinces in the country. In the Eastern province, from which Sago-Toru hailed, and the Northern Province, women are banned by custom from holding chieftaincy positions, while the Southern provinces do not prohibit them from entertaining such aspirations. The Act has typically and generally been interpreted and applied in a discriminatory way that disfavors women in the Northern Region and in two districts in the Eastern Region when it comes to the key institution of political governance – the Chieftaincy – thereby unlawfully preventing women from contesting. Furthermore, on appeal, the court upheld the right of women to compete for paramount chieftaincy.

435. The CRM found other severe limitations on women’s entry into political life. In the 2007 general elections, 16 women Members of Parliament were elected, as opposed to 18 women Members of Parliament during the 2002 elections, with the decrease attributed to the electoral system used for the elections: first-past-the-post in 2007; and proportional representation in 2002. In 2004, women candidates won only 56 out of 456 seats contested during district council elections that year. Groups like the ENCISS and the 50/50 continue to advocate for the political empowerment of women, using the platform provided, among others, by the Political Parties Registration Commission. Their major demands include the demand for a 30 per cent quota for women at all levels of political public decision-making – including the political parties – as recommended by the country’s Truth and Reconciliation Commission report. The 50/50 Group has also been building capacity for women who want to contest for elections at the parliamentary, local district and chiefdom levels.
436. On the positive side, the CRM finds noteworthy the significant steps taken towards increasing women’s representation in high profile and critical public offices, with the appointment of women to some of these positions in the Judiciary.
437. Of the five justices currently sitting on the bench of the country’s highest court, the Supreme Court, a woman is the Chief Justice, while two other judges are women – making for three women out of five judges of the Supreme Court. It is also noteworthy that the Chairperson of the National Electoral Commission is a woman. Table 3.7 summarises high judicial positions held by women.

Table 3.7: Women in the Higher Judicature

Position	No. of women judges	Total	Percentage (%)
High Court Judges ¹	4	7	57.1
Court of Appeal ¹	3	7	42.9
Supreme Court ²	3	5	60.0

¹ From the CSAR (2010)

² From CRM Findings (2011)

438. The CRM is convinced that Local Council Ward Committees are clearly a crucial entry point for women into institutions of governance. By virtue of their closeness to the grass-roots, these entities should provide the institutional mechanisms for hearing and responding to the practical and strategic needs

of women and other vulnerable groups, thereby strengthening citizen voices in demands for accountability.

439. Ward committees should be able to serve as stepping-stones, preparing women for entry into the wider political life of the country. To be able to do this, ward committees will need to have their public service management and delivery capacity strengthened. This can be achieved by the allocation of adequate resources to them in a timely manner for the service delivery.
440. Ward committees have the potential to provide opportunities for women empowerment since the majority of the Sierra Leonean population lives in rural areas. Therefore, the Review Mission wishes to underscore the importance of access to justice and the fair dispensation of justice, particularly for women in rural Sierra Leone.
441. The general perception is that the Sierra Leone Police and local courts have failed to provide adequate remedies and responses for women, especially regarding violations and abuse of their rights in a context of strong cultural mores and practices that discriminate against women.
442. The Review Mission notes that there are several ongoing legislative and institutional reforms, offering the judiciary new opportunities for adequate training and awareness-raising amongst the police, lawyers, magistrates, and judges to make them more responsive to gender concerns. The Mission would suggest that these reforms be vigorously implemented, and mechanisms established to monitor the progress of their implementation.
443. A recurrent issue raised in the Review Mission's meetings with stakeholders, particularly from women's groups – in Freetown and the provinces – was the continuing and major demand for the implementation of the TRC recommendation for a 30 per cent quota for women in appointments to critical public political office. It would appear that this recommendation remains ignored by the Government.
444. The CRM finds that the marginalisation and poverty of rural women continue to hamper the efficacy of existing gender equality laws, constrain development outcomes, and vitiate pro-poor growth programmes. High incidences of sexual and gender-based violence – inclusive of FGM – persist, despite the creation of FSUs and the passage of Gender Acts in 2007. The delay in handing down justice is endemic while traditional authorities continue to undermine the rights of women, children, and other vulnerable groups. (See Objective V of Chapter Six, SED)

iii. Recommendations

445. The APR Panel recommends:

- As a matter of urgency, legislate and implement all the provisions of the CEDAW for the full realisation of women's rights; [*Government, Civil Society Organisations, Media, and Parliamentarians*]
- Intensify awareness creation efforts for the promotion of gender equality and women empowerment; [*Government, Civil Society Organisations, Media, and Parliamentarians*]
- Explore creative initiatives that bring on board and co-ordinate government, traditional leaders and constituency representatives in actions to address the negative effects of patriarchal systems and other root causes of inequalities and harm to women; (*Government, Civil Society Organisations, Media, Traditional Authorities, Private Sector, Political Parties Registration Commission*).
- Ratify the Convention on Nationality of Married Women (1957) and introduce legislation to strengthen women's full citizenship and nationality rights equal to those granted to men; (*Government and Parliamentarians*)
- Implement the 30 per cent quota recommendation of the TRC as a measure for elective, appointive and the public sector positions at all levels through legislation, strategies and the effective monitoring of the process; (*Government, Civil Society Organisations, Media, and Parliamentarians*)
- Strengthen the capacity of all institutions of governance focusing on professionalism, tools and skills for gender responsive budgeting, and the establishment of accountability mechanisms for gender equality and women empowerment through the use of performance contract as incentives and penalties to sustain commitment to gender sensitive planning, implementation and budgeting; (*Government, Ministry of Social Welfare, Gender and Children's Affairs, Civil Society Organisations*)
- Extend the Local Council Ward requirement for equal gender representation to all governance levels of regions and districts; (*Government*)

- Explore opportunities provided by the Public Expenditure Tracking Survey (PETS-2001) and the District Budget Oversight Committees (DBOCs-2003) in the country's administrative districts to provide opportunities for the promotion of gender equality and women empowerment, and to integrate gender responsive and sensitive budgeting into the budgetary process at all levels; (*Government, Parliament, Ministry of Social Welfare, Gender and Children's Affairs*)
- Increase the number of trained staff and also expand logistical support and financial resources for strengthening responses and accessibility of FSU throughout the country. (*Government, Civil Society Organisations, Media, Traditional Authorities, Private Sector*).

OBJECTIVE EIGHT: Promotion and protection of the rights of children and young persons

i. Summary of the CSAR

446. The CSAR notes that Sierra Leone ratified the Convention on the Rights of Children on 18 June 1990. Domestication through the National Child Rights Act 2007 ensued.
447. The CSAR acknowledges that the social and economic situation of children and young persons in Sierra Leone is among the worst in the world. It notes, moreover, that the participation of many young people in the war as combatants has engendered a negative perception about youth amongst the public. The TRC Report cited youth marginalisation under customary processes of conflict management as a contributory factor to the war in Sierra Leone, especially in the rural areas where the majority of Sierra Leoneans live under customary rule. Youth remain a target for marginalisation due to traditions based on age.
448. The CSAR further emphasised that the youth are in crisis and pose a threat to peace in the country. They lack skills and opportunities, and suffer from inadequate promotion and protection of their rights. The CSAR further notes that a National Youth Policy to mainstream youth activities into development was developed in 2003, after which a Youth Commission was established to create youth employment, with USD 20 million from the World Bank.

449. According to the CSAR, several challenges confront the promotion and protection of the rights of children and the youth in the country. These include the high rate of children and youth who do not have access to, or have failed to take advantage of, educational opportunities open to them. Other challenges include government's inability, attributed to budgetary constraints, to meet its obligations to provide free primary school education; delays in setting up the National Commission for Children, as provided for under the Child Rights Act 2002; the failure of courts to respect the legal rights of children; and the denial of rights to youth within the customary court system.
450. The CSAR outlines the limitations impeding complete domestication of the Child's Act. It suggests directions for immediate implementation, including sensitisation of the court system to respect the rights of children, provision of child friendly courts, magistrates versed in and thus responsive to juvenile issues, and more courts to minimise delays in access to justice for children and young people. The CSAR notes that a courtroom within the Law Courts Building in Freetown was renovated by the Justice Sector Development Programme to serve as a "Child Friendly Court."

ii. Findings of the CRM

451. The CRM recognises that, set against the legacy of the use of child-combatants in the civil war, post-conflict Sierra Leone has made tremendous strides to promote and protect the rights of children. Notable legislation in this respect is the National Child Rights Act 2007, which outlines provisions for promoting and protecting the rights of children, and is reinforced by a child policy framework to realise these rights.
452. However, the CRM believes that the children of Sierra Leone continue to face severe challenges arising from a combination of neglect, discrimination, abuse, violence, poverty and disadvantage. The FSUs continue to report cases of sexual abuse of children, although action against such abuses is sometimes compromised by the parents' willingness to accept compensation in lieu of prosecution of offenders, or frustrated because the justice system is typically slow in dealing with cases of the sexual abuse of children brought before the courts.
453. The CRM notes with serious concern reports from the FSUs about the continuation of child marriages and child prostitution, both of which are

prohibited by law. The pervasive nature of these practices serves to illustrate a broader pattern of systematic abuse of the rights of children, and their subjection to harmful traditional practices – such as FGM – against which there is currently no prohibitory legislation. The cultural climate is such that parents, guardians, teachers and chiefs are not entirely supportive of the Child Rights Act, which they regard as constraining or denying them their rightful role and responsibilities towards those in their care.

454. The CRM finds that although initiatives are underway to address the very high rate of youth unemployment in the country, such initiatives are yet to be fully realised, fuelling what can be described as a revolution of expectations among the youth, particularly those in training colleges and universities, who see it as the responsibility of government and the state to provide them with employment.
455. The CRM further finds that the youth who are the target of the interventions under the National Youth Policy have, by default, been overwhelmingly and predominately male, although there is no official policy or design to discriminate against young women. The reasons for the marginalisation of young women, under the focus of the National Youth Policy, need to be fully explored and addressed.

iii. Recommendations

456. The Panel recommends that the Government:
- Intensify awareness creation efforts for the promotion of the rights of the child; [*Government, Human Rights Commission of Sierra Leone, Civil Society Organisations, Media, Traditional Leaders, Private Sector, National Commission of Democracy*]
 - Strengthen college curricula to support and encourage the development of entrepreneurship among young people; [*Government, Ministry of Education, Science and Technology, Media, Private Sector*]
 - Include youth in ongoing security reforms – especially at decentralised levels – since continued peace and security will require youth participation to encourage their stake in the peace and security of their communities; [*Government, Media, Human Rights Commission of Sierra Leone, Civil Society Organisations*]

- Establish the National Children’s Commission in order to provide a focused institutional setting for pursuing and implementing the child policy framework; *[Government, Media, Human Rights Commission of Sierra Leone, Civil Society Organisations]*
- Speed up National Youth Commission activities for the operationalisation and implementation of the National Youth Policy; *[Government, Parliament, Ministry of Education, Youth and Sport]*
- Expedite full devolution of Children and Youth Commissions to local governments and communities while ensuring their institutional capacity to respond, promote, protect, and monitor the rights of children and youth. *[Government, Media, Human Rights Commission of Sierra Leone, The Ombudsman, Civil Society Organisations]*

OBJECTIVE NINE: Promotion and protection of the rights of vulnerable groups including internally displaced persons and refugees

i. Summary of the CSAR

457. The CSAR states that the Refugee Protection Act 2007 that domesticates Sierra Leone’s international obligations is the legal framework for the protection of refugees and displaced persons. However, the CSAR does not identify the relevant international treaties on refugees that have been domesticated in the country.
458. The CSAR observes that Sierra Leone has been host to thousands of refugees from neighbouring countries and has had its own internally displaced persons. Yet, according to the CSAR, the country has not had any serious problem with the treatment of refugees. Furthermore, the CSAR states that, although fairly new, the Refugee Act, and subsequent institutional arrangements for the welfare and protection of refugees in the country, are quite sufficient – in the opinion of experts.
459. A National Refugee Authority established by the Refugee Protection Act 2007 serves as the state agency for refugee matters, including policy formulation and enforcement of refugee rights. As provided for in the Act, the National Commission for Social Action (NaCSA) is responsible for handling all operational aspects pertaining to protection of, and assistance to refugees.

ii. Findings of the CRM

460. The CRM found the CSAR generally silent on the plight of, and official policy towards people with disabilities, and other vulnerable groups. The CRM notes in this respect that even the CSAR omitted discussion of the extent of rehabilitative initiatives said to be underway for those with disabilities or injuries, as a result of the civil war in the country.
461. The CRM is concerned that as a group, people living with disabilities have been overlooked in policy terms, a situation that suggests a lack of sensitivity to their needs. Indeed, the CRM did not see any tangible evidence that there have been organised efforts at the policy level to address the needs of people with disabilities. At a number of meetings with stakeholders, some persons with disabilities expressed the view – and complained bitterly – that they have been ignored and their needs unmet by Government.
462. The CRM notes, in this respect, that several issues pertaining to ameliorating the plight of persons with disabilities require pressing policy attention, namely: (a) inaccessibility of public buildings and services; (b) inadequate or absent legal and policy frameworks that align with international codes and standards for people with disabilities; and (c) negative public perceptions of people with disabilities impeding the promotion and protection of the rights for people with disabilities.
463. The CRM recognises that Sierra Leone has made strides in meeting the needs of the wounded and amputees from the country's civil war. However, women noted that post-civil war efforts of rehabilitation, especially the provision of skills and trades, were primarily directed at those who fought in the war, not the victims of the civil war. Because of the focus on combatants, women, who suffer from disabilities on account of the war have received little, if any support to help them reclaim their lives. Indeed, current policy action to address the concerns of women who were direct victims of the war has been inadequate in promoting self-reliant development.
464. The CRM notes that trafficking in persons is of great concern to many stakeholders. Children are trafficked for labour and sexual purposes from rural areas to Freetown and to the mines, while the country continues to act as a transit point as well as a destination for internationally trafficked persons.

iii. Recommendations

465. The APR Panel recommends that Sierra Leone:

- Define vulnerable groups, including people with disabilities, in order to identify and monitor responses to their specific needs; *[Government, Ministry of Social Welfare, Gender and Children's Affairs, Civil Society Organisations]*
- Strengthen the social and economic reintegration of people with disabilities, with the provision of appropriate policies and mechanism to facilitate their reintegration and to enhance opportunities available to them to engage in income-generating activities and ventures; *[Government, Ministry of Social Welfare, Gender and Children's Affairs, Civil Society Organisations]*
- Promote the rights of people with disabilities through awareness creation, to facilitate their full participation and contribution to the country's development. *[Government, Ministry of Social Welfare, Gender and Children's Affairs, Human Rights Commission of Sierra Leone, Civil Society Organisations, Media, Traditional Leaders, Private Sector]*

CHAPTER FOUR

4. ECONOMIC GOVERNANCE AND MANAGEMENT

4.1 Overview: Challenges to Economic Governance and Management

466. The preceding Chapter on Democracy and Political Governance focused on the problem of political power, how it is acquired and utilised, and the limits and constraints to its use. This Chapter addresses the issue of Economic Governance and Management.
467. Sierra Leone emerged from 11 years of civil conflict in 2002. Post-conflict economic recovery was very strong, with an annual average real GDP growth of 13.9 per cent during the period 2001-2005. Despite the impact of the global financial crises on the economy, an annual average real GDP growth rate of 5.5 per cent was recorded during the 2006-2010 period. The Government embarked on its first post-conflict development plan in 2003: Sierra Leone Vision 2025. This Plan provides a long-term framework for post-conflict development planning and management. This was followed by the first Poverty Reduction Strategy Paper (PRSP I), outlining development planning for the period 2003-2007. The PRSP I focused on good governance, peace and security; food security and employment creation; and growth and human development. The second Poverty Reduction Strategy and Strategy Paper (PRSP II), known as the Agenda for Change, covers the period 2008-2012. The Agenda for Change is aimed at a complete transformation through broad-based growth, and is seen as a primary route out of poverty. Four key priority areas have been identified: the provision of a reliable power supply; raising value-added productivity in agriculture and fisheries; the development of a national transportation network; and sustainable human development through the provision of improved social services.
468. Sierra Leone has made significant progress over the past decade in restoring macroeconomic stability and implementing structural reforms to lay the basis for sustained economic growth and poverty reduction. Fiscal policy aims at supporting effective and efficient public financial management through improved domestic resource mobilisation. The primary aim of monetary policy is to

maintain price stability conducive to economic growth. The trade policy intends to broaden and expand exports and make the export sector more competitive.

469. Notwithstanding growth performance, the country is battling to keep the inflation rate in the single-digit range, predominantly as a result of supply shocks and the rise in prices of food and petroleum products. Even though Sierra Leone was less affected by the first-round effect of the financial crisis – since its financial sector is less integrated with global financial markets, second-round effects hit the country through declines in export demand, tourism, worker remittances and foreign direct investment. The country in its current stage of recovery still lacks sufficient policy space to implement counter-cyclical policies against the impact of the global financial crisis.
470. It is noteworthy that the civil war had a devastating impact on public financial management, both in terms of skilled personnel losses and damage to infrastructure, including the destruction of the building that housed the Ministry of Finance in 1997. In spite of all these setbacks, the government of Sierra Leone recorded significant progress in rebuilding and strengthening public expenditure and revenue systems. This was done with the support of international development partners since 2001. A limited-scope Country Financial Accountability Assessment was carried out in 2002. From then onwards, the public financial management regulatory framework was transformed by several laws. These were: the Government Budgeting and Accountability Act 2005; the Financial Regulation Act 2007; the National Revenue Authority Act 2003; the Local Government Act 2004; and the Public Procurement Act 2004.
471. Government of Sierra Leone continues to implement a wide range of public financial management enhancement programmes. Programme implementation receives great support from various development partners through both technical and financial support to the programme. Public financial management activities are also covered in budget support operations.
472. Sierra Leone has a long and painful history of corruption. The country took a first bold step in fighting corruption with the Anti-Corruption Act 2000, the establishment of the Anti-Corruption Commission (ACC), and the new Anti-Corruption Act 2008. Notwithstanding the legislative framework, corruption is still seen as a serious problem, with only poverty and unemployment as being more serious concerns. Regarding money laundering, the Bank of Sierra Leone is in the final stages of upgrading the Anti-Money Laundering Act of 2005 to include anti-terrorism activities in the form of the new Anti-Money Laundering and Countering the Financing of Terrorism Bill. The new Act will provide for a broader legal framework and strengthen the hand of the Bank in its drive to curb money laundering activities.

473. This Chapter looks at the progress Sierra Leone has made in this area of economic governance and management, the challenges it has met, and the instruments, policies and institutions it has put in place to overcome obstacles and realise its objectives. Six themes are addressed in this Chapter. They are: a) adherence, domestication and implementation of international standards and codes on economic governance and management; b) the adoption and implementation of macroeconomic policies that facilitate sustainable development; c) the pursuit of sound, transparent and predictable economic policies; d) effective, transparent and accountable public finance management; e) the fight against corruption and money laundering; and f) progress in promoting regional integration.

4.2 Standards and Codes

i. Summary of the CSAR

474. The CSAR provided a substantial list of international treaties ratified in the past, but almost all of them fall outside the scope of what is expected for effective economic governance and management. It seems as if the African Union Convention on Preventing and Combating Corruption has been ratified, although it is referred to as being 'not domesticated'. The CSAR did not make any reference to signing, ratification or compliance with international and regional standards and codes. From the CSAR, it could be gathered that the country may be a party to some of these international standards and codes.

475. It is important to establish the status of all relevant Economic Governance and Management (EGM) codes and standards, with clear indications of details on signing and ratification dates. Similarly, an analysis will be needed on the internalisation and domestication of the relevant standards and codes and the extent to which they have been implemented.

ii. Findings of the CRM

476. Many relevant standards and codes are missing, perhaps because Sierra Leone has not ratified them, and this should be clarified. The CSAR did not provide a comprehensive list of codes and standards of special relevance to EGM, and instead contains a discussion of some of them, lacking clarity in terms of structure and objectives. In this regard, any comprehensive assessment

should be based on the list of standards and codes provided by the APRM Questionnaire and identify those that are ratified by Sierra Leone and how they have been implemented. These include:

1. NEPAD Framework Document (2001);
2. Constitutive Act of the African Union (2000);
3. Code of Good Practices on Fiscal Transparency;
4. Guidelines for Public Debt Management;
5. International Standards in Auditing;
6. International Accounting Standards;
7. Code of Good Practices on Transparency in Monetary and Financial Affairs;
8. Principles for Payment Systems;
9. Core Principles for Security and Insurance Supervision and Regulations;
10. Core Principles for Effective Banking Supervision;
11. African Union Convention on Preventing and Combating Corruption;
12. Abuja Treaty establishing the African Economic Community (1991);
13. Best Practices for Budget Transparency;
14. Principles of Corporate Governance (international and national); and
15. Relevant Treaties, Conventions and Protocols of Regional Economic Communities.

477. There is also a need to explain why standards and codes are adopted by Sierra Leone and how they have actually impacted on economic performance, or helped Sierra Leone realise the intended objectives. Reasons should be given to explain the lack of ratification and/or domestication of standards and codes, and the nature of technical assistance and external financial and other support required.

Regional treaties

478. The CRM notes that the following regional and international treaties have been signed, or signed and ratified, ratified and deposited as shown in Table 4.1.

Table 4.1: Summary of Signing, Ratification, and Depositing of Regional and International Treaties

	Name of Treaty	Signed	Ratified	Deposited
I. Regional Treaties				
1.	The Constitution of the Association of African Trade Promotion Organisations	12 Dec 2003		
2.	The International Convention Establishing an African Technical Cooperation Programme	09 Dec 2003		
3.	The Protocol Establishing the African Community relating to the Pan-African Parliament	31 May 2001	16 Jun 2003	05 Jul 2003
4.	The Treaty Establishing the African Community	03/Jun 1991	15 Mar 1994	12 Apr 1994
5.	The African Convention on Prevention and Combating Corruption	9 Dec 2003	03 Dec 2008	11 Dec 2008
6.	The African Charter on Statistics	18 Jun 2009		
7.	Protocol on the African Investment Bank	18 Jun 2009		
II. International Treaties				
8.	The United Nations Millennium Declaration	15 Sep 2000		
9.	The Marrakech Agreement establishing the World Trade Organisation (WTO)		23 Jun 1995	
10.	The Second ACP-EEC Convention		18 Nov 1980	
11.	The Third ACP-EEC Convention		13 Dec 1985	
12.	The Fourth ACP-EEC Convention		07 May 1991	
13.	The Georgetown Agreement on the Organisation of the African, Caribbean and Pacific Group of States	24 Aug 2000		

479. Out of seven regional treaties only three have been signed, ratified and deposited. The remaining four have only been signed. As regards five international treaties, all except one (The Georgetown Agreement on the Organisation of the African, Caribbean and Pacific Group of States) have been ratified.

iii. Recommendations

480. The Panel recommends that the Government:

- May consider the need to hasten the ratification and domestication of all signed regional and international treaties related to economic governance and management; [Government, *Ministry of Foreign Affairs*]
- Consider signing both regional and international treaties listed under the CSAR summary. [Government, *Ministry of Foreign Affairs*]

4.3 Assessment of Performance on APRM Objectives

OBJECTIVE ONE: Promote macroeconomic policies that support sustainable development

i. Summary of the CSAR

481. Overall, the CSAR noted that since the end of the decade-long war, Sierra Leone has made significant progress in restoring macroeconomic stability and implementing structural reforms to lay the basis for sustained economic growth and poverty reduction. The improved security situation, coupled with the implementation of sound economic policies has had a positive impact on economic activities in the post-conflict period. The post-conflict economic recovery also benefited from large-scale, donor-funded reconstruction and rehabilitation activities.

482. With respect to economic growth, the CSAR revealed strong economic recovery, with an average of 15.6 per cent growth in the immediate post-conflict period (2001-2004). The strong recovery continued into 2005-2007 when real GDP growth averaged 6.7 per cent. Economic growth was broad-based, underpinned by buoyant activities in key sectors – agriculture, mining, construction and services.

483. However, in contrast, the CSAR stated that after this period of relatively strong growth, Sierra Leone's economic prospects were adversely affected by the negative impacts of food and fuel crises, and the ensuing global financial and economic crisis. In particular, weak global demand and the subsequent fall in commodity prices adversely affected mining sector performance, resulting in a sharp decline in mineral output and exports. As a consequence, real GDP growth slowed to 5.5 per cent in 2008, and to an estimated 4.0 per cent in 2009.
484. On the inflation front, the CSAR noted single-digit inflation in 2006, with annual average inflation declining to 9.5 per cent, from 12.1 per cent in 2005. However, inflationary pressures re-emerged in the first half of 2007 owing to supply shocks and a rise in food and petroleum product prices. End-of-period and annual average inflation rose to 13.8 per cent and 11.7 per cent, respectively, in 2007. Inflationary pressures persisted in the first half of 2008 but slowed down towards the end of the year due to a decline in international prices of food and fuel. Inflation declined to single digits during the first eight months of 2009 but reverted to double digits in the last quarter of the year, reflecting the pass-through effect of exchange rate depreciation.
485. On the export side, the CSAR indicated out that there was a strong recovery in exports, beginning in 2002 and continuing into 2006 on resumption of rutile and bauxite mining, which diversified the country's export base from an exclusive dependence on diamonds. Exports grew by 28.3 per cent in 2006, after growing by 15.4 per cent in 2005. Prices started to rise again as export growth slowed to 2.9 per cent in 2007. Import growth slowed to an average 2 per cent during 2006-07 as post-conflict donor funded humanitarian assistance and reconstruction activities decreased. Import values increased sharply by 24.8 per cent in 2008 after the hike in international prices of food and fuel products, before declining by 2.6 per cent in 2009 as oil and food prices plummeted on account of weak global demand.
486. The CSAR pointed out that as a result of the above trends in export and imports, the current account balance, excluding official reserves, widened in 2005.
487. Gross international reserves increased from 4.4 months of imports in 2005 to 6.4 of months of imports in 2009, due mainly to donor inflows. The nominal exchange rate of the Leone to the US dollar remained relatively stable during 2005 to 2007 and the first half of 2008, but depreciated by 28 per cent in 2009 due to a decline in the availability of foreign exchange as export receipts and inward remittances decreased.
488. The CSAR noted that domestic revenue mobilisation is low (around 12 per cent of GDP). This is attributable to a narrow tax base, a large informal sector, and

weak tax administration capacity. It further notes that the modernisation of the National Revenue Authority (NRA), including the automation of the customers' clearing procedure with the introduction of ASYCUDA++ computer software, the broad-based Goods and Services Tax (GST), and the tax payers' identification number (TIN), are expected to improve domestic revenue mobilisation in the medium-term.

489. On the fiscal front, the CSAR stated that there has been significant fiscal consolidation over the years. As a result, total expenditures decreased from 24.6 per cent of GDP in 2005 to 22.7 per cent of GDP in 2009. Hence, the overall budget deficit, excluding grants and MDRI debt relief, narrowed down consistently from 12.8 per cent of GDP in 2005 to 9.2 per cent of GDP in 2008.
490. Finally, the CSAR reported as follows on survey results: (i) the majority of respondents perceive the Government's strategies in promoting economic development as either very effective or effective; (ii) despite the abysmal performance of domestic resource mobilisation, a good number of Sierra Leoneans are satisfied with policy measures instituted by the Government to address resource mobilisation over the past five years; and, (iii) the same is true for government policy responses to fiscal shocks, regarded by most as quite rapid and effective.

ii. Findings of the CRM

Macroeconomic Policy Framework

491. Table 4.2 summarises macroeconomic indicators for the 2005-2010 period. Post-conflict economic recovery was very strong with an annual average real GDP growth of 13.9 per cent during the period 2001-2005. Despite the impact of the global financial crises on the economy, an annual average real GDP growth rate of 5.5 per cent was recorded during the 2006-2010 period, and it is projected that real GDP growth will recover marginally to 5.1 per cent in 2011, and to a higher 6.0 per cent in 2012.
492. Notwithstanding growth performance, poverty has remained widespread, with the real per capita GDP remaining low – at USD 300 – with the country still ranking third from the bottom of the Human Development Index, according to the recent African Economic Outlook (June 2011). From the Review Mission's interactions with stakeholders in the country, the general perception was that the broader population has not benefited significantly from the economy's growth performance over the past decade.

Table 4.2: Macroeconomic Indicators (2005-2012)

Indicator	2005	2006	2007	2008	2009	2010e	2011p	2012p
Real GDP growth	7.3	7.4	6.4	5.5	3.2	5.0	5.1	6.0
Inflation rate	12.1	9.5	11.7	14.8	9.2	17.8	14.7	8.8
Debt service as percentage of exports*	27.5	76.3	144.2	3.2	4.7	4.0	4.4	3.5
Stock of total external debt to GDP ratio*	144.4	109.9	31.8	31.1	34.1	29.3	19.7	19.9
Fiscal balance to GDP, excluding grants and MDRI	-12.8	-11.0	-6.8	-9.2	-11.1	-14.0	-12.5	-11.5
Fiscal balance to GDP, including grants and MDRI	-2.7	9.3	25.2	-4.7	-3.2	-6.9	-4.0	-4.5
Growth in domestic credit extension to private sector	17.8	18.5	39.4	56.8	45.4	31.4	30.8	33.9
Growth in domestic credit extension to public sector	(2.2)	(63.9)	17.6	71.9	26.7	23.4	(0.4)	(1.2)
Growth in exports values (USD)	15.4	28.3	2.9	(3.0)	(1.0)	33.5	13.6	10.6
Growth in imports values (USD)	31.8	1.9	2.2	24.8	(2.6)	12.3	20.4	8.1
Real effective exchange rate	20.8	(7.4)	(1.0)	(11.6)	(3.2)	...	....	....
Gross domestic investment/GDP	17.4	15.5	13.2	14.8	14.9	18.3	18.0	19.4
Gross domestic savings/GDP	4.2	7.9	6.1	1.7	1.8	2.2	3.5	4.4
Current account balance/GDP (including official transfers)	(7.1)	(3.5)	(3.4)	(11.5)	(8.4)	(9.7)	(11.9)	(11.4)
Current account balance/GDP (excluding official transfers)	(14.2)	(8.8)	(7.0)	(15.4)	(12.8)	(13.1)	(14.1)	(13.2)
Terms of trade	(2.3)	(6.4)	(1.9)	(2.3)	(10.5)	8.5	(5.1)	2.3

Sources: Data provided by Ministry of Finance and Economic Development, Sierra Leone, May 2011. Data marked with * from the *African Economic Outlook*, June 2011.

Notes: 2010 figures are preliminary (e) and 2011 and 2012 figures are projections (p)

493. Other macroeconomic indicators reflect the macroeconomic vulnerability of the country. The inflation rate – as measured by the Consumer Price Index (CPI) – averaged 12.6 per cent during the period 2006-2010, and could only attain single digit figures in 2006 and 2009. Projections show that the preliminary high CPI of 17.8 per cent (due to the one-off effect of the introduction of the goods and services tax) could decrease to 14.7 per cent, and reach single digits again in 2012. Inflationary pressures could predominantly be ascribed to high fuel and food prices, on the back of a depreciating exchange rate. These pressures, coupled with pressure to raise public sector wages, pose the main risks to the inflation outlook.
494. The Review Mission confirms that the country was able to withstand the first-round effects of the global financial crisis primarily because its financial sector was not yet integrated into the global financial markets. However, the country was hit by second-round effects, and by factors such as falling export volumes and earnings, and decreases in worker remittances and tourism, in particular. Export volume took a significant dive in 2008, declining by 23.2 per cent on average during the year, with knock-on effects on export earnings. The impact on the real sector spread to the financial system, with real effective exchange rate depreciating 11.6 per cent in 2008. The value of imports increased by a massive 24.8 per cent in the year, with a resulting substantial deterioration of 10.5 per cent in 2009 terms of trade. The current account deficit (excluding official transfers) deteriorated from 7.0 per cent in 2007 to 15.4 per cent in 2008, before recovering to a still high level of a preliminary figure of 13.1 per cent in 2010. The current account deficit (including official transfers) deteriorated from a more acceptable level of 3.4 per cent in 2007 to 11.5 per cent in 2008, before subsequently moving into single-digit deficits of 8.4 per cent in 2009 and a preliminary 9.7 per cent in 2010. Despite projected increases in export earnings, import demand and costs remain high, with projections indicating double-digit current account deficits. The Mission is of the opinion that while prudent macroeconomic policies in the run-up to the crisis softened the initial impact, the macroeconomic policy framework, coupled with the structure of the economy, does not yet have the policy space nor the capacity to implement counter-cyclical policy measures to curb the negative impact of external shocks.

Overview of Fiscal Policy

495. Within the context of the Agenda for Change (2008:114), fiscal policy will “*seek to ensure fiscal sustainability by enhancing domestic revenue mobilisation and improving expenditure management, with the aim of reducing domestic debt financing of the budget*”. The CRM notes that domestic revenue mobilisation, with the broadening of the tax base from the implementation of the goods and

services tax (GST) in 2009, seems to have started bearing fruit in 2010. This was when domestic revenue as a percentage of GDP increased to 13.3 per cent, appearing to be on track. The current 2012 projection of a tax-to-GDP ratio of 13.6 per cent will be marginally lower than the projected 2012 target of 13.8 per cent, as set out in the Agenda for Change. Aiming to improve efficiency and compliance, the NRA has implemented a number of measures to enhance the effectiveness of tax collection. However, the challenge remains to ensure broader participation and compliance. These measures are discussed in detail in Objective III (Promote Sound Public Finance Management)

496. The CRM observes that public expenditure management is guided by the goals set out in the Medium-Term Expenditure Framework (MTEF)⁵⁷. In general, the Government's expenditure framework needs to support the overall goals of broad-based growth to alleviate poverty as stated in the Agenda for Change. The Ministry of Finance and Economic Development provided data to the Review Mission that indicates that poverty-related expenditure makes up 63.9 per cent of total discretionary expenditure in 2011, with poverty recurrent expenditure comprising 54.8 per cent of total recurrent expenditure. The fiscal authorities have also released the Non-salary, Non-interest Recurrent Indicative Budgetary Ceiling. According to this planning tool, social services expenditure will range between 21.4 to 23.6 per cent for the period 2011 to 2013, transfers to local governments from 14.3 to 15.2 per cent, and expenditure on economic services between 22.3 and 23.5 per cent over the period.
497. The Review Mission observes a gradual shift in expenditure patterns from non-essential current expenditure to capital expenditure. According to the African Economic Outlook (June 2011), capital expenditure for the country will remain above 7 per cent of GDP in 2012. In view of the large infrastructure gap, as well as health and educational backlogs, the key challenge will be for government to create the fiscal space to finance these expenditures.
498. The CRM is of the opinion that fiscal planning processes certainly support the broader development goals of government. However, when it comes to curbing tax evasion and granting tax exemptions to investors in the mining sector particularly, the tax administration still needs to be more effective.
499. The CRM further notes that dependence on grants has increased from 4.5 per cent of GDP in 2008, to 7.9 per cent in 2009. The preliminary 2010 figure shows a decline to 7.2 per cent in 2010, subsequently tapering off in 2012. The EUR 52.5 million grant to finance roads and agriculture and the IMF-approved

57 For more details on the MTEF see Objective III

extended credit facility in the amount of USD 45.4 million, earmarked for enhancing economic growth through, amongst others, infrastructure investment, are evidence of support from the international community. Dependence on grants, in combination with the Multilateral Debt Relief Initiative (MDRI), is also reflected in the overall fiscal balance, as can be seen in Table 4.2. These trends illustrate the fiscal risks involved if donors do not honour their commitments.

500. Total external debt, as a percentage of GDP, declined from 109.9 per cent in 2006 before the MDRI, to a preliminary 29.3 per cent in 2009. A further decline to 19.2 per cent is envisaged for 2012. The CRM takes cognisance of the recent debt sustainability analysis which indicates that the country's risk of debt distress is moderate. It is however important that government's external borrowing strategy should be focused on concessional terms to avoid the risk of debt distress.

Overview of Monetary Policy

501. The CRM observes that monetary policy in the country is still, to a large extent, supportive of macroeconomic management in general, and fiscal policy in particular. The primary objective of monetary policy is *"to achieve and maintain price stability conducive to economic growth through the careful management of the Net Domestic Assets of the Bank* ⁵⁸." To achieve monetary policy objectives, the BoSL relies on indirect measures such as open market operations, reserve requirements, and repo/reverse repo transactions to maintain price stability. No formal inflation target exists but the objective is to keep the inflation rate at a single-digit level. In the final analysis, there are two main prerequisites for any country before it can consider adopting inflation targeting. These are independence of monetary policy and the absence of a firm alternative commitment to objectives of other nominal variables, which may not be considered with the goal of price stability.
502. The BoSL manages exchange rate flotation through various practices to avoid excessive volatility. The Bank is also involved in regular sales of foreign exchange through public auctions in order to manage excess liquidity generated by externally-financed budget spending.
503. The Monetary Policy Committee meets on a regular basis (currently on a monthly basis) and is advised by the Monetary Technical Committee. The monetary authorities view their current monetary policy stance as restrictive.

58 *Annual Report and Statements of Accounts, Bank of Sierra Leone, 31 December 2009.*

504. The CRM notes that, in the past, BoSL financed the budget deficit through money financing. According to BoSL management, a preferred option would be to source private financing for future deficit financing. The Bank also acknowledged a preference for a free floating exchange rate. However, the exchange rate will remain under pressure as long as heavy machinery and other capital equipment need to be imported to restructure the economy and upgrade infrastructure. The degree of independence achieved by the Bank of Sierra Leone is determined by inter-relationships between fiscal and monetary authorities in Sierra Leone, as well as the current developmental stage of the economy. The BoSL may not be perceived as being fully independent in the current recovery phase of the country.

Formulation of Macroeconomic Projections

505. The CRM observes that various planning processes are continuously developed and refined in order to support macroeconomic planning and projections. In this regard, the Government is supported by the IMF as well as other prominent development agencies.
506. The Review Mission is satisfied with the reliability of macroeconomic data compiled and published by Statistics – Sierra Leone. Concerns raised in the Agenda for Change, about the lack of timely and reliable statistics to determine a baseline for monitoring, form part of the issues being addressed. The one-year lag in national accounts data reporting is ascribed to the fact that data needs to be endorsed by the IMF. In the case of inflation data, the lag is currently only one calendar month. The Mission notes the lack of labour market data in general, and employment and unemployment data in particular, due to a lack of capacity and resources, and would like to suggest that these data be considered and included in future planning.
507. The CRM notes the ECOWAS Committee for Technical Assistance and the IMF are providing technical support for Statistics Sierra Leone. The IMF is also supporting the Ministry of Finance and Economic Development with the development of a macroeconomic model.
508. Despite progress on various fronts, the CRM is of the opinion that some key deliverables, as set out in the Agenda for Change, for the provision of robust economic indicators have not been fully met to date.

Sectoral Analysis

509. The CRM notes that the economy is dominated by primary and service sector activity and that industry still contributes less than 10 per cent to economic activity. Contributions from the principal sectors and selected sub-sectors are illustrated in Table 4.3.

Table 4.3: Sectoral Contribution to GDP (selected sub-sectors)

Sector	2005	2006	2007	2008	2009	2010
Agriculture, forestry and fishing	47.8	47.4	46.6	46.7	47.0	46.6
Crops	31.6	32.1	31.7	32.1	32.6	32.8
Livestock	3.2	2.9	2.9	2.8	2.8	2.7
Forestry	3.9	3.8	3.6	3.6	3.5	3.2
Fishery	9.2	8.6	8.4	8.2	8.1	7.8
Industry	9.8	9.3	9.8	8.0	6.7	7.1
Mining and quarrying	5.3	4.7	5.4	3.5	2.5	2.6
Manufacturing and handicrafts	2.1	2.3	2.2	2.1	2.0	2.2
Electricity and water supply	0.1	0.1	0.1	0.2	0.2	0.2
Construction	2.2	2.1	2.1	2.1	1.9	2.1
Services	38.1	39.3	39.5	41.9	43.1	43.3
Trade and tourism	10.2	11.0	12.0	12.0	12.1	12.1
Transport, storage and communication	7.5	7.6	8.5	10.2	10.6	10.7
Finance, insurance and real estate	6.3	6.2	5.4	5.7	5.4	5.3
Administration and public services	3.5	4.0	3.4	2.7	3.3	3.2
Other services	4.1	4.0	3.9	3.9	3.9	3.8
Education	2.6	2.7	3.4	3.9	4.1	4.1
Health	3.3	3.1	2.5	2.9	3.2	3.4
GDP at basic prices	94.1	94.1	94.1	94.1	94.1	94.1
Net indirect taxes	5.9	5.9	5.9	5.9	5.9	5.9
GDP at market prices	100.0	100.0	100.0	100.0	100.0	100.0

Source: Ministry of Finance and Economic Development, Sierra Leone, May 2011.

510. The agriculture, forestry and fishing sectors still dominate economic activity in the country, with a contribution to GDP in the region of 47 per cent. The sector employs approximately two-thirds of the population and is responsible for approximately 25 per cent of export earnings. Despite receiving nearly 10 per cent of budgetary allocations, agriculture remains mainly in the informal sector where most farmers are engaged in subsistence farming and are trapped in poverty. The Review Mission observes various initiatives such as the National Sustainable Agricultural Development Programme, the Smallholder Commercialisation Programme, and the more recent establishment of a large number of agricultural business centres – commendable initiatives for boosting commerce in the sector.

511. The CRM observes the declining contribution of industry to the economy, and in particular the declining contribution of mining and quarrying up to 2009, with a marginal reversal in trends in 2010. This is in stark contrast with the abundance of renewable and non-renewable natural resources, including minerals, taking into account that up until mid-1992, this sector was one of the main drivers of economic activity in the country. The sector still lacks a regulatory regime despite the enactment of the New Mines and Minerals Act of 2009 that led to non-transparent transactions and decreasing investor confidence. Since the broader population has not experienced tangible benefits from this sector, there is a negative perception about the role of foreign investors and their corporate social responsibility. What is noted is the lack of job creation, the belief that paramount chiefs receive personal gain, issues over landowner relocations and compensation, the crowding out of the agricultural sector, and the environmental impact of mining activities. The CRM welcomes the plan to renegotiate existing mining agreements, which could lead to an increase in tax revenue over the medium- to long-term. Despite the negative impact of the financial crisis on the demand for commodities, mining and mineral sector expansion and the potential future benefits to the economy and the broader population should be carefully planned and structured (See the detailed discussion on the mining and mineral sector as a cross-cutting issue).
512. The investment in infrastructure is key to national development and to fostering economic growth. Notwithstanding the fact that the Agenda for Change identified the provision of a reliable power supply and development and improvements to the national transportation network as key priority areas, the electricity and construction sector contributions to the economy remain stable but weak, and have not benefitted from increased activity. Access to electric power improved when the Bumbuna power station became operational in 2009, but the effectiveness is still hampered by inadequate distribution capacity and the absence of a national grid. The CRM also noted the rehabilitation of roads with the aid of Chinese companies. The lack of potable drinking water and adequate sanitation is still a major concern. The key challenge to government is to create the fiscal space for upgrading and continued investment in infrastructure.
513. The expansion of the service sector is predominantly ascribed to expansion in the wholesale and retail trade, the transport and education services, evidence of increasing demand. Were these demand-side sub-sectors of the economy to gain more momentum, potential spill-over benefits would provide more impetus to economic growth.
514. As was noted earlier, the Review Mission observes the absence of any current sectoral employment data. Anecdotal labour market evidence suggests

staggering youth unemployment rates, a large informal sector (up to 70 per cent of the economically active population) and a general shortage of middle- and senior-level public sector staff, especially pertaining technically skilled personnel. The Mission also notes that government envisages a salary scale review for public servants and teachers.

Domestic resource mobilisation

515. The CRM notes that there is great need for Sierra Leone to undertake serious domestic resource mobilisation (DRM) to gradually reduce the country's dependence on foreign resources. In a broad sense, DRM entails the mobilisation of both human and financial resources. The public as well as the private sectors have important roles to play in DRM. The public sector mobilises domestic resources through taxation and public revenue generation for investment in social services and infrastructure. In contrast, the private sector mobilises the savings of households and firms through financial intermediaries that allocate resources to productive investments. Accordingly, enhancing DRM in poor countries like Sierra Leone involves deepening the fiscal capacity of the country and improving the social rate of return on public investments. It must also involve deepening financial markets so that they attract a growing portion of domestic savings and can allocate them to commercially productive uses.
516. Increase in investment implies increases in income and consequently, increases in the tax base. In a nutshell, increased investment leads to increased tax collection. In this regard the Review Mission notes the recovery in the investment to GDP ratio from 13.2 per cent in 2007 to 18.3 per cent in 2010. However, the majority of this investment remains government-driven, financed from private savings and official development assistance.
517. In Sierra Leone, like most developing countries, the focus of DRM has been on the public sector relative to the private sector, despite significant growth in credit extension to the private sector, in contrast to recent contractions in credit extension to the public sector. The CRM advises that the public sector raise domestic revenue as a percentage of GDP to levels above 13.8 per cent through efficiency gains from the introduction of GST, the improvement of tax administration, and more prudence when allowing discretionary tax exemptions.
518. One way of promoting private sector investment is by facilitating access to credit for both small and big investors. If small businesses can access credit they can borrow and invest. Despite the fact that economic activity in the country is

principally located in the private sector, and particularly in the informal sector, limited access to finance constrains the development of these businesses. The CRM observes the need to reduce the spread to enable small- and medium-sized enterprises (SMEs) to access credit. However, for all practical purposes, this is very difficult to achieve in Sierra Leone since the financial sector has been liberalised and hence interest rates are determined by the market. Accordingly, the BoSL cannot effectively intervene in the market to regulate interest rates. In the interactive sessions, it was noted that interest rates are high because of high risks in the loan market and a bad credit culture. However, these are not the only causes of high interest rates. Other possible causes of high interest rates are the high inflation and Treasury Bill rates. When the rate of inflation is high, banks tend to raise interest rates to maintain profit margins. Similarly, when Treasury Bill rates are high, commercial banks have no incentives to lend money since they can invest in treasury bills – non-risk investments. The current savings deposit rate is 3.6 per cent whereas the highest lending rate is 26 per cent. This implies a very wide interest rate spread of over 22.4 per cent. Although lending interest rates have substantially decreased, for all practical purposes they are still high.

iii. Recommendations

519. The Panel recommends that:

- Given the fragile status of the economy despite some laudable macroeconomic progress made, the Government may consider focusing on the key reforms to accelerate growth in order to address poverty. [*MoFED*]
- While prudent macroeconomic policies in the run-up to the global financial and economic crisis softened the initial impact, the macroeconomic policy framework, coupled with the structure of the economy, does not have the policy space and capacity to implement counter-cyclical policy measures to curb the negative impact of external shocks. Policy makers, and particularly the Bank of Sierra Leone in conjunction with the Ministry of Finance and Economic Development, in future may like to pay attention to implementing counter-cyclical policy measures to curb the negative effect of external shocks. [*MoFED, BoSL*]
- The Government of Sierra Leone encourage relevant line departments to strengthen and enhance their capacity to ensure effective implementation

of fiscal planning processes in support of the broader development goals of the country. In particular, the mining sector to be transparently managed for the benefit of all Sierra Leoneans. [*Government, MoFED*]

- The Government of Sierra Leone establish the right balance between spending on basic infrastructure and social services. While the government of Sierra Leone's current effort to accelerate infrastructure investments by encouraging donors to expand their support is laudable, investment in social services needs to be adequately expanded. [*MoFED, MoH, MoFED*]
- The Government expand and enhance the country's capacity of collecting and disseminating economic statistics, particularly labour statistics, to enable the country support and improve employment policy. [*Government, Ministry of Labour, Statistics Sierra Leone*]

OBJECTIVE TWO: Implement sound, transparent and predictable government economic policies

i. Summary of the CSAR

520. The CSAR highlighted the fact that the macroeconomic policies implemented are consistent with the IMF framework agreement. These policies are reflected in the PRSP I and the PRSP II – *the Agenda for Change*. According to this document, key sectors identified to drive economic growth are agriculture, energy, infrastructure (including roads and an airport upgrade), health and education. The CSAR emphasised various key sectoral objectives. In the agricultural sector, the key objective is to enhance agricultural productivity and competitiveness to ensure self-sufficiency and increase exports. The transport sector's objective is to develop and improve the road network and ensure access to affordable basic transport services. The energy sector should be improved to accommodate the population's growing need for access to a reliable and modern energy supply. The education sector should increase access to primary school education, especially for girls, while the health sector should aim for reducing the under-five and maternal mortality rates by expanding access to quality health services. Various strategies are briefly listed to achieve these goals. However, the CSAR contained no details about the soundness, predictability and transparency of the various economic policies.

521. The CSAR coverage on: (i) the policy formulation process; (ii) transparency of policies; (iii) policy implementation; (iv) the evaluation and monitoring of policies; and (v) transparency in the awarding of contracts by government institutions, only include outcomes of various perception surveys and no deliberation on any of these policies. One survey suggests that 72 per cent of respondents indicated that elected officials were not reporting to the public on economic policies. In a survey on public perception of the transparency of government economic policies implemented over the past five years, 51 per cent were of the opinion that these policies were not transparent. A survey on policy implementation revealed that 66.8 per cent of the respondents indicated that policy implementation is fairly successful. Regarding policy monitoring and evaluation, approximately 54 per cent of respondents believed that public officers are involved in these processes. With reference to transparency in the award of contracts by government institutions, the majority (57.2 per cent) believed that the award of contracts by government was not transparent at all.
522. An obvious omission from the CSAR is reference to mechanisms through which various stakeholders are consulted and associated with policy making. The institutions and processes involved in economic decision-making consultative processes were overlooked. The same applies to an assessment of the effectiveness of these mechanisms and processes.

ii. Findings of the CRM

Public Finance Management

523. The CRM notes and commends the efforts and progress of the Government of Sierra Leone (GoSL), in consultation with, and support from, an array of development partners, in the formulation and implementation of a wide range of economic policies. The guiding strategic plan – the Agenda for Change – was adopted in 2008 and it provides a framework for economic transformation as a means to address the broader poverty challenges facing the country. The Agenda for Change acknowledges that a number of challenges remain with regard to PRSP I targets concerning public service reform, improvements in public financial management, and in maintaining macroeconomic stability. Government also acknowledges that various lessons were learned and that certain constraints still exist.
524. The Agenda for Change charts directions to enhance institutional capacity in support of the various identified goals. The strategy is unambiguous in four key priority areas, namely: (i) the provision of reliable power supply; (ii)

raising value-added production in agriculture and fisheries to support poverty alleviation; (iii) development of a national transport network; and (iv) improved social service delivery to support sustainable human development. However, a notable omission is the minerals and mining sector and the potential role it could play in expanding the economy and generating spill-over benefits to alleviate poverty. The guiding principles in the Agenda for Change strategy are, amongst others, good governance and achieving macroeconomic stability. The strategy also lays the foundation for the Medium-Term Macroeconomic Policy Framework that aims to reduce poverty by stimulating economic growth and ensuring macroeconomic stability.

525. The Review Mission notes that the country made significant progress in public finance management and policy formulation. Key macroeconomic oversight functions are primarily located in the Ministry of Finance and Economic Development, with support functions in the Bank of Sierra Leone, Statistics Sierra Leone, and in the Office of the Presidency – where the Public Sector Reform Unit is housed. These role players are therefore the key drivers of policy coordination.
526. MoFED is responsible for the broad fiscal framework. According to the Agenda for Change, fiscal policy – in the medium-term – will be focused on fiscal sustainability by enhancing domestic revenue mobilisation and improving expenditure management. The Review Mission observes that the Ministry is continuously involved in improving the regulatory environment, with widespread support from development partners. Measures such as broadening the tax base, advancing efficiency and compliance, capacity building, monitoring progress and improvements in policy implementation, are all part of the public financial management framework.
527. The CRM observes the following, more recent, initiatives to coordinate, improve and reform public financial management:
- The introduction of the Goods and Services Tax (GST) in January 2010, which aims at augmenting revenue collection and improving fiscal performance;
 - The implementation of the Medium Term Expenditure Framework to shape long-term fiscal planning and predictability;
 - The Public Finance Management National Action Plan (2009);

- The Integrated Public Financial Management Reform Project, of February 2010, which aims to address the previously fragmented approach to public financial management and thereby ensure transparency and accountability in public expenditure;
- The implementation of Public Expenditure and Tracking Surveys to support Project Implementation Units in the ministries for the implementation of capital projects;
- The Integrated Financial Management Information System (IFMIS), Expenditure and Purchasing Modules that have been rolled out to other Ministries, Departments and Agencies (MDAs) and whereby support is provided to users to ensure that public finance transactions are fully captured;
- Consultations with civil society over monitoring government expenditure through involvement in District Budget Oversight Committees, and compliance with the Finance Bill (2011) that provides for the enforcement of penalties on tax evasion and related practices.

528. The CRM also notes a number of new ongoing initiatives: MoFED is preparing a new National Debt Law for approval by Parliament, as well as examining the development of a comprehensive Medium-Term Debt Management Strategy to monitor fiscal risks. A financial management information system will also be implemented for local governments over the next two years to promote transparency and accountability in the use of revenue generated. The proposed Revenue Management Bill is intended to regulate revenue management with reference to granting tax incentives and discretionary exemptions.

529. The CRM welcomes the announcement in the 2011 Budget Speech that the Government is considering a multi-year pay reform programme for all public servants. The intended pay reform programme aims to attract and retain highly skilled and competent staff to the public service. The salary adjustment process already began in 2011. The reform also aims to improve payroll integrity through credible systems to minimise abuse. The reform will also include minimum wage restructuring. The last minimum wage was set in 1997, at Le 21,000. During the CRM's stakeholder interviews, it was indicated that the current minimum wage ranges between Le 150,000 and Le 200,000 per month. The CRM is of the opinion that, apart from the fact that the minimum wage is too low, it is not strictly adhered to. MoFED plans to submit a new National Minimum Wage Bill

to parliament that will “aim to reflect the national and international absolute poverty levels”.⁵⁹ In the CRM’s discussions with various stakeholders in all regions of the country, the constraints brought about by the minimum wage were listed as being one of the most urgent matters to attend to.

530. The Public Sector Reform Unit (PSRU) in the Presidency demonstrates GoSL commitment to reforming the public sector. A range of development partners fund Unit activities and provide technical advice. The primary goal of the Unit is to create institutions and structures and build capacity for effective and efficient service delivery. The objectives are to ensure that Ministries, Departments and Agencies (MDAs) put in place management structures such as change management teams, policy and planning units, internal audit departments, procurement units and committees, budget committees and records, and human resources officers. Some of these management structures were established in selected ministries in 2010. The Unit aims to ensure that the right staff skills are available in MDAs; appropriate systems and processes are implemented; functions are aligned and roles clarified to avoid conflict; and productivity maximised. Some 2010 activities included right-sizing the public sector, developing service charters to make public servants accountable, transparent and to prevent corruption. The latest initiative is the Change in Pay and Compensation Policy, which aims to address disparities and to attract and keep scarce skills in the public service. Activities in 2010 also included various monitoring visits to ministries. Nineteen MDAs were given support for a variety of activities such as organisational structure development, capacity building, teacher verification, policy development and strategic plan formulation. The Review Mission is of the opinion that the PSRU is valuable in ensuring that the public sector improves its efficiency and effectiveness in service delivery. Right-sizing the public service is also a step in the right direction. However, it could be costly to a nation where the unemployment rate is excessively high.

Private Sector Support

531. In support of the private sector, the 2010 Budget Speech announced the establishment of the Financial Sector Development Plan (FSDP). The Plan is an integral part of the financial sector reforms and aims to improve on deficiencies, the quantity and quality of financial sector service provision including increased access to finance, as well as investment mobilisation. The CRM also noted the sector specific tax incentives intended to support private sector participation in the economy, as well as to restructure and align tax incentive practices. Some of these tax incentives seem to be in conflict with the *Agenda for Change* that

states that “government will seek to minimise tax incentives and holidays that narrow the tax base”⁶⁰. The new incentives include a decrease in corporate mining tax, from 37.5 per cent to 30 per cent. The mining sector also benefits from a reduction in import duties for raw materials, from 5 per cent to 3 per cent. All agricultural sector inputs will receive zero import duty. Companies manufacturing pharmaceutical products within the World Health Organisation guidelines will be eligible for a ten-year tax holiday. The tourism sector will receive tax relief for a five-year period on income derived from tourism activities. All mining activities will be subjected to a 6.5 per cent royalty rate. Public-Private Partnership projects investing at least USD 20 million will enjoy a tax holiday of 15 years. The latter falls within the scope of the recently passed Public-Private Partnership Law, which encourages private sector participation in infrastructure mega-projects such as the construction of the intended Lungi-Freetown bridge, the new international airport, and upgrading Freetown harbour. Although the aim of the various tax incentives are to boost investment, the CRM is of the opinion that these tax incentives are uncoordinated and could increase the complexity of tax administration and decrease future potential government revenue.

532. After a number of failed initiatives to boost privatisation in the past, the Government of Sierra Leone – through the National Commission on Privatisation – revived the process to privatise state-owned enterprises in 2002. At that stage, 24 state-owned enterprises were registered, the majority of which had been a drain on the government’s budget because of their consistent losses. The privatisation strategy identified categories of enterprises and processes. The first is the outright sale of loss-makers engaged in the production or trading of services. The second group is for large utility companies, where measures should be implemented to improve efficiency since outright sale would not necessarily be politically viable. Finally is the acknowledgment that employee ownership and local participation should be given high priority.
533. Notwithstanding improvements in the financial viability of some of these state-owned enterprises over the past financial year, the Minister of Finance and Economic Development mentioned in his 2011 Budget Speech that some of the key companies still face fundamental corporate governance and financial management challenges preventing them from being commercially viable. One state-owned enterprise – Sierra Leone National Airlines – was liquidated in the past financial year. Notwithstanding development partner support, the privatisation process has been slow. The Review Mission acknowledges that the privatisation process in Sierra Leone is complex, but urges government to expedite the privatisation process in order to ensure efficiency gains for the economy.

Donor Support

534. The international donor community continues to provide budgetary and technical support on a large scale, and in a wide range of programmes and projects. The most significant donor support over the past year was the latest 3-year successor arrangement under the Extended Credit Facility (ECF), approved by the IMF, which took effect on 1 July 2010 and amounts to USD 45.4 million. This programme aims to: increase investment in infrastructure; support accessibility of the financial sector; accelerate capital and social spending; and raise public sector efficiency in project selection and implementation. Simultaneously, the European Union made EUR 52.2 million available through the 10th European Development Fund, under the objectives of the 2010 Annual Action Plan. The funds will be used to finance road infrastructure, agricultural development and to enhance the decentralisation of service delivery in the country. Furthermore, the African Development Bank, in conjunction with the International Development Association and the International Finance Corporation, have worked on a Joint Assistance Strategy (JAS) for the period 2009-2012, to support the direction and development priorities set out in the Agenda for Change. The JAS partners aim to support already agreed programmes and projects such as the NERICA Rice Dissemination Project, the Bumbuna Hydroelectric Project, the Lungi to Port Loko Road, and the Freetown Ring Road, to mention a few. The value of African Development Bank support over the period amounts to UA 72.94 million.
535. The CRM is well aware of the fact that the international donor community plays a significant and dominant role at all levels of public financial management in the country. Information that various multilateral donors are aiming to harmonise and align their strategies in the country is most welcome. The challenge remains for the country to improve aid effectiveness through increased absorption capacity.

External Evaluation of Public Financial Management

536. The CRM takes note of the findings of the second Public Financial Management Performance Assessment Report in 2010, commissioned by GoSL. The first report was commissioned in 2007 and provided a baseline for performance measurement in 2010, in line with the Public Financial Management Framework. Aspects measured include the credibility of the budget, comprehensiveness and transparency, policy-based budgeting, predictability and control in budget execution, accounting, recording and reporting, external scrutiny and audit, and finally, donor practices. The Report concludes that solid progress in the quality of Public Financial Management systems and processes was achieved, since the baseline study in 2007. Weaknesses identified pertain to the budget planning process, budget execution, budget accounting and controls, budget reporting and external audits, and external scrutiny.

537. In the final analysis, the Review Mission observes progress made on the soundness of public financial management, in terms of the World Bank evaluation in the Country Policy and Institutional Assessment (CPIA) score. The CPIA rates countries against a set of 16 criteria grouped in four clusters namely, (i) economic management, (ii) structural policies, (iii) policies for social inclusion and equity, and (iv) public sector management and institutions. Countries are rated on a scale of 1 (low) to 6 (high) and the ratings depend on actual policies and performance, rather than on promises or intentions. A comparative analysis is provided in Table 4.4. According to the latest CPIA, Sierra Leone is making substantial progress in economic management, especially in the field of macro management, where a score of 4 was obtained. The average score for economic management (including fiscal and debt policies) was 3.7, which is comparable with the average for other low-income economies. In the field of public sector management and institutions, the quality of the budget received a score of 3.5, the quality of public administration and transparency and accountability received an average score of 3 each, while the effectiveness of resource allocation performed lower than average, with a score of 2.5. The average score is 2.9, which is again comparable to average scores in Cameroon and Gambia, but lower than average scores in Ethiopia and Malawi. The average score of Sierra Leone of 3.2 for structural policies is comparable with those in other low-income countries. On policies measuring social inclusion and equity, Sierra Leone compares with Cameroon, but scores worse than countries such as Ethiopia, Gambia and Malawi. The overall country ranking of 50 out of 77 indicates that commendable progress is made, but that progress tends to be uneven and a wide range of challenges remain.

Table 4.4: Country Policy and Institutional Assessment Score, 2009

Main clusters of criteria	Sierra Leone	Cameroon	Ethiopia	Gambia	Malawi
Economic management	3.7	3.7	3.7	3.5	3.2
Structural policies	3.2	3.2	3.2	3.3	3.5
Policies for social inclusion and equity	3.1	3.1	3.6	3.3	3.5
Public sector management and institutions	2.9	2.9	3.2	2.9	3.4

Source: World Bank, 2011

538. The predictability of economic policies is very important in creating a stable economic environment and confidence among investors. The CSAR did not include a discussion on measures to ensure that economic policies are

predictable. Furthermore, an obvious omission pertains to how the country intends to resolve policy coordination issues. It is important to evaluate the coordination processes between government departments and sub-national authorities with reference to timelines, capacity constraints in government, and the absorptive capacity of various ministries.

iii. Recommendations

539. The Panel recommends that the Government:

- Strengthen the capacity to implement the various policies at the MDA level to support the country's well developed and structured public financial management framework through an enlarged role and the active participation of the Public Sector Reform Unit; [*Public Sector Reform Unit, Government*]
- Further strengthen private sector involvement in the economy through the fast tracking of the implementation of the various measures announced in support of private sector participation; [*Government*]
- Continue instituting and implementing measures to broaden the tax base; [*MoFED, NRA*]
- As a matter of urgency, ensure the implementation of the Public-Private Partnership agreements aimed at encouraging large-scale infrastructure projects to take advantage of the potential of the projects in employment creation, their skills transfer propensity and the significant spill-over benefits to the broader economy and poverty alleviation; [*Government*]
- Institute a long-term planning framework for the privatisation process to ensure its effective and efficient implementation; [*Government*]
- Implement the proposed reforms outlined in the Second Public Financial Management Performance Assessment Report commissioned in 2010 to promote fiscal discipline, strategic allocation of resources, and service delivery. [*Government, Ministry of Finance and Economic Development, MDAs*]

OBJECTIVE THREE: Promote sound public finance management

i. Summary of the CSAR

540. The CSAR states that the Government of Sierra Leone has in recent years been pursuing sound public financial management reforms with a view to improving the transparency, accountability, effectiveness and use of public resources aimed at promoting sustainable economic growth and poverty reduction.
541. The CSAR also noted the various legal and regulatory frameworks implemented to strengthen public financial management. These include the Public Procurement Act 2004 and the Government Budgeting and Accountability Act 2005. Associated implementing regulations were also passed in 2006 and 2007, respectively. However, the CSAR was silent on the extent to which some of these acts were successfully implemented. Nor does it say whether on implementation, they achieved their respective goals.
542. In addition, the CSAR noted that good progress was registered in the implementation of the Medium Term Expenditure Framework (MTEF) in recent years. However, the CSAR does not say when the MTEF was adopted by the Government of Sierra Leone not to mention the results of its implementation. Nevertheless, the CSAR admitted that more needs to be done to enhance capacity for budget planning and implementation. At the same time, the CSAR – in contrast – argues that the Government continues to deepen the MTEF process with an emphasis on strategic planning and performance-based budgeting to ensure that budget activities are consistent with the PRSP objectives.
543. As for Public Procurement, the CSAR noted that in order to improve transparency and accountability in procurement processes and consequently minimise waste and fraud, Government established the National Public Procurement Authority (NPPA) in 2005, preceded by the enactment of the Public Procurement Act. The major function of the NPPA is to implement the Government's procurement reform programme, and commendable practices have been adopted, as discussed in Commendable Practice Box 4.1.

Commendable Practice Box 4.1: Reforming the Public Procurement Process

Substantial progress has been made in reforming the public procurement process and it is generating good results. Sierra Leone has adopted and implemented a transparent public procurement process. In 2006, 30 per cent of the contracts above the small purchase threshold were awarded through competitive processes, compared to 10 per cent in 2003. In 2009, 43 MDAs prepared procurement plans compared to 23 a year earlier. An estimated 74 per cent of public procurement tenders above the minimum national threshold were conducted by open competition, in 2009.

The NPPA also publishes information on ministry procurement plans, invitations to bid, and contract awards, on a dedicated website to promote transparency in the procurement process.

Source: CSAR

544. With regard to Internal Audit, the CSAR observed that to improve the coverage of internal audit functions, the Government Budgeting and Accountability Act requires MDAs to establish and maintain internal audit units (IAUs) that meet international standards. About 23 internal audit units have been established in key MDAs such as Finance and Economic Development, Defence, Education, Health, Sierra Leone Police, National Electoral Commission, Statistics – Sierra Leone, Anti-Corruption Commission, and Sierra Leone Roads Authority. Nevertheless, only eight of them meet the minimum criteria of a fully functional and adequately staffed internal audit unit.
545. Concerning External Audit, the CSAR stated that the Government has cleared the backlog of public accounts. The government also continues to make progress toward bringing the annual reports of the Auditor-General to Parliament on a timely basis and, ultimately, within 12 months of the close of each financial year. Furthermore, the Auditor-General's Report on Public Accounts is now made public once it is tabled before Parliament.
546. Finally, on records management, the CSAR reported that since 2005, Government has initiated efforts to rebuild the structures necessary to manage its records. This is part of a wider programme of governance reform to strengthen accountability and address corruption.
547. The CSAR underscored the major developments and concerns that led to decentralisation. After the enactment of the Local Government Act 2004, the Government adopted decentralisation as a key strategy to restore local governance and facilitate the transfer of public financial resources from the

central to the local authorities, aimed at ensuring improved service delivery at the local level. The CSAR further stated that by 2009, 37 of the designated MDA functions had been devolved to the Local Councils. In addition, 19 local councils have now met transparency and financial accountability requirements, Local Councils post financial data on their respective notice boards on a monthly basis.

548. In a nutshell, the CSAR was informative, but failed to provide in depth analysis of the issues pertaining to sound public financial management.

ii. Findings of the CRM

Sound Public Financial Management

549. The Auditor-General's Report on Public Accounts now becomes public once it is tabled before Parliament. However, the CSAR did not include anything on the major issues raised in the report and how government has acted on them. Likewise, the CSAR was silent on both Parliament's and the public's reaction to the report. These are serious omissions.
550. In the CSAR, mention was also made of Government continuing to carry out annual Public Expenditure Tracking Surveys (PETS) to ascertain whether credits disbursed by the Ministry of Finance and Economic Development, as well as development partners, reach service delivery facilities and other intended beneficiaries. However, the CSAR did not state the extent to which this measure has succeeded in meeting its intended objectives. In addition, PETS have also been identified as a tool for monitoring poverty reduction strategy implementation. But the main challenge PETS faces is poor record keeping, particularly in district offices and service delivery facilities such as schools, hospitals and health centres.
551. It was further noted in the CSAR that the Government commitment to revamp the public service for improved delivery remains firm. To appreciate this, as part of this commitment, the Public Sector Reform Unit (PSRU) was established in 2008 as an integral part of the Office of the President to provide leadership, coordination and strategic guidance in the implementation and monitoring of government's public sector reform programme. Apart from providing this information, the CSAR failed to at least highlight the extent to which the PSRU has succeeded in achieving its objectives.
552. Finally, on record management, the CSAR reported that since 2005, government has initiated efforts to rebuild the necessary records management structures as

part of a wider programme of governance reform to strengthen accountability and address corruption. However, once again, the CSAR did not go beyond the mere description of programmes. That is, it is silent on the achievements of the related programmes.

Medium Term Expenditure Framework

553. The Medium Term Expenditure Framework (MTEF) approach can be described as a Three-Year, Integrated, Broad Based, and Performance Rolling Budget that sets out any Government's expenditure plans for a 3-year period within an available resource ceiling. It integrates both recurrent and capital expenditures, both for the Government of Sierra Leone and donors, and is based on achieving an agreed level of performance within each sector. It also places emphasis on three aspects of public expenditure management: participation, transparency, and accountability.
554. The major function of the MTEF is to: (i) discipline policy choices with a realistic aggregate resource constraint over the medium term, with policies requiring funding having to compete with each other, as concepts and for funding; (ii) translate longer-term strategic priorities into sustainable funded programmes and activities over the medium term; (iii) ensure that policy and spending decisions are based on full disclosure of their expected impacts and costs over the medium term, applying to increases and decreases in funding; and (iv) improve the predictability of policy and funding.
555. Consequently, the above functions have culminated in: (a) better matching of spending with overall resource availability over the medium term, thereby increasing the likelihood that policies will have their intended impact and will be consistent with short term stabilisation needs; (b) sectoral allocations of spending more in line with government's priorities, on the basis of a comprehensive review of resources, policy options and their costs; (c) improved sector planning and management, by requiring the simultaneous programming of recurrent and investment expenditures; and (d) increased effectiveness and efficiency of spending, by requiring line ministries to define their mission, goals, and activities and, where possible, link spending amounts to measures of performance in outputs and outcomes.

Policy Hearings

556. The CRM observes that for the 2004 budget, and beyond, policy hearings were introduced with the aim of discussing and reviewing sectoral policies as the first stage in allocating expenditures between and within sectors within the MTEF process, as noted in Commendable Practice Box 4.2.

Commendable Practice Box 4.2: Policy Hearings and the MTEF Process

The CRM observes that for the 2004 budget and beyond, policy hearings were introduced with the aim of discussing and reviewing sectoral policies as the first stage in allocating expenditures between and within sectors. These hearings are organised on a broad sectoral level. Prior to the hearings, sectoral MDAs meet and discuss cross-sectoral issues and areas of collaboration and linkages.

The CRM notes that prior to the introduction of the MTEF, these policy hearings only focused on policy issues without any discussion of the expenditure requirements and implications of these policies. The MTEF process (preparation of the Strategic Plan and costing) provides sufficient information for discussing the policy costs. Therefore, MDAs present their Policy Review Reports with the three-year expenditure requirements and the Objective, Cost Centres and Item levels at the policy hearings, as well as the cost implications of the agreed mission, goals and objectives to be discussed. The MTEF process integrates donor resources into each stage of the public financial management system.

Source: CRM

557. Budget monitoring and evaluation are carried out by conducting annual Public Expenditure Tracking Surveys (PETS). Unlike in other countries, the Sierra Leone PETS is entirely home-grown and has filled an “accountability vacuum” while other monitoring processes are being developed.
558. The PETS objectives include: providing quantitative evidence on budget execution; providing quantitative evidence of leakages in non-salary recurrent expenditures at the central ministry, district and facility levels; assessing quality and efficiency of service delivery at facility level; and providing information relating to compliance with accounting and financial rules, regulations, accountability, and record-keeping.
559. The Government of Sierra Leone has intensified and broadened the implementation of public financial management reforms with a view to improving budget planning and the efficiency of public spending. Specifically, government’s objective in this context is to further strengthen the Medium Term Expenditure Framework (MTEF) by enhancing planning, monitoring and evaluation processes for capital projects. From 2012, the Government will fully integrate a three-year public investment plan into the budget process. In addition, the roll-out of International Financial Management Information System (IFMIS) to other ministries, departments and agencies will continue while appropriate training and support are also provided to users of IFMIS, to ensure that public financial transactions are fully captured in the system.

560. With regard to Local Government Councils, Government plans to implement information systems to promote transparency and accountability in the use of resources generated by them. The roll-out process, which is now underway, will be completed over the next two years. A review of the Local Government Act is envisaged to address the legal impediments to own revenue mobilisation by local councils.
561. In conclusion, the CRM is convinced that the MTEF has been useful in controlling government spending through expenditure tracking. With further strengthening of the process, it will provide a sound public financial management system in Sierra Leone.

Public Spending and Public Revenue

Public Spending

562. The CRM observes that public spending is typically directed at alleviating the plight of the poor. There are two examples on the positive side. First, there has been provision of free health care for pregnant women and children. Second, in the agricultural sector, the choice that the Government faced was whether to opt for commercial or smallholder farming. The government has chosen the latter, a good indication of pro-poor spending.

Public Revenue

563. Public Financial management does not only confine itself to sound expenditure management. It also includes management of public revenues. The National Revenue Authority (NRA) launched the modernisation programme in 2008, as a broader reform measure to continually improve its business processes and procedures in line with international best practices so as to enhance the services provided to valued taxpayers and improve the business climate of the country. This modernisation programme is a 5-year plan with an estimated cost of over £20 million, of which an approved £16 million from the Department of International Development (DFID) over the project lifespan. It has recorded significant achievements in the implementation of key priority projects. These include: (i) introduction of the Goods and Services Tax (GST); (ii) the Automated System for Customs Data (ASYCUDA++) Project; (iii) handling of cash and cheque payments; (iv) Stand-alone and Mutually Reinforcing Strategic Initiatives; (v) management and functional review of the administration and Human Resources Department (HR Policies, Procedures and Guidelines); (vi) rationalisation of taxes; and (vii) other Tax Enforcement Drives.

564. The CRM observes that the Government has also undertaken various measures to enhance tax collection and tax compliance. The Revenue Management Bill was tabled in Parliament for enactment at the end of 2010. The objective of this Bill is to regulate revenue management with particular reference to granting tax incentives and discretionary duty waivers. Consistent with the provision of the Bill, Government will publish a Statement of Tax Expenditure detailing tax exemptions, including the amount of revenue foregone, the beneficiaries, and the specific tax provisions relating to these exemptions. This statement will be submitted to Parliament by the Ministry of Finance and Economic Development on an annual basis, with effect from 2011.
565. In order to improve tax compliance according to the relevant provisions in the Income Tax Act 2000 – as amended in the Finance Bill 2011, Government will strictly enforce the penalties for tax evasion, delays and failures to file tax returns, falsified quarterly tax payments, and poor book-keeping. Furthermore, the National Revenue Authority (NRA) will levy and collect interest on late payment of tax. In the same vein, the Government will apply penalties for: (i) importation of right-hand drive vehicles; (ii) the non-submission of electronic manifests by shipping agencies to the Customs and Excise Department of the NRA within 24 hours of the arrival of shipping vessels; (iii) the failure to complete customs declarations using the ASYCUDA++ system within the stipulated deadline of seven days; and (iv) making late payment of withholding tax of 10 per cent on winnings from betting games and lotteries to the Commissioner of Income Tax within 15 days after the end of every month.
566. In addition to the above, a mandatory bond guarantee will be demanded from all oil marketing companies to ensure the timely payment of excise duties. The full details of the related penalties and the Bond are contained in the Finance Bill 2011.
567. The CRM is of the opinion that the above measures to improve tax compliance and consequently reduce tax evasion are good. However, their success is undoubtedly influenced by corruption and the relatively low tax-paying culture prevalent in Sierra Leone. The Review Mission observes from the corruption survey and the general view of people at the interactive sessions with stakeholders in Freetown and the regions, a strong indication that corruption is a serious problem in Sierra Leone. The general view at the interactive sessions was that Sierra Leoneans do not like to pay tax. Thus the enforcement of the above measures should go hand in hand with the fight against corruption as well as educating people about the importance of paying tax.
568. The NRA is currently undertaking measures to enhance tax compliance. These include the introduction of sensitisation programmes, the introduction of radio,

TV and many educational programmes, penalty interest on late payment of taxes, introduction of a new Investigation and Compliance Department, and establishment of Commercial Courts for fast-tracking tax cases.

569. The CRM observes that although Sierra Leone has gone through 10 years of civil war, the country has recorded significant achievements in revenue collection. There have been good indicators in domestic revenue collection in both central government and local districts. Sierra Leone is doing much better than most other countries in the region. However, the NRA is facing several challenges. These include poor IT infrastructure, inadequate staff capacity, and a lack of equipment. In addition, as elaborated in Chapter 5 on Corporate Governance, corruption at the NRA is also a challenge.

External and Internal Audit

Audit Service Sierra Leone (ASSL)

570. The Audit Service Act was passed by Parliament in 1998 to establish ASSL: the Supreme Audit Institution of Sierra Leone. However, the Act was implemented in 2004, several years later. Before the establishment of ASSL, there was an Audit Department within the Ministry of Finance and Economic Development. It was part of the civil service. The transition from a department to the current institution was to create an independent audit institution. ASSL is a member of the African Organisation of English Speaking Supreme Audit Institutions (AFROSAI) and International Organisation of Supreme Audit Institutions (INTOSAI). The International Financial Management Information System (IFMIS) auditing standard is used for all government audits.
571. ASSL, as the Supreme Audit Institution in Sierra Leone, has the mandate and responsibility to carry out the external audit of all central and local government revenues and expenditures, as well as for parastatals that receive more than 50 per cent funding from the Government of Sierra Leone.
572. One salient feature of ASSL is its independence. Furthermore, it is set on expanding the scope of external audit. In addition to the traditional role in regulating audit, it has, in its Strategic Plan for 2009, taken necessary steps for establishing Performance Auditing as one of the services it provides. To achieve this, it has put considerable effort into upgrading professional skills in the organisation and modernisation of audit methodology.

573. Private audit firms are contracted to audit specialist organs such as State-Owned Enterprises, although it can sometimes be difficult to obtain the audit report management letters pertaining to audits.
574. At the beginning of each financial year, the Accountant-General is required to submit consolidated public accounts to the Auditor-General for audit, within a period of three months. The Accountant-General is required to submit internally audited public accounts of the previous financial year on 31st March each year, that is, three months after the end of the fiscal year, which is December 31st. The Auditor-General's Office audits the submitted public accounts from 1 April to 31 December, for a period of nine months. Subsequently, the Auditor-General submits the Audit Report to Parliament. The Public Accounts Committee (PAC) is the Parliamentary Committee that reviews the report and makes recommendations to Parliament.
575. After completion of the review, the report is submitted to Parliament for deliberations. The audit report is further presented to Parliament for approval before it becomes a public document. Accounting officers are also required to produce reports to Parliament as part of the reporting process. They have, so far, produced reports up to the 2007, and are yet to submit the 2008 to 2010 reports. After completion of all the processes involved, the accounting officers are required to present recommendations from their findings upon which Government is expected to act promptly.
576. Common malpractices observed indicate that some MDAs fail to submit accounting documents as and when required. Other common malpractices are: (i) non-submission of receipts; (ii) non-compliance with procurement procedures; (iii) inadequate accounting for revenue; (iv) poor record management; and (v) fraud.
577. The CRM observes that the Auditor-General's Report is one of the tools for assessing how well public resources are managed. In Sierra Leone – for the first time over the past few years – the report was published on time (not later than 12 months after the end of the financial year).
578. There are several salient issues raised in the 2011 Auditor-General's report. These include: (i) misclassification of receipts and expenditure; (ii) reduced scope of Internal Audit Operations; (iii) inadequate control over collection, banking, recording and reporting of financial transactions; (iv) inaccurate recognition of cash and banking balances; (v) donor disbursement and other public funds not captured; (vi) un-presented documents; (vii) inadequate control over the general processing of payment vouchers and other documents; (viii) payment vouchers not supported by adequate documentary evidence; (ix)

details of payment vouchers not written in words and receipted for; (x) payment vouchers not ruled in red; and (xi) management of Information Technology.

579. All of these issues need to be effectively addressed in order to ensure that public expenditure is appropriately and judiciously spent, and used for the intended purposes. It is encouraging that the Accountant-General responded to all the queries.

Legislative Hearings over the Auditor-General's Report and Implementation by the Executive

580. The Public Accounts Committee (PAC) of Parliament holds hearings to review the Auditor-General's Report. Since 2009, hearings have been open to the public. The PAC's hearings examine the detailed findings of the Auditor-General's Report. At the hearings, competent officials from the various ministries appear before the PAC to respond to issues raised in the report directly related to their ministries. The CRM notes that PAC hearings are also being held in districts where malpractices were reported in Auditor-General's Reports. For example, Special Audit hearings were carried out in Bo, Kenema, and Makeni from 29 April - 11 May 2008.
581. The implementation of the PAC's recommendations on the Auditor-General's Report continues to be a weak link in ensuring accountability and effective service delivery in the public service. To ensure compliance with its recommendations, the PAC has considered introducing an enforcement team that would be a PAC sub-committee made up of three MPs. However no progress has been made with implementing this compliance strategy.
582. The CRM observes that the PAC refers certain matters to the Attorney-General for action. However, the PAC has raised concerns over the Attorney-General's failure to take legal action concerning officers alleged to have been involved in malpractices. In certain cases, failure to take action may be perceived to be politically motivated.

Public Service Reform

583. The overall goal of Sierra Leone's public sector reform has been to achieve a public service that works to benefit the poor. The achievement of the overall goal calls for actions such as aligning systems to the Government's Development Agendas and enhancing efficiency and effectiveness in service delivery. The priority areas are outlined in Box 4.1.

Box 4.1: Public Service Reform Priority Areas

Public Service Reforms must include the following priority areas:

- Systems aligned to the Government's Development Agenda
- Enhanced Efficiency and Effectiveness in Service Delivery
- Enhanced Transparency & Accountability
- Enhanced Public-Private Partnership

Systems aligned to the Government's Development Agenda

The public sector must align its structures, systems and processes with the government's development agenda. For example, the government's focus on private sector-led development implies that the company formation process must be streamlined to support the development of private sector institutions.

Enhanced Efficiency and Effectiveness in Service Delivery

In order to deliver an efficient and effective public service, the public service must be right-sized, possess the key skill sets and have satisfactory management systems, including good record keeping and information technology systems.

Enhanced Transparency & Accountability

Transparency implies that open and verifiable systems and processes must be in place whilst accountability demands that a results-based system must be put in place to evaluate progress in meeting stated objectives.

Enhanced Public-Private Partnership

The public sector must seek to support and work with the private sector in attaining the broad objectives of the government. This partnership acknowledges that there is a mutually beneficial relationship as neither party has a monopoly of tools, resources and capacity. The success of the private sector determines the level of revenue collection by the public sector to fund many of its activities.

584. The CRM notes that considerable gains have been achieved in implementing PSR initiatives, especially with regard to systems and processes. Nevertheless, human resource and essential equipment challenges continue to persist across ministries. Whereas efforts are underway at the PSC to recruit the best available skills, these efforts are undermined by uncompetitive wages, lack of relevant training, and poor working conditions. It is hoped that with the new efforts

directed at Pay Reform, some of these challenges will be addressed. However, the CRM observes that pay increases depend considerably on mining sector performance in the next five years, expected to be the dominant source of fiscal revenue. To a large extent, the PSRU has continued to collaborate with Sierra Leone's Development Partners, notably DFID and UNDP. Nevertheless, DFID support came to an end on 30 November 2010. To avoid wasting efforts and resources, Government is encouraging development partners to utilise the new Public Sector Reform Programme since it is the main channel through which support to PSR should be coordinated.

585. The CRM observes that significant internal support was given to PSRU efforts, particularly from leadership within the civil service and from both the Technical Working Groups and Steering Committees on Public Sector Reform.
586. The CRM observes that the major challenge to implementation of the PSRP is monitoring the programme and coordination of national development strategies. It is noteworthy that the Government understands the need to harmonise and coordinate all development initiatives to eliminate duplication and to encourage sharing of information and good practices in governance.

Decentralisation

587. However, the CSAR did not discuss the degree of consistency of policies and programmes initiated by local authorities, their capacity to generate income and plan and implement economic policies, and the challenges which the Government needs to address as it moves towards the second phase of decentralisation.
588. Local government was conceived to be a fundamental element of governance in Sierra Leone during the colonial era. The elective aspect of local government councils was suspended nationwide in 1972. District councils ceased to operate, while Freetown City Council, Bonthe Municipal Council, and the urban councils of Bo, Kenema, Makeni, Koidu and New Sembehun continued to operate as local government councils under appointed management committees in the 1980s. Since then, the Government has resuscitated the district councils and appointed management committees to administer them.
589. However, CRM findings suggest that this arrangement had a negative impact on effective local participation and engagement in governance and administration. This negative impact probably led the government to re-

introduce decentralisation in 2004 with a view to promoting good governance and democracy, accountability and transparency, improved service delivery and development of the local economy. The principles and process to achieving these are presented in Box 4.2.

Box 4.2: Principles of Government's National Decentralisation Policy

The Government's National Decentralisation Policy (NDP) is inspired by the following principles:

- (a) transferring power, authority and resources from the centre to democratically elected local councils anchored within the National Constitution and articulated in law, promoting autonomy without prejudice to the sovereignty of the national government;
- (b) bringing political, administrative and fiscal control and responsibility over services closer to the people where they are actually delivered, in line with the principle of subsidiarity;
- (c) engendering people's ownership of their local development agenda;
- (d) ensuring that the holders of public offices locally are held accountable for their actions to the public;
- (e) guaranteeing transparency and openness in the conduct of local council affairs;
- (f) creating an environment for participatory democracy that will enable greater involvement of the people and their representatives in planning, implementation, monitoring and evaluation of the development projects and local economic development in their localities;
- (g) stimulating economic growth in local communities, including public-private partnerships;
- (h) promoting inclusiveness and equality of all citizens within any locality regardless of gender, origin, religion or political persuasion.

590. In March 2004, the Local Government Act 2004 was approved and enacted into law by Parliament to usher in local government councils and the decentralisation process. The passage of the Act was successfully followed in the same year by the first local government elections after 32 years.

591. The Government is committed to a policy of decentralisation, as elucidated in its National Decentralisation Policy (NDP of 2010). According to the document, *“The major goal of Sierra Leone’s decentralisation is to ensure that the local people and their communities are empowered and fully involved in political and socio-economic development processes and actually formulate and implement development plans, while the government is working in collaboration with the private sector and civil society to provide the enabling environment, oversight and effective management of national and local development.”* (NDP, 2010, p. 4).
592. The transfer of functions from central government to local government councils is the cornerstone of the devolution policy. It was intended to conclude full transfer of functions by the end of 2012. To date, devolution of functions is far from being completed in time for 2012. The CRM observes that it is doubtful if full transfer of functions will be completed as planned. A good number of ministries have been decentralised. However, only some of the functions of the ministries in question have been decentralised.
593. As regards the fiscal decentralisation aspects of the strategic framework, the policy in this area seeks to increase local government’s autonomy in revenue and expenditure decision-making, harmonising and rationalising the fiscal transfer system in order to equalise fiscal capacity. In this regard, the government aims at introducing legislation on local government finance relating to expenditure assignment, revenue assignment, inter-governmental fiscal transfers, development planning and budgeting, local council borrowing and financial management. The CRM takes the view that most of these policy objectives have not been effectively achieved to date.
594. The general viewpoint from the interactive session with various stakeholders was that national fiscal and other relevant policies are indeed decentralised. In the case of regional and local governments, the resources provided are adequate. However, capacity is lacking for distribution to communities. Certain crucial services, such as the issue of identification documents, passports and other related documents, are only issued in Freetown and therefore still centralised. Local government service delivery is perceived to be poor, with limited access to services such as water, electricity and refuse disposal.
595. It also seems as if funds from the central government to local governments or other relevant service providers are only transferred at the end of each quarter. In one of the CRM’s stakeholder sessions in the regions, an example was given of the cash flow dilemma faced by service providers, such as teachers, who expect salaries to be paid on a monthly basis.

596. Another general view was that decentralisation of various ministries such as Agriculture, Education, Health, Youth and Sports, Social Welfare, Communications and Works, Energy and Power have been completed. However, devolution of their functions has not been fully implemented.
597. The CRM acknowledges successes related to the introduction of the National Decentralisation Programme, but the reform has also faced several challenges. The general challenge is the complex structure of decentralisation, and a system that is expensive and may not be sustainable. Other challenges are (i) a weak human resource base caused by councils' inability to attract and retain staff at the level of local authorities, (ii) low levels of revenue mobilisation by local government councils leaving them highly dependent on government transfers, (iii) the existence of conflicting legislations impeding the smooth implementation of the decentralisation programme and originating from a lack of commitment to chiefdom governance reform and (iv) the reform process itself.

iii. Recommendations

598. The Panel recommends that:
- In order to strengthen the Public Accounts Committee (PAC), Parliament may seriously reconsider the appointment of a Chairperson who is not a member of the ruling party. [*Parliament*]
 - Sierra Leone ensure that the enforcement of measures to enhance tax compliance goes hand in hand with measures to fight corruption. [*MoFED*]
 - The Government fast-track the Decentralisation Policy by ensuring that ministries have more effective service delivery, adequate resources and capacity at the local level. [*Government*]
 - The Government ensure that all referrals and queries from the PAC report are promptly attended to [*Government*]

OBJECTIVE FOUR: Fight corruption and money laundering

i. Summary of the CSAR

599. The CSAR stated that corruption in Sierra Leone has always been a reality and that the Government is very conscious of that fact and its repercussions on society. This is also illustrated in the household survey that indicates that 98 per cent of all households are of the view that corruption is a major economic problem. As far back as 2000, Government took active steps to combat corruption with the establishment of the Anti-Corruption Commission (ACC), after the enactment of the Anti-Corruption Act in 2000. The CSAR referred to some successes recorded by the ACC over the 2-year period (2005-2007), but no details were provided. ACC activities were, however, constrained by its inability to prosecute corrupt cases without reference to the Office of the Attorney-General and Minister of Justice. The need for a more rigorous approach in the fight against corruption led to the replacement of the Anti-Corruption Act 2000 with a new Anti-Corruption Act 2008. The 2008 Act provides for the inclusion of new offences such as illicit enrichment; the abuse and misuse of office; adequate protection for whistle-blowers and informers; the compulsory declaration of assets by all public servants; and adequate provision for international cooperation. The new Act was followed by the launching of the National Anti-Corruption Strategy (2008).
600. The CSAR stated that amendments to the Act are in line with the United Nations Convention against Corruption (UNCAC) and the African Union Convention on Combating Corruption and Related Offences.
601. Even though no detailed data was cited, it is mentioned that a number of major political figures and a significant number of lower-ranking officials have been prosecuted, all receiving wide media coverage. The report also refers to survey results indicating that the public awareness of corruption has improved. Fifteen per cent indicated that the fight against corruption is very effective, while 64 per cent is of the opinion that the fight is effective.
602. With regard to money laundering, the CSAR indicated that the Anti-Money Laundering Act of 2005 was reviewed, to be replaced by the Anti-Money Laundering and Countering the Financing of Terrorism Bill in 2009. The latter Bill incriminates assisting in recovering money from illegal activities; the exchange and transfer of property derived from illegal activity; gaining possession of property that originates from illegal activity; and covering up the conversion of illegally acquired public property and capital. Despite the legal framework, a survey indicates that 81 per cent of respondents still believe that money laundering is a major economic problem.

ii. Findings of the CRM

603. The CRM observes obvious omissions in the CSAR. These include a description of the root causes of corruption; the magnitude of corruption; and prosecution and follow-up actions taken over the past 5 years. No reference was made to corruption cases assessed by an Ombudsman, Parliamentary Committee or other relevant authority over the past 5 years. Challenges encountered in the fight against corruption have also not been clearly outlined. In the case of money laundering, no description of cases over the past 5 years was included, nor was there any follow-up action. No reference was made to the difficulties encountered in combating money laundering.

Fighting Corruption

604. Sierra Leone has a long and painful history of corruption. The CRM acknowledges the fact that the Government took a first bold step in fighting corruption with the Anti-Corruption Act 2000, the establishment of the ACC, and the institution of the Office of the Ombudsman. Since the 2000 Act included limited offences, did not empower the Commission to prosecute their own cases, and did not stipulate any asset declaration for public servants, it was replaced by the new Anti-Corruption Act 2008. The latter is indeed more robust than the first Act in the sense that it provides for 29 different offences, as well as ACC powers to prosecute their own cases and to monitor MDAs. It also requires public servants to declare their assets.

605. Despite the existing policy control measures, corruption, poverty and unemployment are regarded among the most serious problems facing the country. The causes of corruption in Sierra Leone are complex. A 2004 Country Study Report on Sierra Leone – published by Transparency International – indicates that the dominant causes of corruption at that time were poverty (36 per cent), followed by low salaries/wages (23 per cent), greed (22 per cent) and the fact that corruption is seen as a short-cut to wealth (7 per cent). In contrast, the 2010 National Public Perception Survey on Corruption⁶¹ indicated that greed is the major cause, narrowly followed by poverty. Low salaries, unemployment, poor leadership and poor law enforcement have also been indicated as major causes. The CRM observes that the 2004 Report and 2010 Survey both concluded that a combination of poverty, greed and low levels of remuneration seem to be the root causes of corruption.

61 The 2010 National Public Perception Survey y included a sample of 1,000 respondents from the 4 regions, 24 focus group discussions and 16 key informant interviews with various stakeholders ranging from parliamentarians to journalists.

606. The 2010 Survey reveals that the six institutions where corruption is most prevalent are the Police, National Revenue Authority, Government Offices, Government Hospitals, the Immigration Department, and the Judiciary. This is reflected in the level of corruption at ministries, where the most corrupt is the Ministry of Health and Sanitation, followed by the Ministry of Education, Youth and Sports; Ministry of Justice; Ministry of Land, Country Planning and the Environment; and Ministry of Internal Affairs, Local Government and Rural Development. These institutions and ministries are all critical to the provision of essential services to the broader population and to revenue collection. Corrupt practices would certainly have a negative impact on the quality of service provision and the sustainable flow of government revenue.
607. The top five categories of public officials involved in corruption are the traffic police, followed by regular police, customs officials, law officials and tax officials – all public functionaries with a critical role in strengthening the rule of law and ensuring an increase in revenue flows to government. These corrupt practices amongst public officials are also supported by corrupt practices among professionals, where survey results indicated that lawyers are the most corrupt, followed by accountants/auditors, professional health workers and educators.
608. The magnitude of corruption remains unclear. The only detailed data on corruption reports received by the CRM were for cases reported in the 2010 ACC Annual Report. The Report indicates that 880 reports were received, of which 238 were corruption-related. In order to address the number of cases received by the ACC, all cases are prioritised under the following headings: (i) national priority; (ii) public procurement; (iii) revenue collection; and (iv) delivery of essential services.
609. The 2010 ACC Annual Report points out that 117 cases were investigated with eight convictions secured. Amongst them were a former Minister of Health and a former Minister of Fisheries and Marine Resources. The Commission recovered Le 1,729 million (USD 433,333) as settlement from corruption-related cases. This recovery is more or less equal to the amount retrieved in 2009, but more than double that of 2008.
610. The CRM notes the increasingly fulfilling role the ACC is playing in monitoring the procurement system. According to ACC officials, approximately 60 per cent of their case-load relates to public procurement. ACC personnel strength gradually expanded since its inception to the current component of approximately 140 staff members, currently including representation in all four regions of the country.

611. Despite the successes listed in the 2010 Annual Report, the CRM could not ascertain whether the ACC is making sustainable inroads in creating a less corrupt environment. The Corruption Perception Index (CPI), published by Transparency International, shows a marginal improvement in fighting corruption in the country, despite the fact that the general environment is still perceived to be very corrupt. Since 2006, the CPI initially worsened from a 2.2 score to a 1.9 score in 2008, before improving to the current score⁶² of 2.5.
612. On the 2010 CPI, Sierra Leone is listed at the 134th position out of 178 countries surveyed. Whether the marginal improvement over the past two years is sustainable, remains to be seen. The 2010 Global Corruption Barometer Report is positive about the level of corruption in Sierra Leone, with 53 per cent of respondents indicating a decrease in corrupt activities, while 17 per cent were of the opinion that it remained the same, and 30 per cent indicating an increase.
613. The ACC 2010 Annual Report highlights the commitment to public education by indicating that during the latest reporting year, 20,000 copies of literature on corruption were distributed; a 28 per cent increase in radio and television coverage was reported; an active website, Facebook page and Twitter subscription were made available; and a project to translate core material into Braille is in the pipeline. However, in sourcing information, the CRM confirms that the website is not user-friendly and is outdated. Only the 2001-2003 Annual Reports of the ACC were listed.
614. The 2010 Survey indicates that 81 per cent of respondents were aware of government's anti-corruption strategy, a fact that was confirmed during the Review Mission's interviews with stakeholders in Freetown, Bo, Kenema and Makeni. Despite extensive media and advertising campaigns and a general awareness of anti-corruption activities, 75 per cent of respondents in the 2010 Survey still did not know where corruption complaints were to be lodged.
615. The ACC is funded by the government as well as through grants from a wide range of international donors. The 2010 Annual Report shows a 36 per cent budget contribution by international donors, a significant increase from the mere 11 per cent of grants received in 2008. This increase in donor funding demonstrates how the international community is supporting the fight against corruption in Sierra Leone, but also emphasises the level of aid dependence.

62 2011 Corruption Perception Index score for Sierra Leone. The CPI score ranges between 0 and 10, with 0 being most corrupt and 10 no corruption.

616. The effectiveness of the media in investigating and exposing corrupt practices seems less clear. In meetings with media stakeholders, the general perception was that investigative journalism takes time and money. Resource constraints at media houses limit freedom to investigate potential cases of corruption. It was also mentioned that there are risks involved in these kinds of investigations. From the media stakeholder group, the exact status of media freedom in the country was also not clear since the group could not reach any consensus on the matter. The current state of the media in Sierra Leone makes it more complicated to fill the potential watchdog function of the media in exposing corruption.
617. The Review Mission views the legislative framework on corruption as satisfactory. However, the fight against corruption needs to be intensified if the country is to attract more foreign investment, support private business, and sustain high levels of growth. To reach these goals, financial and technical resources would need strengthening in order to support the commendable work of the ACC.

Money Laundering

618. The Bank of Sierra Leone is currently responsible for monitoring and curbing money laundering. The Bank is in the final stages of upgrading the Anti-Money Laundering Act of 2005 to include anti-terrorism activities in the form of the new Anti-Money Laundering and Countering the Financing of Terrorism Bill. The Bill provides for a broader legal framework and will strengthen the Bank's hand in its drive to curb money laundering activities. The Financial Intelligence Unit (FIU) is responsible for monitoring compliance of reporting entities with Anti-Money Laundering standards. The Unit was established in accordance with Section 12(2) of the Anti-Money Laundering Act 2005 and currently is housed at the Banking Supervision Department of the Bank of Sierra Leone. Under the Bill, the Unit will still be known as the Financial Intelligence Unit, but it will not be housed at the Bank of Sierra Leone.
619. There have been no successful prosecution of suspected cases of money laundering in Sierra Leone. However, since 2007, the FIU received a total of 16 Suspicious Transaction Reports (STRs) from various commercial banks relating to money laundering. Intelligence reports were developed from 11 of these STRs and forwarded to law enforcement agencies for further investigation. Five of the STRs were not disseminated for lack of sufficient grounds.
620. The FIU follows up on cases forwarded to law enforcement agencies to receive feedback. To date, there has been no conviction on money laundering cases.

According to the Directorate of Public Prosecution, no sufficient grounds were found or forwarded by the investigating authorities to permit the prosecution of any cases. Similarly, the FIU follows up on actions recommended for implementation by reporting entities to prevent their institutions being misused for commissioning money laundering offences.

621. The greatest challenge remains the extensive illegal diamond smuggling in the country. The current money laundering framework seems to be unsuccessful in capturing money flows from those proceeds.

iii. Recommendations

622. The APR Panel recommends that:

- The Government consider strengthening and expanding the role of the ACC to be more efficient and aggressive in its anti-corruption activities; [*Government, ACC*]
- Proactive steps need to be taken by Government to address the root causes of poverty and low remuneration levels, and their linkages with corruption within the context of the *Agenda for Change*; [*Government, ACC*]
- The Anti-Corruption Strategy needs to be progressively implemented to manage the negative perceptions of corruption in Sierra Leone, particularly within the international community; [*Government, ACC*]
- The Anti-Money Laundering and Countering the Financing of Terrorism Bill needs to be implemented as soon as possible to allow the restructured FIU to commence its activities. [*Government, Parliament*]

OBJECTIVE FIVE: Accelerate regional integration by participating in the harmonisation of monetary, trade and investment policies

i. Summary of the CSAR

623. Accelerating regional integration is a means to integrating Sierra Leone's economy into the global trading system. This will assist the country to use its domestic resources more effectively, attract external resources, and maximise gains from globalisation. Indeed, regional integration and regional market expansion represent stepping stones for Sierra Leone to gainfully open up its economy to foreign markets, and benefit from global economic transformation.
624. Sierra Leone has been a member of the Economic Community of West African States (ECOWAS) since its establishment in 1975, and the West African Monetary Zone (WAMZ) - also since its inception. Membership of ECOWAS and WAMZ provides Sierra Leone with institutional and technical assistance, as well as market access, and thus Sierra Leone stands to benefit from increased sub-regional trade and investment flows, and a stable regional economy.
625. Sierra Leone's ability to benefit from regional economic integration depends on its capacity to promote investment, production and exports, and compete in regional markets. Regarding the strength of the economy of Sierra Leone, the household survey results show that 48.6 per cent of respondents think that the economy is very strong or strong, whereas 51.4 per cent think that it is weak or very weak. This indicates that more efforts are necessary for the majority of Sierra Leoneans to benefit from regional integration.
626. One of the key policy measures implemented by Sierra Leone to strengthen the integration of its economy into the regional market is the adoption of the ECOWAS Common External Tariff (CET) in 2005. The country has since adjusted about 90 per cent of its custom tariffs in line with the ECOWAS CET. Sierra Leone is also implementing the ECOWAS Trade Liberalisation Scheme (ETLS), and introduced the Harmonised Customs Documents System, including the Certificate of Origin and the Customs Nomenclature and Declaration Forms. Sierra Leone is yet to adopt the Road Transit Certificate System required to facilitate free movement across countries. However, benefits to Sierra Leone from ETLS remain limited owing to difficulties related to reimbursements or compensation for foregone revenue.

627. Efforts have been made by Sierra Leone to achieve WAMZ primary convergence criteria. However, from 2000-2009, the country was only able to meet two out of the four convergence criteria, due to weak revenue efforts as well as external shocks. Nevertheless, the country remains committed to promoting regional integration, and more than half of the population of the country is aware of the advantages of regional integration. Currently, about 76 per cent of respondents consider a single regional currency advantageous for Sierra Leone. Nevertheless, about 90 per cent of all respondents support government efforts to join other countries to establish a single regional currency.
628. Strengthening domestic revenue mobilisation is essential for Sierra Leone to absorb potential revenue losses arising from regional integration and a removal of tariffs. According to the CSAR, challenges to domestic revenue generation included a narrow tax base, a large informal sector, and weak tax administration capacity. Thus, tax revenue has been far below the sub-Saharan Africa average of around 18 per cent of GDP. To address these challenges, government has embarked on modernising the administration of the National Revenue Authority (NRA) using automated customs clearing procedures among other measures, the introduction of the broad-based Goods and Services Tax (GST), and the introduction of Tax Payer Identification Numbers (TIN).
629. The CSAR stated that government has also adopted policies to promote trade and exports in the context of regional integration and development, as embodied in the country's poverty reduction strategy. A Diagnostic Trade Integration Study (DTIS), carried out in June 2006, analysed key constraints to trade expansion and provided a policy action matrix that is currently being implemented by the Government of Sierra Leone.
630. At the institutional level, policy action in this context has led to the replacement of the Sierra Leone Export Development and Investment Corporation (SLEDIC) with the Sierra Leone Investment and Export Promotion Agency (SLIEPA). To discharge its responsibility in facilitating exports and promoting investment, SLIEPA, in collaboration with the Commonwealth Secretariat, prepared a National Export Strategy that was launched in June 2010.
631. Other measures recommended by the DTIS include mainstreaming fishing activities into the trade promotion strategy so that the country's fish and other marine products may reach global markets, and contribute to increased foreign exchange earnings. In this regard, government has completed a fish stock assessment and is currently finalising arrangements for compliance with EU requirements, including the identification of a competent authority that will

ensure compliance with fisheries product standards established with major trading partners.

632. The CSAR indicated that in order to promote formal regional trade, the Government has also passed a Payment Systems Act, an Anti-Money Laundering Act, and the Finance Act – statutory instruments to minimise illicit financial flows and facilitate formal cross border trade within the sub region.
633. In the context of regional integration and its role in national development, the CSAR underscored measures undertaken by government to promote private sector development for sustainable growth and job creation, as envisaged in the Agenda for Change. These measures include reforms to remove administrative barriers to investment and export promotion. For example, business registration has been significantly simplified by the adoption of legislation such as the Law on Business Start-ups and the Registration of Business Act. Other reforms include the establishment of SLIEPA and adoption of new legislation such as the Company Act, the Bankruptcy Act, and the Payment Systems Act of 2009.

ii. Findings of the CRM

634. Overall, views expressed by state and non-state stakeholders during meetings organised by the Country Review Mission were quite similar and significantly consistent with the CSAR, especially as regards: (i) the importance of regional integration for Sierra Leone's economic development and regional stability; (ii) the challenges to accelerating regional integration; (iii) what needs to be done to promote trade and exports and maximise economic gains from regional integration; and (iv) the efforts made by government. However, implementation of regional integration programmes and business support initiatives, including reforms to improve the business environment, remain a concern for all parties.
635. At the country level, the Ministry of Finance and Economic Development is the overall planning and policy coordination body for the regional integration institutions. Other ministries and government units are involved in policy implementation at sectoral levels and deal with cross-cutting issues such as agriculture, food security and the environment.
636. According to MoFED, factors hindering the adoption of integration criteria include shocks, financing, infrastructure and capacity constraints, weak political will and governance institutions.

637. There is a consensus among stakeholders, especially the business community, that regional integration is important for Sierra Leone to increase intra-regional trade and global competitiveness. Sierra Leone and other countries in ECOWAS need to fight informal trade practices that negatively affect government revenue and domestic investments by removing unnecessary border controls. A common currency, improved regional infrastructure and removal of trade barriers, especially tariffs, would accelerate regional integration and expand regional markets and trade. In this context, effective industrial policy is stressed as a means for the country to address supply constraints and increase its gains from regional integration.
638. As a member of ECOWAS, Sierra Leone has received institutional support from regional arrangements, especially in the context of the Mano River Project. Other areas addressed are cross border trade and cooperation, governance issues, and harmonisation of macroeconomic and sectoral policies including energy, agriculture and food security, mining and investment, export promotion, health, and education – especially through efforts to adopt common standards and qualifications.
639. Both state and non-state stakeholders argued that economic governance and management, including implementation of laws relating to private sector development and the regional integration agenda, has been improving in Sierra Leone. However, weak institutional and technical capacity remain important constraints. While movement of people is not a major concern, trade facilitation remains critical in Sierra Leone and the sub-region. Intra-regional trade is expanding, but at a very slow pace.
640. In its efforts to mobilise funds to address institutional constraints to regional integration, Government has focused on both domestic and external sources. Collaboration between ECOWAS, China, the EU and Brazil has been helpful in this context. However, funding remains limited relative to the huge financing needs necessary to address supply constraints.
641. On the whole, non-state stakeholders appear satisfied with the institutional and legal aspects of the business environment but consider infrastructure, access to finance and public services as the major hurdles. Private sector development and empowerment of domestic businesses should include general business support, capacity building, human capital development, and improved access to finance. The country suffers from a weak infrastructure base. Therefore, more needs to be done to attract greater market share and seek foreign direct investment (FDI) that would enhance value addition and job creation.

642. According to the World Bank's Doing Business Report (2011), Sierra Leone made significant improvements in its investment and business environment between 2006 and 2011. Overall, the investment environment improved by about 50 per cent, although the country still ranks 143rd out of 183 countries surveyed. The country ranks particularly high in terms of protecting investors and starting a business, but important hurdles remain in relation to registering property, dealing with construction permits, paying taxes, closing a business and enforcing contracts.
643. Indeed, good laws and regulations do exist but effective implementation is a problem. Labour unions and civil society organisations need to work together to press for enforcement of labour laws, including better wages and working conditions. There is a need for a unified, non-partisan labour congress. Also, the Ministries of Labour and Justice should introduce measures to ease enforcement as workers currently have difficulties suing employers for unjust treatment because their contracts are rarely enforceable through the legal system.
644. More in-depth sectoral policy research on how Sierra Leone can maximise gains from regional integration is needed. While regional value chains are currently limited, they can be expanded with effective government policies, private sector development, and business support – especially in relation to rice, cotton, cocoa, and timber.
645. For ECOWAS' macroeconomic convergence and other regional integration criteria to be effective, member states have agreed to gradually harmonise their civil laws and adopt a common business law. Harmonisation of business laws is important for ECOWAS to stimulate investment and cross-border mergers and acquisitions. It will enable businesses to operate in more than one country, create useful regional values chains, and foster growth and development.
646. So far harmonised laws have been produced covering general common law; company law; securities law; debt recovery and enforcement law, arbitration; consolidated and combined accounts law; and laws regulating contracts for the carriage of goods by road.⁶³ A common Court of Justice and Arbitration will rule on the interpretation and enforcement of regulations and acts and its decisions will be final and binding on member states, ECOWAS institutions, individuals and corporate bodies. The establishment of a common legal environment would undoubtedly enable the harmonisation of business laws, including contract law. However, the process of harmonising business law is still on-going and should be fast-tracked if regional integration is to be accelerated.

63 The ECOWAS Treaty as a legal tool for the adoption of the OHADA treaty and laws by Anglophone ECOWAS States (www.ECOWAS.com)

iii. Recommendations

647. The Panel recommends that Government of Sierra Leone:

- Continue to explore opportunities to expand investment and regional trade, and address all constraints in the area of regional trade; [*MOFED, Ministry of Trade, Private Sector*]
- Promote entrepreneurship and access to regional and international markets, as well as enhance the private sector's ability to meet required standards; [*MOFED, Ministry of Trade, Private Sector*]
- Control the informal border trade and facilitate formal trade instead, and continue to implement unification of customs and duties at the sub-regional level; [*Ministry of Trade, Private Sector*]
- Continue strengthening and enhancing the participation of business associations in policy making and regional integration strategies; [*MOFED, Ministry of Trade, Private Sector*]
- Consolidate successes and continue to improve the business environment, particularly through measures to reduce the cost of starting and doing business. [*MOFED, Ministry of Trade, Private Sector*]

CHAPTER FIVE

5. CORPORATE GOVERNANCE

5.1 Overview: Challenges for corporate governance

648. Corporate governance (CG) is a system by which corporations are directed, controlled and held to account. Corporate governance principles apply to all forms of enterprises in the private and public sector. Good corporate governance has seven distinguishing characteristics: discipline, integrity, transparency, independence, accountability, responsibility, fairness and social responsibility. These traits are important because they increase investor confidence making it easier for corporations to raise equity capital and investment finance.
649. In addition, the essence of corporate governance is to ascertain that collective and individual behavioural norms are in place to render the management and governing boards of entities accountable and responsible, and in so doing, promote and protect the interests of capital owners and other stakeholders.
650. Today, most countries appreciate the importance of corporate governance and its contribution to their economic growth and development. There is an ever-growing awareness that promoting corporate governance is essential for attracting and retaining foreign direct investments and to expand economic activity.
651. Corporate governance in Sierra Leone is in its infancy because of the country's history of political turmoil and civil strife, which adversely affected economic activity. This situation is typical of most post-conflict countries. In countries with vibrant stock markets, corporate governance issues focus on transparency, accountability, and the quality of the board. In countries where the economy is primarily state driven, on the other hand, corporate governance issues ideally focus on improving governance of State Owned Enterprises (SOEs) for the good of the public.
652. The dominance of SMEs in Sierra Leone poses a challenge to governance of family-based businesses characterised by conflicts of interests and informality.

Several African countries are in transition from state driven to private sector led economies and CG is a key component of private sector development initiatives.

653. In order to ensure that businesses operate efficiently, the Sierra Leone Government needs to focus on addressing the constraints to doing business highlighted in this report, which include weak infrastructure, limited access to and cost of credit, and lack of managerial skills.
654. Private-sector development is crucial to Sierra Leone's post-conflict economic recovery. Pertinent to this, corporate governance will be critical for the needed private-sector development and continued foreign investment inflows. It is, therefore, important that Sierra Leone align its legal and regulatory frameworks with international norms and best practices. Ensuring that simplified governance frameworks for the SME and informal sectors are in place will also enhance their growth potential.
655. The Government is engaged in providing supportive infrastructure aimed at increasing energy supply, improving the road and transport network, and building Information and Communications Technology (ICT) to support the production and trade of goods and services.
656. Sierra Leone's mining sector takes centre stage in highlighting governance issues related to the exploitation of mining resources, including diamonds. As a matter of fact, Sierra Leone is one of the countries where civil conflict was fuelled by diamonds. To ensure that the country benefits from this resource, Sierra Leone joined the Kimberley Process and has instituted measures to ensure that all diamonds exported are conflict-free. Some reports suggest that the success of the Kimberley Process in Sierra Leone has forced a large volume of illicit diamonds out of the underground networks into official channels.
657. In December 2010, the Extractive Industries Transparency Initiative (EITI) Board evaluated Sierra Leone to determine whether it qualified for compliant status. The evaluation concluded that while Sierra Leone had made meaningful progress in implementing the EITI, it would remain a candidate country, subject to a clearly defined and agreed work plan for achieving compliant status.
658. The prospects for a rapid increase in Sierra Leone's GDP are encouraging now that mining concessions have been granted to several internationally renowned mining companies. The government must, however, ensure that development in the sector contributes to the overall growth and development.

659. According to the African Union's Africa Mining Vision⁶⁴, African mining countries need to give more value added to their mining potential through downstream and upstream value-addition. Sierra Leone has a unique opportunity to achieve sustainable development in providing more value added to its mining sector by developing upstream and downstream industries linked to the exploitation of her mineral potential.

5.2 Standards and codes

i. Summary of the CSAR

660. The CSAR recognised that Sierra Leone does not have a corporate governance code. Currently, corporate governance standards are contained in legislation, especially the Companies Act of 2009. However, Sierra Leone has adopted the International Financial Reporting Standards (IFRS) issued by the International Accounting Standards Board (IASB). The Standards provide a standardised framework for financial reporting and accounting. The country has also adopted the International Standards on Auditing (ISA) as issued by the IASB.

661. According to the CSAR, Sierra Leone has ratified six of the eight core ILO Conventions: Conventions on the Right to Organised and Collective Bargaining (1961), Freedom of Association and Protection of Right to Organise (1961), Equal Remuneration Convention (1968), Convention against Discrimination (1966), and Forced Labour (1961)

662. The Bank of Sierra Leone (BSL) is the supervisory body of commercial banks in Sierra Leone with responsibility for enforcing banking standards and regulations. The Banking Act and related regulations provide major instruments for domesticating requisite standards.

ii. Findings of the CRM

663. The CRM examined the extent to which Sierra Leone had taken measures to sign, adopt and comply with the following standards:

- Principles of Corporate Governance (OECD and Commonwealth);

64 *Africa Mining Vision*, February 2009.

- International Accounting Standards;
- International Standards on Auditing;
- Core Principles of Effective Banking Supervision;
- Core Principles for Securities and Insurance Supervision and Regulation;
- Labour Codes of the International Labour Organisations (ILO); and,
- Codes on Industrial and Environmental Safety and Hygiene of the World Health Organisation.

Principles of Corporate Governance (OECD and Commonwealth)

664. The OECD and Commonwealth Principles of Corporate Governance provide a global benchmark of corporate governance standards covering a wide range of issues as presented in Table 5.1

Table 5.1: OECD and Commonwealth Principles

OECD Principles (2004)	Commonwealth Principles (1999)
Ensuring the basis for an effective corporate governance framework	Leadership Values
The rights of shareholders and key ownership functions	Strategy Compliance
The equitable treatment of shareholders	Communication Accountability
The role of stakeholders in corporate governance	Treatment of stakeholders Internal controls
Disclosure and transparency	Risk management
The Responsibilities of the Board	

665. Currently, Sierra Leone has neither a corporate governance code nor corporate governance standards that reflect the above-mentioned principles.
666. Corporate governance principles are not international conventions so countries are not required to sign or ratify them. However, various countries, including several African countries, have developed national codes and standards on corporate governance that reflect the OECD and Commonwealth principles. In Africa, the South African based King Codes (King I, II and, more recently, King III) have provided a basic framework for other African countries to develop their own country codes.
667. Sierra Leone has adopted IFRS and ISA for both the private and public sectors. In the public sector, International Standards for Supreme Audit Institutions (ISSAI) are used while Public Enterprises are required to use International Public Sector Accounting Standards (IPSAS). However, most public sector enterprises, SMEs and informal sector businesses in both the private and public sectors have neither the human and financial capacity nor the requisite professional accounting skills, to adopt IFRS and ISA. In addition, there is no evidence that Sierra Leone has taken any measures to adopt IFRS for SMEs, issued by the International Accounting Standards Board (IASB) in 2009. Another major constraint is limited skills of the accounting profession, both in the private and public sectors.

Core Principles of Effective Banking Supervision

668. Sierra Leone's compliance status with the Basel Core Principles on Effective Banking Supervision is displayed in Table 5.2. These cover 25 principles that central banks must implement to perform their supervisory role effectively.

Table 5.2: Sierra Leone’s compliance status with the Basel Core Principles

<p>Compliant</p>	<ul style="list-style-type: none"> • Objectives • Legal Framework • Enforcement Powers • Licensing Criteria • Ownership • Investment Criteria • Large Exposure Limits • Connected Lending
<p>Largely Compliant</p>	<ul style="list-style-type: none"> • Independence • Legal Protection • Information Sharing • Permissible Activities • Capital Adequacy • Credit Policies • Internal Control and Audit • Anti- Money Laundering • Onsite & Offsite supervision • Accounting Standards • Remedial Measures
<p>Materially non-Compliant</p>	<ul style="list-style-type: none"> • Objectives, Autonomy, Powers & Resources • Loan evaluation & loss provisioning • Other Risks • Bank Management Contact • Off-site supervision • Validation of supervisory information • Supervision over foreign bank’s establishment
<p>Non- Compliant</p>	<ul style="list-style-type: none"> • Country Risk • Market Risk • Consolidated Supervision
<p>Not Applicable</p>	<ul style="list-style-type: none"> • Globally consolidated supervision • Host country supervision

Source: Bank of Sierra Leone

669. According to the table above, Sierra Leone has fully complied with 8 core Basel Principles, largely complied with 7, is materially non-compliant with 11, and is not yet compliant with three core principles, including Country and Market risks assessment and implementation of consolidated Supervision. Any bank or financial institution that fully complies with the Basel Core Principles enhances its credibility and facilitates its international financial transactions.

Core Principles for Securities Regulation

670. The core principles for securities regulation were set by the International Organisation of Securities Commissions (IOSCO) in 2003 and their objective is to ensure investor protection; fair, efficient and transparent markets and the reduction of systemic risk. Sierra Leone's embryonic capital market comprises mainly government securities and two equities. Sierra Leone is yet to establish a regulatory framework that reflects the above IOSCO principles.

Core Principles for Insurance Regulation

671. The International Association of Insurance Supervisors (IAIS), established in 1994, currently has a membership of close to 190 insurance regulators and supervisors. IAIS issues global standards and principles on insurance and these include⁶⁵: (i) Principles for conduct of insurance business (1999); (ii) Principles applicable to the supervision of international insurers and insurance groups and their cross-border business operations (1999); (iii) Principles on capital adequacy and insolvency (2002), (iv) Principles on minimum requirements for supervision of reinsurers (2002) (v) Insurance Core Principles (2003); (vi) Principles on the supervision of insurance business on the internet (2004); and (vii) Principles on Group-wide Supervision (2008).

672. Sierra Leone is fully compliant with three IAIS Insurance Core Principles, and largely compliant with nine. It has taken legal steps to comply with three others and is not compliant with core Principle No. 9 on derivatives and "off-balance sheet" items. Details are presented in Table 5.3

65 The year in parenthesis indicates the year of issuance of the Principle

Table 5.3: ICP Self-Assessments: Levels of Observance with the Insurance Core Principles

Core principles	Not applicable	Observed	Largely observed	Materially non observed	Not observed	Action taken/legal Provision
CP 1. Organisation of an Insurance Supervisor						
CP 2. Licensing						
CP 3. Changes in control						
CP 4. Corporate Governance						
CP 5. Internal control						
CP 6. Prudential rules- assets						
CP 7. Prudential rules- liabilities						
CP 8. Capital adequacy and solvency						
CP 9. Derivatives and Off-balance sheet items						
CP 10. Reinsurance						
CP 11. Market conduct						
CP 12. Financial reporting						
CP 13. On-site inspection						
CP 14. Sanctions						
CP 15. Cross-border Business operations						
CP 16. Coordination and cooperation						
CP 17. Confidentiality						

Source: Sierra Leone Insurance Commission (SLICOM)

Notes:

- i) **Largely observed:** Only minor shortcomings exist which do not raise any concerns about the Authority's ability to achieve full observance with the criterion.
- ii) **Partly observed:** Whenever, despite progress, the shortcomings are sufficient to raise doubts about the authority's ability to achieve observance.
- iii) **Not observed:** Whenever no substantive progress toward observance has been achieved.
- iv) **Not applicable:** Whenever the criterion does not apply given the structural, legal and institutional features of a jurisdiction. An assessment is conducted in the context of the individual supervisory authority and the criterion is the responsibility of other authorities in the jurisdiction (for example for ICP 1). In this instance, the relevant authority should be clearly identified.

Labour Codes of the International Labour Organisations (ILO)

673. The ILO states that its Codes of Practice contains practical recommendations for all those with a responsibility for occupational safety and health in both the public and private sectors. Codes of Practice are not legally binding instruments and are not intended to replace the provisions of national laws or regulations or accepted standards. They aim to serve as practical guides for public authorities and services, employers and workers concerned, specialised protection and prevention bodies, enterprises and safety and health committees. The CRM confirms that Sierra Leone has ratified six ILO conventions and notes that the Convention on the Worst Forms of Child Labour and the Convention on Minimum Age are still outstanding.

Codes on Industrial and Environmental Safety and Hygiene of the World Health Organisation

674. Sierra Leone has ratified several regional and international conventions on the environment, including the: (i) United Nations Convention to Combat Desertification (UNCCD); (ii) Vienna Convention for the Protection of the Ozone Layer; (iii) Montreal Protocol on Substances that Deplete the Ozone Layer; (iv) Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer; (v) United Nations Framework Convention on Climate Change (UNFCCC); (vi) the Kyoto Protocol as a result of the UN Framework Convention on Climate Change; and (vii) the Abidjan Convention for Cooperation on the Protection and Development of the Marine and Coastal Environment of the West and Central African Region.

iii. Recommendations

675. The APRM Panel recommends that Sierra Leone:

- Initiate programmes to raise awareness about corporate governance in all sectors of the economy; [*Private Sector, Chamber of Commerce, Government*]
- Develop corporate governance standards appropriate for the various sectors of the economy, including SMEs, SOEs, regulatory agencies and the not-for-profit sector, and simplified procedures for small informal sector businesses; [*Private Sector, Chamber of Commerce, Government*]
- Put in place mechanisms to improve the quality of financial reporting and auditing including training and capacity building programmes for the accounting profession; [*Private Sector, Bank of Sierra Leone, Chamber of Commerce, Government*]
- Ensure that regulatory agencies adopt and implement best practice standards in insurance, banking and capital markets. In addition, there is need to ensure that regulatory agencies have adequate resources and technical capacity to enforce standards; [*Private Sector; Chamber of Commerce; Government*] and
- Build the capacity of business and professional organisations to promote awareness about the various international standards and codes. [*Private Sector, Chamber of Commerce, Government*]

5.3 Assessment of performance on APRM objectives

OBJECTIVE ONE: Provide an enabling environment and effective regulatory framework for economic activities

676. This objective focuses on the legal and administrative measures that are in place to facilitate economic activities and aims to assess the effectiveness of both government authorities (particularly in overseeing the banking, insurance and securities market) and self-regulatory frameworks (including any stock exchange, professional and trade associations) in regulation, monitoring and supervision.

i. Summary of the CSAR

Legal Framework for Business and Economic Activity

677. The CSAR describes the key laws governing corporate activity in Sierra Leone, including (i) the Consolidated Income Tax Act 2000; (ii) Sierra Leone Maritime Administration Act 2000; the Merchant Shipping Act 2003; (iii) the Procurement Regulations 2006, (iv) the Human Rights Commission of Sierra Leone (Complaints, Investigations and Inquiries) Rules 2008; (v) the Companies Act of 2009; and (vi) the Goods and Services Tax Act of 2009.
678. Other relevant laws include: (i) the National Commission for Privatisation Act 2002; (ii) the Environment Protection Agency Act 2008; (iii) the Telecommunications (Amended) Act 2009; (iv) the Payment Systems Act 2009; (v) the Business Registration Act; (vi) the Bankruptcy Act 2009; and (vii) the Road Maintenance Fund Administration Act 2010. However, the CSAR cites the following challenges:
- Weak compliance with the regulatory standards and inadequate monitoring by both government and business organisations;
 - Although regulations exist to provide an enabling business environment, these appeared to be loosely implemented and inadequately monitored;
 - Inadequate citizens' participation in the formulation of the regulatory frameworks;
 - Even though restored peace and stability in the country provides an enabling business environment for companies to operate, about 63 per cent of the respondents surveyed did not believe that their organisations operate in a fair environment.

Supervisory/Regulatory and Oversight Institutions

679. In the public enterprises sub-sector, the Finance and Public Accounts Committees of Parliament provide oversight of public utilities and accountability for monies from donors and the Consolidated Fund. In the area of procurement, the National Public Procurement Authority (NPPA) secretariat was reportedly fully operational.

680. There was a general perception that regulatory and oversight agencies, essentially the National Telecommunication Commission (NATCOM), the National Revenue Authority (NRA), Parliamentary Oversight Committees as well as business associations such as the Chamber of Commerce, Industry and Agriculture were ineffective.

Business Registration

681. The CSAR confirms that Sierra Leone has taken major steps towards improving its investment climate. The 2010 *Doing Business Report*, published by the World Bank Group, reported Sierra Leone as having made reforms in four key areas important to investment and export, including “Starting a Business” and “Registering of Property”. The Sierra Leone Parliament has similarly enacted certain Acts that promote business registration: (i) the Investment Promotion Act 2004 (amended in 2007); (ii) the Investment Code 2005; (iii) the Business Registration Act 2007 and (iv) the Companies Act 2009.
682. The Sierra Leone Investment and Export Promotion Agency (SLIEPA) encouraged and helped Government to significantly reduce costs and improve on the process for starting a business. The requirement to use a lawyer was made optional and most of the registration formalities were abolished, including requirements to pay taxes upfront and obtain permission for registration to start a business. This has reduced the procedural and capital requirements for registering a business and greatly cut down the costs and time of starting a business.
683. The CSAR acknowledges, however, that supervision and monitoring are considered to be generally weak. The failure of most companies operating in the provinces to register with the local councils makes it even more difficult to monitor their operations and activities.
684. Corruption still exists in the business registration process and, sometimes, the two-week duration set by government for a business to register would elapse if a company refused to comply with corrupt demands.

Infrastructure

685. The Government is engaged in providing supportive infrastructure aimed at increasing energy supply, improving the road and transport network, and building Information and Communications Technology (ICT). Attempts to improve electricity supply have been largely successful with the commissioning

of the Bumbuna Hydroelectric Project, the Income Electrics Generators, and the Japanese International Cooperation Agency (JICA) machines.

686. The road network linking Freetown and the provincial capitals has improved. The Government of Sierra Leone, through the Sierra Leone Roads Authority, also recently awarded contracts for the extension of the Kenema-Kailahun to Koindu road, which links the country to Liberia and the Cote d'Ivoire and was a vital road link for international business before the war.
687. The Sierra Leone Roads Authority has completed the construction of the Rogbere Junction to Kambia district, an important international route linking Sierra Leone to Guinea. The Ministry of Works and Infrastructure is undertaking maintenance of bridges leading to important rural agricultural areas, which is important for socio-economic development. The ICT penetration rate has improved significantly with the liberalisation of the telecommunications industry leading to the establishment of five mobile phone companies, one of which is state-owned. The four private sector companies are Airtel, Africell, Comium and Tigo, while the state-owned enterprise is Sierra Tel. The mobile network was extended to most parts of the country and Very Small Aperture Terminal (VSAT) connections have increased reducing the dependence of national carriers on international bandwidth.
688. The CSAR recalls that, although there is gradual improvement, the country's main sea and air ports face great challenges in terms of infrastructure. Sierra Leone has three sea ports: Nitty, Pepel and Queen Elizabeth II Deep Water Quay. Only the Queen Elizabeth II Deep Water Quay is used by the public; the others are controlled by mining companies. The Queen Elizabeth II Deep Water Quay has only 6 berths for anchorage. Currently, there is only one container handler, which is privately owned and almost always in a state of disrepair because of overuse. Vessels, therefore, spend a longer time at sea awaiting embarkation and cargo discharge.
689. The Lungi International Airport is currently the only functional airport in the country. Other air fields in other parts of the country (Bonthe, Gbangbantoke, Kenema, Bo, Tongo, Yengema and Magburaka) have closed down. Lungi International Airport faces challenges as regards the modernisation of the terminal building, runway and navigation systems. However, the Government has recently secured a grant from the World Bank to rehabilitate the runway and navigation system, and work is currently underway. The inadequacy and unreliability of the Lungi Ferry relative to the mainland's needs tends to constrain the enhancement of the business environment in Freetown. The state of infrastructure in the country is generally poor and this is a major hindrance to doing business.

Access to Finance

690. The CSAR confirms that Government has introduced measures to improve access to finance, including encouraging establishment of community banks and mobile banking services, and establishing a stock exchange to enhance medium to long term finance. However, the Stock Exchange is not fully operational. Access to financial services remains a challenge and the cost of credit is high.

ii. Findings of the CRM

The Business Sector: Categories of Enterprises

Micro Small and Medium Enterprises (MSMEs)

691. The CRM observes that the business sector in Sierra Leone is largely comprised of micro, small and medium enterprises, (MSMEs). According to the 2009 Business Establishment Survey, 61.7 per cent of these are sole proprietorships, 18.4 per cent are partnerships, 12.8 per cent are private limited liability companies and 7.1 per cent are of other types. Over 90 per cent of MSMEs are locally owned. Micro or Small Enterprises are those which employ from one to ten employees and have a turnover of less than 20 million Leones.
692. The majority of MSMEs (71.0 per cent) are retail traders while a few are in manufacturing (17.7 per cent), services (10.1 per cent) and agriculture (1.2 per cent). Large enterprises are mainly multinationals operating in the telecom, mining and financial services sectors.
693. The dominance of small enterprises makes compliance with corporate governance standards and codes difficult. The high proportion of establishments operating in the trade sector underscores the fact that the economy of Sierra Leone is mainly a distributive economy relying mainly on imports for commerce, with devastating consequences on the depreciation of the national currency.

Public Enterprises

694. Despite the Privatisation and Enterprise Reform Programme, Sierra Leone still has several public enterprises in key sectors of the economy, including the banking, insurance, housing, telecommunications and transport sectors. Various public enterprises such as Rokel Commercial Bank, Sierra Leone Commercial Bank, Sierra Leone Housing Corporation, Sierra Leone Postal

Services and Sierra Leone Telecommunications Company are profitable. Others, such as the Sierra Leone Lottery Company and Gumma Valley Water Company, are loss making.

695. In fulfilment of its obligations under section 10 of the National Commission of Privatisation Act 2002 to ensure good corporate governance in the operation of public enterprises, the NCP, in June 2004, organised a seminar on good corporate governance for chairpersons and members of the boards, and senior management of all public enterprises. The training covered topics such as good governance and the legal responsibilities of members of the Board of Directors. The NCP also made arrangements for directors from four public enterprises to attend a five-day seminar on corporate governance held in Dakar, Senegal, organised by the African Development Bank (AfDB).
696. The Public Enterprises Governance and Performance Monitoring Manual contains provisions designed to enhance good corporate governance in State-Owned Enterprises (SOEs) including: (i) the responsibilities of the Board and Chairperson of SOEs; (ii) the responsibilities of the Chief Executive Officer and Company Secretary; (iii) appointment and tenure of directors, board procedures, board committees, director performance and evaluation; and (iv) codes of conduct and ethics.

Multinational Companies

697. Historically, multinational enterprises existed in Sierra Leone, operating in key sectors such as mining and banking. The majority shut down during the civil war. However, with the return of peace and the success of several initiatives to attract foreign investment, multinational companies now operate in several sectors including banking, insurance, telecommunication, mining, food and beverages, and hotels and tourism.

Key Financial Institutions

The Financial Sector (Banking Industry)

698. The financial sector in the main comprises thirteen commercial banks with 75 branches countrywide, nine community banks, two discount houses, three non-deposit finance companies, six microfinance institutions, two mortgage finance institutions, and one private equity firm. Of the thirteen commercial banks, one is wholly owned by Government, one has government as the majority shareholder (51 per cent) while 49 per cent is publicly owned, one is locally owned, and ten are foreign owned, as illustrated in Table 5.4.

699. The fairly active Association of Commercial Banks (ACB) and the Sierra Leone Insurance Association, (SLIA) offer a promising future for harmonious self-regulation of the sector.

Table 5.4: List of banks and discount houses

Commercial Banks				
	Name	Ownership	Branches	Remarks
1.	Sierra Leone Commercial Bank Limited	Government of Sierra Leone (100%)	11	Among largest banks in Sierra Leone
2.	Rokel Commercial Bank Limited	Government of Sierra Leone (51%); publicly owned (40%); staff (9 per cent)	11	1 st to list on Sierra Leone Stock Exchange
3.	Standard Chartered Bank (SL) Limited	SCB Holdings (81%); publicly owned (18%); directors (1%)	3	Ranked among top 3 banks in Sierra Leone
4.	Union Trust Bank Limited	Private individuals (100%)	9	Established in 1995 by Sierra Leonean individuals and corporations as a limited liability company
5.	Guaranty Trust Bank (SL) Limited	GTB Plc (Nigeria) Ltd (100%)	7	Affiliated with Morgan Stanley and BNP Paribas
6.	First International Bank (SL) Limited	FIB Group (Gambia) Ltd (87%); Individuals (12%); FI Bank Gambia (1%)	16	Also operates in Gambia and Liberia
7.	International Commercial Bank (SL) Limited	ICB Financial Group Holdings AG – Malaysian (100%)	1	The parent company of the group is listed on the London Stock Exchange
8.	Ecobank (SL) Limited	Ecobank Transnational Incorporated – Nigeria (100%)		Parent company promoted by West African Chamber of Commerce to propagate indigenous banking institutions
9.	Access Bank (SL) Limited	Access Bank Plc (85%) – Nigeria and Senator Polycarp Nwite (15%) – Nigeria	1	The flagship company of the financial conglomerate known as Access Bank Group and trades on the Nigerian Stock Exchange
10.	United Bank for Africa (SL) Limited	United Bank for Africa Plc (100%) – Nigeria	3	

11.	Skye Bank (SL) Limited	Skye Plc (100%) - Nigeria	1	Shares of stock are Listed on the Nigerian Stock Exchange, Detailed shareholding in the bank is not publicly available
12.	Zenith Bank (SL) Limited	Zenith Plc (100%) – Nigeria	1	Founded in 1990, one of the largest banks in Nigeria. Total assets USD 11.2 Billion-Sept 2009
13.	Bank PHB (SL) Limited	PHB Plc (Nigeria)	1	Parent company in Nigeria also known as Platinum Habib Bank. Total asset base of USD 3.6 Billion-Dec 2009

Community Banks*

	Name	Ownership	Governance
1.	Segbwema Community Bank	Owned by users who have paid for shares. Six established by Bank of Sierra Leone and transferred to the various communities against ownership by shares. Three financed by IFAD, a Strategic partner in the development of Micro-finance to strengthen Agricultural credit in Sierra Leone	Companies limited by guarantee with share capital; Board members from the local communities and a BoSL representative oversee the operations of these companies.
2.	Pendembu Community Bank		
3.	Sandor Community Bank		
4.	Nimiyama Community Bank		
5.	Kabala Community Bank		
6.	Zimmi Community Bank		
7.	Mattru Community Bank		
8.	Yoni Community Bank		
9.	Marampa-Masimera Community Bank		

Discount Houses

	Name	Ownership	Remarks
1.	Capital Discount House Limited	Sierra Leone (100%)	

2.	First Discount House Limited	Strategically owned by selected shareholders comprising well-established local commercial banks, insurance companies, private individuals and non-profit organisations.	FDH is an active player in the country's capital markets trading in stocks, bonds and equity-related securities
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*Source: Bank of Sierra Leone and www.bsl.gov/sl

700. The CRM notes, however, that agricultural financing by the banking industry is weak. Moreover, most bank branches are located in Freetown, with only few branches in Bo, Kenema and Makeni indicating that financial services do not extend beyond key urban centres.

701. In recognition of the pivotal role the financial sector plays in the growth and development of the economy, the Bank of Sierra Leone (BSL), with support from development partners, prepared a financial sector development plan focusing on the following four priority areas:

- Building a strong, competitive and effectively functioning commercial banking system;
- Increasing access to finance by broadening its outreach, strengthening microfinance and rural credit governance and supervision, and addressing community banking;
- Improving mobilisation and investment of long-term funds through strengthening contractual savings institutions and the capital market; and
- Establishing an enabling environment, largely in line with best international practice, through legislative and regulatory reforms, and developing an appropriate policy framework for macroeconomic and financial system stability while promoting capacity building in the financial sector.

702. The BSL has also issued prudential guidelines to banks and microfinance deposit-taking institutions. Both documents have corporate governance standards on issues such as ownership structure, board responsibility, director evaluation, disclosure of director's compensation and risk management. BSL guidelines have also been issued for credit-only microfinance institutions covering registration procedures, reporting requirements, prohibited activities, and an appropriate test for directors, managers and officers. The revisions

to the Banking Act will also incorporate corporate governance standards. According to the April 2011 Africa Report, the absence of a national banking switch is a major constraint to banking in the country because it inhibits inter-bank transactions.

Credit Reference Bureaus

703. In 2011, the Credit Reference Act was enacted to provide a framework for the establishment of credit reference bureaus and set conditions for credit reporting. This should go a long way in reducing the problems of information asymmetry and improve access to credit. Currently, the BSL has set up an internal credit reference bureau unit as an interim measure pending the establishment of a fully-fledged bureau. Efficient credit reference bureaus will improve bank credit risk analysis and contribute to expanding bank financial commitments.

The Insurance Industry

704. There are nine insurance companies in Sierra Leone and they accept both life and general business insurance. Six of them are engaged in the general insurance business, while the other three provide long-term products, including life insurance. The insurance sector contributed 0.38 per cent of GDP in 2009 and an estimated 0.39 per cent of GDP for 2010⁶⁶. According to the insurance regulator, the insurance companies lack absorption capacity, as a result of which most of the bulk imports are ceded abroad, thus depriving local insurance companies from encashing premiums. The minimum capital requirement of Le 25 million is too low to generate confidence, but plans to raise it to Le 150 million per class of insurance business are at an advanced stage. SLICOM indicates that the prospective entry of a Waica-Re, a new Reinsurance company, will boost the sector by offering alternative reinsurance to local insurance companies.

Domestic Investment Industry

Capital Markets

705. The Sierra Leone Stock Exchange was incorporated in 2004 but inaugurated in 2007. In 2009, the Bank of Sierra Leone drafted guidelines for the Stock

66 Source: Sierra Leone Insurance commission SLICOM

Exchange and other securities dealers. It also approved licensing requirements for participants in the stock markets. Licenses were granted to market participants including dealers and an issuing house. However, currently, only two equities are listed on the stock exchange (Rokel Commercial Bank, listed in July 2009, and Harbour Ports, which was listed on 2 June 2011). Available Bank of Sierra Leone's trading statistics indicate that, as of May 2011, 88 trading sessions had taken place with total bid and offer transactions amounting to Le 80,943,533. The figures are in respect of equity (Rokel Commercial Bank) and translate into an average of 30 trading sessions per year. Based on this information, it is neither possible to evaluate market performance nor to make any projections. However, policy makers need to appreciate the importance of having a separate legal and regulatory framework that sets standards for issuance of securities, disclosure of information, and prevention of malpractices such as market abuse and insider trading. These are essential both for efficient functioning of capital markets and for investor protection.

Legal Framework for Business and Economic Activity

706. Sierra Leone has various laws that govern business as mentioned above. The Companies Act is comprehensive, covering issues such as ownership rights, transfer and transmission of shares, meetings and proxy rights, appointment, duties, powers and responsibilities of directors and secretaries, protection of minority shareholders against illegal and oppressive conduct, accounting, audit and annual returns as well as declaration of dividends. However, there is a general perception that enforcement of legal and regulatory standards is weak.

Institutional/ Regulatory Frameworks for Business

707. Various institutions in Sierra Leone are responsible for regulating business and economic activity. These include:
- The Office of the Administrator and Registrar-General (OARG): This Office is responsible for registration of business names, registration of various entities including companies, partnerships, NGOs and foreign companies; company administration matters, such as change of address, business name, shareholdings, share capital, board members and registration of land transaction documents; registration of other registerable documents, such as general agreements, power of attorney, deed bills, trademarks and intellectual property.

- The Corporate Affairs Commission regulates and supervises incorporation and registration of companies by the OARG, as stipulated in the Companies Act. The Bank of Sierra Leone (BSL) is the central bank and is responsible for monetary policy and regulation of commercial banks and other financial institutions. The Bank's supervisory oversight currently extends to over thirteen commercial banks, nine community banks, three housing finance companies, two savings and loans companies, one finance house, and two discount houses.
- The Sierra Leone Insurance Commission (SLICOM) is responsible for regulating the insurance sector. SLICOM has supervisory oversight of ten insurance companies, and ten insurance brokers. [SLICOM Annual Report 2008]
- The National Revenue Authority (NRA) was established by the National Revenue Authority Act of 2002, with a mandate to collect and mobilise all duties, taxes, revenues and penalties as prescribed by the laws of Sierra Leone.
- The National Telecommunications Commission (NATCOM) was established by the National Telecommunications Act of 2006 with a mandate to: (i) provide for the licensing and regulation of telecommunications operators and the promotion of universal access to basic telecommunications services; (ii) ensure fair competition among operators; (iii) protect the interests of investors and users of telecommunication networks and services; and (iv) improve the regional integration of Sierra Leone in global telecommunications.
- NATCOM has oversight of one fixed line company, three GSM mobile phone operators, eight internet service providers, and a hundred spectrum users (55 FM radio stations, 5 television stations, 3 aviation companies, 1 oil tanker, 8 fishing vessels, and 28 VSAT users).
- The National Commission for Privatisation (NCP) was established by the National Commission for Privatisation Act of 2002 as the institution responsible for privatisation and reform of public enterprises. This is further discussed under the heading "The Privatisation Programme" later in this report.
- The Sierra Leone Investment and Export Promotion Agency (SLIEPA) was established in 2008 as the country's official agency to assist and inform investors and exporters about investment and export opportunities and to provide access to professionals.

708. Overall, there is a general perception that regulatory agencies have poor governance structures and do not adequately perform their monitoring and enforcement functions. However, some institutions such as BSL and OARG have received technical support from development partners to improve their capacity and operational efficiency.

Business Support Organisations

709. Business support organisations in Sierra Leone include:
710. Sierra Leone Indigenous Business Association (SLIBA). SLIBA was established in 1998 by business owners to support and strengthen indigenous businesses, mainly SMEs. Its objectives include private sector development, capacity building, advocacy, and business formalisation. The organisation has its head office in Freetown and regional offices in Makeni, Bo and Kenema. It has a membership of about 300 enterprises and close to 1,000 individuals. SLIBA has also partnered with ACDI-VOCA to provide enterprise development training on business formalisation, financial literacy, branding, marketing and competitiveness, leadership and value chain management.
711. The Sierra Leone Chamber of Commerce, Industry and Agriculture. Established under the Companies Act, the Chamber services include: (i) providing information on business Import/Export; (ii) helping members solve problems with Government Departments, Industries, local authorities and other bodies; (iii) issuing Certificates of Origin and certification of export documents; (iv) certifying the authenticity of documents used in international trade, such as invoices; (v) issuing Letters of Introduction to members going abroad on business trips; (vi) maintaining a computerised Business Contacts Database on Sierra Leone Companies; (vii) and organising business fora. The Chamber has a membership of 324 companies. However, it is very thin on manpower and lacks resources to support its members. Only the few large companies contribute to the budget of the Chamber while SMEs, which constitute the majority of business, rarely contribute.

External and Internal Factors Influencing Business

The Business Environment

712. The 2011 Doing Business Report ranks Sierra Leone 143 out of 183 countries. Of the nine indicators used to assess ease of doing business, Sierra Leone

performed well on starting a business and protecting investors where it was ranked 61 and 28 respectively (Table 5.5). It was reported that Sierra Leone had six procedures for starting a business, taking 12 days, which was lower than the sub-Saharan average of 8.9 procedures and 45 days. Sierra Leone scored 6 on Protecting Investors, 7 on the Extent of Disclosure index, 7 on the Extent of Director Liability index, 6 on the Ease of Shareholder Suits index, and 6.3 on the Strength of Investor Protection index.

Table 5.5: Sierra Leone ranking in Doing Business 2011 (out of 183 Countries)

Selected Indicators	Score
Ease of Doing Business	143
Protecting investors	28
Starting business	61
Getting credit	128
Paying taxes	159
Registering property	169

Source: www.doingbusiness.org (co-publication of the World Bank & International Finance Corporation)

Business Promotion

713. The CRM discussed the procedures, impact and challenges of the One-Stop-Shop and confirmed the improvement in the registration of businesses to between one and three days. However, three different authorities are involved in the process, namely: The Registrar and Administrator General, NRA for revenue collection and the City Council for issuing trading licenses, who work in close proximity in one building. A more efficacious practice in some countries is to assign the investment promotion agency/authority to coordinate the three functions of registration, revenue collection and trade licensing on behalf of applicant investors to enhance expedience and eliminate bureaucracy and corruption. To date, the One-Stop-Shop is confined to Freetown but, according to officials interviewed, plans to expand to the Provinces are under active consideration.

Challenges to Economic Activity

714. Major challenges include: (i) lack of resources to boost implementation capacity; (ii) strengthening institutions; (iii) a dearth of institutions to support agricultural credit; (iv) limited financial literacy; (v) lack of capacity to investigate financial

crimes; (vi) inadequate intermediation of long-term funds through the capital markets; (vii) token and uncoordinated corporate social responsibility and lack of an institution to develop corporate governance in the country.

715. *Resources to boost implementation capacity:* Although plausible programmes exist to this end in the private and public sectors, a lack of resources has proved to be a binding constraint to effective implementation. The Anti-Corruption Commission, for instance, cannot verify asset declarations on an ongoing basis and the One-Stop-Shop lacks generators to ensure continuous operations. Training of investigative journalists is also hampered by a lack of resources.
716. *Paucity of institutions to support agricultural credit:* The financial sector is growing, and a range of traditional products are evolving. Community banks have not developed a product to finance agriculture and microfinance institutions tend to concentrate on trade and commerce. The absence of a special institution to provide suitable finance to agriculture remains a big challenge for such an important sector of the economy.
717. *Limited financial literacy:* The financial authorities have yet to take measures to promote financial literacy. The financial sector has no credible plans to promote financial literacy for their stakeholders, leaving the public at the mercy of unscrupulous players. Further compounding the problem of low financial literacy is the fact that the general illiteracy rate itself is as high as 65 per cent.
718. *Token and uncoordinated corporate social responsibility:* While the Government of Sierra Leone bears primary responsibility for promoting a favourable investment climate, private investors can, and do, have an obligation to support this process. The main concern is how to promote corporate social responsibility, particularly in the mining sector. Companies operating in Sierra Leone need to adopt best practices in the sector, in their own interests. In the absence of a robust regulatory system, self-regulation by companies will be all the more important.
719. *Inadequate intermediation of long-term funds through the capital markets:* Efforts to develop the stock exchange continue to be hampered by lack of a separate law establishing that vital institution to mobilise both local and external funds. Without a robust private sector it is difficult to imagine the rapid development of the capital markets in Sierra Leone.

720. *Lack of institutions to promote corporate governance:* The absence of institutions, such as an institute of directors or corporate governance institute, to promote awareness of corporate governance and develop best practices as well as train directors and senior company executives, will limit the development of corporate governance in the country.
721. *Lack of a private sector/Government consultative forum:* The private sector needs to have a forum for exchanging views with the Government. Rather than bilateral meetings, it would be more effective to strengthen existing structures, such as chambers of commerce, which currently lack the resources, personnel and infrastructure to operate effectively.

Business taxation issues

722. As in other similarly situated businesses, MSMEs in large majority operate in the informal sector and do not substantially contribute to tax revenues. The CRM has learned that concerns have been raised about the multiple taxes imposed on businesses. This is because no distinction is made between the nature of payments that businesses are required to make, including Income Tax, National Social Security and Insurance Trust (NASSIT), City Council registration duties, markets dues/duties, and licenses among others. Businesses also expressed concern about the misuse of tax funds and failure to improve public service delivery.
723. Complaints were also raised about the overly generous tax incentives and waivers granted to some companies, particularly in the mining industry, these being seen in some circles as a loss of revenue to the Government.

Infrastructure

724. Constraints to doing business include poor infrastructure, access to credit (few financial institutions with few branches across the country), cost of credit (high interest rates ranging from 23-36 per cent), and corruption. The private sector experiences severe infrastructure constraints, including electricity, water, and telecommunications. For example, companies face a resource constraint because they are obliged to install electricity generators to ensure continuous operations on account of intermittent power supply from the grid. Despite these constraints, the results of the 2010 Business Confidence Index by the Economic Statistics Division, Statistics Sierra Leone, April 2011, show that

business managers are generally optimistic about future business prospects in the economy.

The Privatisation Programme

725. In the early 1990s, there were close to 44 public enterprises operating in various sectors of the economy. Most were characterised by low productivity, heavy loss-making, rising debts and poor management, and they were a considerable burden on the Treasury. The Government initiated the Public Enterprise Reform and Divestiture Programme in 1993 to redefine the role of the state in the economy, reduce the financial and administrative burdens on public resources, and increase efficiency and private investment. Government enacted the Public Enterprise Reform Act in 1993 as a first step towards privatisation. However, several inhibiting factors compounded the success of the programme, notably: (i) insecurity posed by rebel activity which rendered some public enterprises inaccessible; (ii) poor and depressed market conditions; and (iii) inadequate capacity and weaknesses in the implementation arrangements. In 1996, the mandate of the Public Enterprise Reform and Divestiture Commission (PERDIC) was terminated and its functions transferred to the Public Enterprises Unit at the Ministry of Finance. By the end of the first phase of the privatisation process, only 24 public enterprises had been divested.
726. The largest enterprises remained under government ownership and most of them constituted a persistent drain on the budget. In 2001, Government restarted the divestiture process by approving the Strategic Plan for the Divestiture of State Enterprises and establishing the National Commission for Privatisation (NCP) to implement its policies. The Commission developed a strategic plan for the divestiture of the Public Enterprises categorising them into nine (9) groups with plans of action for each group, including the time schedules for completion of each of the planned transactions. The strategy had 3 components:
- Loss-making entities that were engaged in production or trading in services and operating in competitive markets were to be privatised by outright sale. They would either be sold as going concerns, or liquidated and assets sold, or placed under receivership;
 - Large public enterprises, especially the utility companies, were to be restructured to improve their efficiency since selling them was neither financially nor politically viable. Restructuring processes would involve breaking their monopoly status or attracting foreign investment. For

enterprises with unsustainable debt, government would consider debt-equity swaps, injecting further capital or selling non-core assets; and;

- Employee ownership and local participation were to be prioritised in the sale process in order to mobilise domestic support for the programme. This was particularly the case with profitable enterprises. However, government would also consider the option of offering a substantial stake in these enterprises to domestic and international investors.

727. Several public enterprises are at various stages of privatisation and include:

- Sierra Leone Ports Authority, which was delinked and its non-core activities privatised, namely, the Ferry Services and the Slipway, with concessioning of its core activities;
- the National Workshop where Government entered into a joint-venture with the Chinese Company, Henan Guoji;
- Rokel Commercial Bank, in which Government retained a majority stake and 49 per cent was offered to the public;
- Sierra Leone Produce Marketing Board whose assets were liquidated through disposal;
- Sierra Leone Broadcasting Service/TV, which was delinked from the Ministry of Information and Broadcasting, as a first step towards its incorporation and eventual privatisation; and
- The Government Printing Department, which was delinked from the Ministry of Information and Broadcasting and set up as a commercial entity as a first step before privatisation.

728. The CRM observed that the privatisation process faced several challenges including: (i) unsustainable debt levels of most of the entities, (ii) employee redundancy, (iii) negative public perceptions about the process, (iv) a complex restructuring processes; and (v) inadequate resources for the NCP.

iii. Recommendations

729. The Panel recommends that the Government:

- Align regulatory frameworks with international codes and standards, and best practices by particularly focusing on developing corporate governance standards for the different categories of enterprises, including SOEs, Multinational Companies, SMEs and simplified guidelines for informal sector businesses; [*Government, Parliament, Private Sector, SLIBA, Chamber of Commerce*]
- Strengthen the capacity of regulatory agencies to enforce laws and standards as well as monitor enterprises within their regulatory oversight; [*Government*]
- Encourage regulatory agencies to develop collaborative framework amongst themselves in order to generate synergies conducive to heightened standards enforcement capacity as well as improved investigation and effective supervision; [*Government, Regulatory Agencies*]
- Increase awareness about the laws and regulations enforced by the various regulatory agencies. This could be done through public sensitisation, using mass media programmes and leaflets which explain in simple terms the nature and scope of the laws. In addition, prior to enacting new laws, the public should be involved through consultation and awareness for fora; [*Private Sector, SLIBA, Chamber of Commerce; Government, Media*]
- Harmonise laws and regulatory standards within a regional perspective to facilitate Sierra Leone's effective participation within regional arrangements; [*Government, Parliament, ECOWAS*]
- Continue to address critical constraints to doing business particularly through prioritising infrastructure, energy and financial sector development, and other business support programmes; [*Government in consultation with Private Sector including SLIBA and Chamber of Commerce*]
- Encourage business associations to continue to provide managerial and entrepreneurial skills development in order to boost the growth potential of SMEs and informal sector businesses; [*Private Sector, SLIBA, Chamber of Commerce*]

- Set up consultative fora whereby government policies take into consideration private sector views to ensure that government programmes are responsive to the needs of the private sector; [*Government, Private Sector including SLIBA and Chamber of Commerce*]
- Continue streamlining the tax system to ensure that businesses are not burdened with multiple taxes. In addition, the NRA needs to clarify the distinction between taxes and other statutory payments. [*Government, NRA*]

OBJECTIVE TWO: Ensure that corporations act as good corporate citizens with regard to human rights, social responsibility and environmental sustainability

730. This objective addresses three main issues: human rights, including adherence to labour obligations, social responsibility, and matters relating to the environment. Some of the specific issues covered include: employee rights, provision of a safe working environment and fair wages; the degree of corporations’ responsiveness to community needs, including a focus on issues such as health (HIV/AIDS, Malaria, Tuberculosis (TB), Yellow Fever), education and skills development; and responsible behaviour with regard to the environment, including environmental rehabilitation projects, environmental impact assessments, recycling and use of clean technology.

i. Summary of the CSAR

Corporations’ Recognition and Observance of Employee Rights and Labour Laws

731. The CSAR reports that Sierra Leone has ratified six ILO Conventions to enhance the rights of employees in the country. The ILO Conventions aim to maintain and develop a system of standards in promoting decent and productive work in conditions of freedom, equity, security and dignity. The country’s 1991 Constitution and Regulation of Wages and Industrial Relations Act (No. 18 of 1971) also support the security of the country’s labour force. However, some of these regulations are outdated and certain regulations, like the 1965 Public Order Acts, limit the rights of workers. As a result, there are few industrial disputes and workers’ strikes in the country. Labour officials are perceived as consistently failing to take action when corporations violate workers’ rights. In SOEs, because of political interference in their operations, workers feel insecure to unionise, consequently, observance of labour standards is weak.

Environmental Protection

732. Government has been very vigilant on the issue of environmental protection. However, there is a perception that mining companies pay little attention to environmental sustainability. Respondents from Kono, Bonthe and Moyamba districts mentioned that companies operating in their localities seem to have the backing of some corrupt local chiefs and politicians. They noted that, although most companies report on their operations and environmental performance, they hardly comply with their environmental conservation programmes.

Health

733. The CSAR stresses that the degree of corporations' responsiveness to community needs should not only be limited to environmental protection and related issues, but should also incorporate important social issues, such as health, education and skills development. Participants suggested that corporations should play a role to help prevent the spread of diseases, such as HIV/AIDS, Malaria, Tuberculosis, Yellow Fever.
734. Gradually, some SOEs, such as NIC and ZAIN, are partnering with UNFPA and other organisations to raise awareness on breast cancer. However, a lot more of them need to get on board and move away from the practice of sponsoring football as the only way of meeting their corporate social responsibility.
735. The emphasis is on the Ministry of Health to implement more awareness raising programmes.

ii. Findings of the CRM

Workplace rights and labour laws

Industrial Relations

736. The 1991 Constitution provides for the freedom of assembly and association and all workers, including civil servants, have the freedom to join trade unions

of their choice. The first trade union movement, the Customs Employees Union, dates back to 1913 and is one of the oldest in West Africa. Later, other unions developed, and in 1943, the Sierra Leone Trade Union Council (TUC) was formed. The Sierra Leone Council of Labour, which replaced the TUC in 1946, merged with the Sierra Leone Federation of Labour in May 1966 to form the Sierra Leone Labour Congress (SLLC). All unions are members of the SLLC, although membership is voluntary. In the mid-1980s, the SLLC had over a dozen constituent unions totalling about 40,000 members. With the decline in manufacturing, union membership has declined since then, although exact figures are unavailable. The Sierra Leone Confederation of Trade Unions (TUC-SL) – a national trade union centre – was founded in 1996 and is affiliated with the World Federation of Trade Unions (WFTU).

737. In 2001, about 60 per cent of workers in urban areas (including government employees) were unionised but unions have had little success in organising workers in the agricultural and mining sectors. The practice of hiring workers on temporary basis for prolonged periods in the face of high unemployment levels has put workers at a great disadvantage. Moreover, although workers have the right to strike, the Government can request a three weeks' notice period. There is no provision to prevent retaliatory action against workers for striking.
738. Further, although the Regulation of Wages and Industrial Relations Act 1991 allows workers the right to collective bargaining, the bargaining process must take place in trade groups which are provided for in the Negotiating Councils. Although collective bargaining is said to be widespread in the formal economy, weaknesses pervading the labour unions, combined with meagre resources to coordinate their activities, seriously constrain negotiating power. Strikes rarely occur, and usually mainly in the public sector.

Corporate Social Responsibility and Sensitivity to the Environment

739. Large corporations, particularly those operating in the banking, mining and telecommunication sectors, need to address important social issues such as health, education and skills development, and they should refrain from using their activities as an image promotion tool. There is a certain perception, and even resentment, that multinational companies, particularly in the mining sector, are not doing enough for the communities in which they operate.
740. Corporate social responsibility blends with environment-related activities of some of the large companies in Sierra Leone, as shown in Table 5.6.

Table 5.6: Corporate Social Responsibility and Environment Protection Activities by Selected Companies

Company	CSR Activities
Sierra Leone Brewery (Subsidiary of Heineken Group)	Training employees on drinking responsibly.
Sierra Leone Commercial Bank Ltd	Support towards hosting government-related regional conferences and meetings Budgetary support to welfare groups such as the aged and disabled Assistance to FC Johansen and Eastern Lions Football Club
Sierra Leone National Petroleum Company (Local Private Company)	The Million Trees Project
Airtel Sierra Leone	Donated chairs and water tanks to colleges Various donations to the aged, visually-impaired and physically challenged children
African Minerals Ltd	Awarded the International Year of Planet Earth Award, as recognised by the United Nations, for social and environmental achievements and protection of the earth's resources Partnership with ProtoPharma to produce, test and obtain regulatory support for a new-age malaria drug Strengthened education initiatives through building and furnishing three new schools, paying teacher salaries, providing teaching and learning materials to deprived schools and children and awarding 800 scholarships in Tonkolili Building water infrastructure to ensure delivery of affordable clean drinking water to all its areas of operations, particularly in Tonkolili and the Pepel Districts Providing education and equipment for the development of the local agricultural economy Sponsorships of Freetown Premier League Championship and some associated teams in national and international competitions

Company	CSR Activities
London Mining	<p>London Mining plans to apply international best practice, specifically compliance with the IFC Equator Principles at all its projects, where appropriate.</p> <p>The focus of current efforts is the ongoing development and implementation of environment, community and health and safety management plans at Marampa after the completion of the environmental impact assessment and award of the environmental permits in January 2011 and ahead of first production in 2011.</p> <p>Baseline work continues in Greenland ahead of the likely completion of a BFS in 2011. The Colombia operations have received all necessary permits to develop and operate coke ovens.</p>

Sources: websites of the respective corporate entities

iii. Recommendations

741. The APRM Panel recommends that Sierra Leone:

- Review the labour laws with the objective of domesticating ILO conventions and aligning labour standards with international best practice [*Government; Regulatory Agencies*]
- Put in place the legal framework to prevent the possibility of retributive action against workers who legally go on strike [*Government; Parliament; Regulatory Agencies*]
- Strengthen and enhance the capacity of labour institutions to monitor and enforce labour codes [*Government; Regulatory Agencies*]
- Ensure licensing requirements and agreements reached with multinational companies contain clauses requiring them to comply with environmental standards; [*Government*]
- Ensure corporations broaden their CSR beyond philanthropic activities to embrace more relevant and dynamic CSR activity programmes premised on sustainable and integrated business models that address critical societal needs in areas such as education, health, community development with particular emphasis to the underserved segments of society [*Chamber of Commerce; SLIBA*]

OBJECTIVE THREE: Promote adoption of codes of good business ethics in achieving the objectives of the corporation

742. Business ethics connotes “*principles, norms and standards that guide an entity’s conduct of its activities, internal relations and interactions with external stakeholders.*” Under this objective, self-regulation and the development of voluntary codes on business ethics by the public and private sector, the observance and enforcement of these codes by the concerned bodies are some of the indicative criteria sought. Other issues that are considered under this objective include mechanisms for sanctioning ethics violators and the effectiveness of such mechanisms. Another important issue that has been raised relates to access to information on public and private corporations, including the independence and freedom of the media, the quality of financial and investigative journalism, and other features that safeguard the so-called “public interest”.

i. Summary of the CSAR

Promotion of Good Business Ethics

743. International institutions such as the World Bank, DFID, AfDB, and IFC have provided support to the Government to promote codes of good business ethics. In 2007, Sierra Leone developed a Code of Conduct for Public Officers. The Code is applicable to the President, Vice-President and all serving Ministers and their Deputies and provides for them to submit a declaration of all properties, assets and liabilities before taking office, every five years and at the end of the term of office. The recent installation and acceptance of ASYCUDA System of billing by Customs enhances transparency in dealing with investors. The CSAR recommends that, to enhance and promote standard codes of good business ethics, declaration of properties and assets by public office holders must also extend to the private sector, where the Director-General or Chairman is typically the head of an institution.

Promoting integrity and performance

744. The CSAR considers that the Anti-Money Laundering Act 2005 as well as the Anti-Corruption Act 2008 have brought sanity into the economy and the financial environment. However, it was observed that, despite the enactment of both Acts, corruption is still frequent and rampant both in the private and public sectors. The CSAR stresses the need to ensure that the Anti-Corruption Commission

is adequately endowed with the resources to analyse the submissions. CSAR recommendations include the need to reduce sentiments of tribalism to achieve good corporate governance, and the need for oversight committees to be more effective in playing their role.

ii. Findings of the CRM

Public Enterprises

745. The CRM observes that the National Commission for Privatisation developed a Code of Conduct Manual and Checklist for Directors of Public Enterprises (September 2008) and Public Enterprises Governance and Performance Monitoring Manual that contains provisions on ethics and character for directors and boards of public enterprises. Directors are expected to possess and demonstrate qualities that ensure strong leadership and good behaviour in the conduct of their businesses. These attributes include objectivity, firmness, integrity, commitment, transparency, responsibility and accountability.
746. The Manual defines ethical behaviour as doing the right thing, putting the interests of public enterprises as a top priority, avoiding or declaring any conflicts of interest, ensuring compliance with laws, regulations, standards and best practices; conducting business on a fair, transparent, accountable and informed basis and refusing unprofessional and unethical dealings of any kind.
747. The NCP Manual and Checklist for Directors of Public Enterprises sets out the responsibilities of directors and their boards. Other areas covered include specific duties to guide the behaviour of directors; social considerations; ethical behaviour; initial preparations for becoming an effective director; a framework for making ethical decisions; a checklist for board meetings; and a checklist for assessing overall performance and behaviour. There is a general perception that private sector institutions are more accountable and performance-oriented than their public sector counterparts.
748. The CRM observes that the Sierra Leone Indigenous Business Association (SLIBA) has entered into an agreement with the Anti-Corruption Commission (ACC) to promote anti-corruption as well as business friendly standards and policies in the private sector, as illustrated in Commendable Practice Box 5.1.

Commendable Practice Box 5.1: Memorandum of Understanding between SLIBA and the Anti- Corruption Commission (ACC)

The Sierra Leone Indigenous Business Association (SLIBA) and the Anti-Corruption Commission (ACC) entered into a Memorandum of Understanding (MOU), for promoting a public/private sector partnership for consultation, collaboration, advocacy and standard setting on country-specific measures and policies to promote investment in a business-friendly and corruption-free environment. Key areas of collaboration include:

- Information exchange
- Capacity building
- Training and anti-corruption education
- Compliance with investment promotion and business related laws and policies
- Research and monitoring

Source: CRM

Extractive Industries Transparency Initiative (EITI)

749. The EITI sets a global standard for transparency in oil, gas and mining. It is an effort to make natural resources benefit all. Sierra Leone is one of the few African countries that have started the process of implementing the EITI. It announced its intention to implement EITI in June 2006. A Steering Committee was established comprising representatives from industry, government and civil society. The Sierra Leone EITI was officially launched in June 2007 and Sierra Leone became an EITI candidate country on 22 February 2008.
750. In December 2010, the EITI Board evaluated Sierra Leone to determine whether it qualified for compliant status. The evaluation concluded that although Sierra Leone had made meaningful progress in implementing the EITI, it should retain its status as a candidate country, subject to a clearly-defined and agreed work plan for achieving compliant status.
751. After the evaluation process, the Government acknowledged its shortcomings, and stated that Sierra Leone is in the process of establishing the necessary frameworks to achieve compliant status including a communication strategy, integrated reporting receipts, and having an independent EITI Secretariat. It hopes to achieve compliant status by the end of 2011. In West Africa, Liberia,

Ghana and Niger have already been admitted as complying countries, while Sierra Leone is still a candidate as it has complied with only 9 out of 18 indicators.

The Diamond Area Community Development Fund (DACDF)

752. The CRM notes that over the past few decades, community-based, decentralised and participatory approaches to natural resource management have become 'standard practice' in development agendas across sub-Saharan Africa. Sierra Leone's Ministry of Mineral Resources formally approved the Diamond Area Community Development Fund (DACDF) in December 2001 as part of a broader post-war reform programme for the diamond sector. The Fund adopts participatory mechanisms which aim to allow local actors to exercise their natural resource management responsibilities and decision-making powers. A portion of the revenues received is placed into the fund for community-managed small-scale development projects. However, the process has not been well managed and has spawned discontent through: (i) lack of transparency, (ii) lack of community participation in decision making concerning the use of the fund, and (iii) failure to monitor, utilise and account for funds received. This has reportedly stifled the concept of local ownership of the fund and alienated many stakeholders.

iii. Recommendations

753. The Panel recommends that Sierra Leone:
- Expedite the process of attaining EITI compliant status in order to ensure proper management and transparency in the sharing of revenue from mining and other resources; [*Government*]
 - Promote corporate governance standards in all sectors to ensure that corporate governance is an important ethics and anti-corruption tool [*Regulatory Agencies, State-Owned Enterprises, Chamber of Commerce, SLIBA*]
 - Support business organisations, such as the Chamber of Commerce, to enable them promote ethics in the private sector; [*Chamber of Commerce, SLIBA*]

- Encourage professional bodies to promote ethical conduct among their members; [*Professional bodies, Regulatory Agencies, Chamber of Commerce, SLIBA*]
- Promote Public/Private Sector collaboration in various initiatives including the promotion of awareness about, and enforcement of, standards and codes. [*Chamber of Commerce, SLIBA*]

OBJECTIVE FOUR: Ensure that corporations treat all their stakeholders (shareholders, employees, communities, suppliers and consumers) in a fair and just manner

754. This objective addresses the corporate governance concepts of accountability to shareholders and responsibility to stakeholders. Questions cover shareholder rights, including the right to convey or transfer shares, obtain timely and regular relevant information on the corporation; the right to participate and vote in general shareholder meetings, elect Board members and share in the profits of the corporation; as well as recourse mechanisms for shareholders in case of violation of their rights. While some of these issues may not always be directly relevant to public sector corporations, issues of public accountability for efficient and economic services by public utilities are critical and relevant considerations.

755. The objective further focuses on legislation or codes of conduct governing the direct relationship between stakeholders and corporations (for example, trade unions, consumer legislation, creditor rights and bankruptcy laws); the level of compliance with, and enforcement of, such legislation and codes; interactions between stakeholders and corporations; access to information; and the rights of stakeholders to participate in relevant fora. Examples of conduct that may show a corporation's treatment and relations with its stakeholders include product recalls, false advertising, price fixing and anti-trust suits, labour strikes and community protests; the number, level and frequency of corporate bankruptcies.

i. Summary of the CSAR

756. The CSAR notes that Sierra Leone is currently under-industrialised and, consequently, many stakeholders (including shareholders) are not treated fairly by corporations and no monitoring system is in place to help bring offenders to book.

757. The CSAR stresses the need for the Sierra Leone Stock Exchange to be controlled by an independent Security Exchange Commission rather than by the Central Bank so as to enhance transparency and efficiency to investors and other stakeholders.

758. In Sierra Leone, SMEs capture 70 per cent of the business enterprises that are mostly referred to as family businesses and are managed by the family members. Recruitment is done among family friends or associates.

ii. Findings of the CRM

Treatment of shareholders

759. The Companies Act of 2009 provides adequate mechanisms for fair treatment of shareholders, including disclosure of beneficial interests in shares (Section 80-84), prohibition of non-voting and weighted shares (Section 96), construction of class rights (Section 120), right to attend general meetings (Section 196), proxies (Section 197), and protection of minority shareholders against illegal and oppressive conduct (Part XI).

Treatment of Employees

760. Sierra Leone has ratified some key ILO Conventions that protect the rights of workers. However, it is not clear to what extent the conventions have been domesticated and are being enforced. In consultations with various stakeholders, the CRM learnt that there is a prevalent use of casual labour in certain sectors of the economy, particularly in the industrial, ports and mining sectors. The use of casual labour on temporary terms for prolonged periods of time is a violation of workers' rights.

761. The CRM was informed of the following additional challenges:

- Some laws, such as the Public Order Act of 1965, limit the exercise of certain rights, such as freedom of association and the right to strike;
- The regulatory framework for employment and remuneration is ineffective, mainly due to the disproportionately excess supply of labour relative to low demand.

- Child labour is still common both in rural and in urban areas; and
- Some of the worst forms of child labour include prostitution, mining, domestic work and begging.

Protection of Other Stakeholders

762. Other stakeholders include creditors, suppliers, the community and the future generation. The proposed introduction of a specialised commercial court will go a long way in ensuring that creditors and suppliers have an efficient mechanism for fast-tracking litigation.
763. The tripartite arrangements involving government, mining companies and local government oversight committees are supposed to ensure equitable distribution of mining revenues. However, there are daunting challenges relating to accountability in the use of mining revenues at local authority levels. It is also important to ensure that measures are in place to mitigate the environmental and other negative effects of mining activities.

The Sierra Leone Standards Bureau, SLSB

764. SLSB is the National Standards Body mandated by the Standards Act No.2 of 1996 to carry out Conformity Assessment Systems, Product Certification and/or Management System Certification. The Bureau started with product certification inspecting and testing products to verify product compliance with national and/or international standard(s), using the facilities of the University of Sierra Leone. The primary objective of the national product certification is to provide a third party guarantee of quality, safety and reliability of a product.
765. SLSB has identified ten products for a pilot product certification scheme and those manufacturers whose products meet the requirements of the relevant standards will be issued with licenses and permitted to display the quality mark. The Bureau has published sixty-six (66) Sierra Leone Standards, both mandatory and voluntary, which were gazetted for public consumption, and has established Microbiology and Chemical, Petroleum and Metrology Laboratories.
766. The fully equipped Microbiology and Petroleum Laboratories, and the Chemical and Metrology Laboratories, also expected to be fully equipped, will provide

analytical services for standards development and for testing samples, thereby providing support to industry as well as Government Agencies/Departments.

Access to Information and the Role of the Media

767. Consultations with some key stakeholders revealed that the media and, in particular, the FM radio stations, operate in a fairly free environment. The CRM observed that most households in Sierra Leone have radios. However, the media has limited capacity to engage in investigative and financial journalism or financial education. The print media is predominantly in the English language, placing it out of the reach of close to 65 per cent of citizens. The Public Order Act restricts the activities of the media. Further, the management of resource inflow affects the independence with which the media treats information. In addition, Parliament has not passed the Access to Information Act. It is hoped that the enactment of the Access to Information Bill will really enhance the capacity of the media to obtain information.

iii. Recommendations

768. The APR Panel recommends that Sierra Leone:

- Institute mechanisms to ensure effective stakeholder protection; [*Ministry of Finance and Economic Development*]
- Encourage business organisations to promote awareness about stakeholder rights and the importance of treating stakeholders fairly; [*Chamber of Commerce, SLIBA*] and
- Pass the Access to Information Act in order to enhance the capacity of the media to obtain information so as to enhance accountability. [*Government, Parliament*]

OBJECTIVE FIVE: Provide for accountability of corporations, directors and officers

769. This objective relates to the effectiveness of the corporate governance framework in regulating disclosure requirements, the enforcement thereof, and the adequacy of remedies for breach. Examples of relevant issues include auditing, accounting and filing requirements in accordance with internationally accepted requirements and standards, timely and cost-effective access to corporate financial information, and training programmes for directors and officers.

i. Summary of the CSAR

770. The CSAR deplors the absence of a clear mechanism for appointing directors for SOEs in Sierra Leone and the fact that their roles are not clearly defined. It is important for directors of public enterprises to be held accountable for their performance.

771. The recent installation and acceptance of ASYCUDA system of billing by Customs enhances transparency in dealing with investors and has eradicated a lot of the bureaucracy or red-tape encountered by the business community.

772. Since 2001, Government has embarked on reforms in Public Financial Management (PFM) to enhance accountability. An Integrated Financial Management Information System (IFMIS) has been installed and is being used in key Ministries, Departments and Agencies (MDAs), and Internal Audit Units have been established in most MDAs.

ii. Findings of the CRM

Appointment of Directors

773. Section 209 of the Company's Act of 2009 defines a director to include one occupying the position *de jure* or *de facto*. According to Section 210, the definition extends to shadow directors. Section 211-222 of the Company's Act provides for the appointment and removal of directors. Key provisions include a requirement for a company to have at least two directors; an obligation for directors to disclose their age; prohibition of insolvent and fraudulent persons, minors, un-discharged bankrupts, lunatics and persons of unsound mind from acting as directors; and rotation of directors.

774. With regard to accountability, the Company's Act requires fees payable to directors to be approved by the company and prohibits loans to directors; other payments to directors need to be approved by the company. Directors are expected to disclose payments received from the company and to avoid conflicts of interest by disclosing contracts in which they have vested interests or other forms of related party transactions. If requested to do so, they must provide shareholders with a statement on their remuneration and other emoluments. In addition, the Act provides that the fact that a person holds more than one directorship shall not derogate from fiduciary duties to each company including the duty not to use property, opportunity or information obtained in the course of management of one company for the benefit of the other, or to his or another person's advantage. Furthermore, every company is required to have a register for each of its director showing the number and description of amount of shares and debentures held by or in trust for him/her.
775. The Act also provides for liability of officers and auditors for negligence, breach of duty or breach of trust.
776. It is important to mention that some of the annual reports of companies that the CRM reviewed contained a statement on material interests of directors.

Accounting and Auditing Standards

777. Sierra Leone has adopted the International Financial Reporting Standards (IFRS) for both the private and public sector. A review of some audit reports of private sector companies revealed use of IFRS. Government officials also confirmed that they use the International Standards of Supreme Audit Institutions (ISSAI) for Public Enterprises. However, there are challenges related to the limited skills in the accounting profession and poor record-keeping at public enterprises. In addition, the IFRS for SMEs that was issued in 2009 by the International Accounting Standards Board (IASB) has not been adopted, even though the majority of companies in Sierra Leone are SMEs.

iii. Recommendations

778. The APRM Panel recommends that the Government of Sierra Leone:
- Ensure that the Companies Act is effectively enforced to implement its key provisions on appointment and accountability of directors; [Government, Parliament]

- Adopt and effectively implement the International Financial Reporting Standards (IFRS) for SMEs that was issued in 2009 to ensure a uniform standard of financial reporting in the SME sector [Government, Parliament, SLIBA, Chamber of Commerce; Accounting Professionals]
- Build and enhance the capacity of the accounting profession; [SLIBA, Chamber of Commerce, Accounting Professionals] and
- Encourage business associations to develop programmes to train informal sector operators in basic record keeping and accounting. [SLIBA, Chamber of Commerce]

CHAPTER SIX

6. SOCIO-ECONOMIC DEVELOPMENT

6.1 Overview: Challenges to socio-economic development

779. Sustained Socio-economic Development (SED) implies continuous improvement in the well-being and the standards of living of the people. It is premised on the principle that, in the context of accelerated economic growth, poverty can be effectively tackled through the (i) promotion of democracy, good governance, and peace and security; (ii) the development of human and material resources; (iii) gender equality; (iv) openness to international trade and investment; (v) allocation of appropriate resources to the social sector; and (vi) building strong partnerships between the government, the private sector and civil society.
780. Governments in Sierra Leone have attempted to pursue these policies effectively to promote socio-economic development, although the impact of the 10-year civil conflict was devastating. Hundreds of thousands of people were killed, and far more injured or maimed. Over two million people were displaced. There was a mass exodus of skilled professionals to Freetown and out of the country, leaving most of the country devoid of skilled manpower. The damage extended to significant loss of property, and the abduction of women and children for sex, labour and combat. Most of the country's social, economic and physical infrastructure was destroyed. Local community social and productive infrastructure such as markets, stores, rice mills, and community service buildings were completely vandalised. At the height of the civil war, the country came close to a total breakdown of civil and political authority giving rise to tremendous human rights abuses. Mining and agricultural activities, the lifeline of the country, were essentially brought to a halt. Farms were rampaged or abandoned while the livestock population was almost entirely wiped out.
781. Predictably, the political events of the war had an impact on the pace of socio-economic development in Sierra Leone. Nevertheless, national elections in March 1996 saw the peaceful transition of power to Sierra Leone's first democratically elected Government in nearly 30 years. The new government quickly commenced concrete talks with the rebels, culminating in the first

Peace Agreement, signed in Abidjan, Cote d'Ivoire, on 30 November 1996. This agreement and the peace process collapsed in May 1997 until 7 July 1999, when a second Peace Agreement was signed in Lomé, Togo. These agreements ushered in the arrival of ECOMOG, the West African Peacekeeping Force and, later, the UN peacekeeping mission (UNAMSIL).

782. The final phase of disarmament and demobilisation of all combatants took place from May 2001 to January 2002 with the support of the multi-donor funded Disarmament, Demobilisation and Reintegration (DDR) programme. A total of 72,490 combatants were disarmed and 71,043 were demobilised, including 6,845 child soldiers. The rebel war was declared over on 18 January 2002. By the end of February 2004, over 56,000 ex-combatants had received support to help them reintegrate active community life. The Reconstruction, Resettlement and Rehabilitation (RRR) programme supported the resettlement of refugees and internally displaced persons (IDPs) in their communities. These events paved the way for peaceful legislative and presidential elections in May 2002 (in which the RUF participated as a political party) and the gradual restoration of civil authority all over the country.⁶⁷
783. A Truth and Reconciliation Commission (TRC) was set up as a mechanism to help heal war-related "wounds". The Commission successfully concluded its work two years later in June 2004. A UN-sponsored Special Court was established in 2003 for prosecuting those who "bore the greatest responsibility for the war damage".
784. The Government formulated a Poverty Reduction Strategy in the form of an Interim-PRSP (I-PRSP) finalised in June 2001. The I-PRSP's objectives were cast in a medium-term framework to be implemented in two phases. In the transitional phase (2001-2002), emphasis was placed on: (i) restoring national security and good governance; (ii) re-launching the economy; and (iii) providing basic social services to the most vulnerable groups. The medium-term (2003-2004) would focus on good governance, reviving the economy and social sector development.
785. The National Recovery Strategy (NRS) was prepared and launched in October 2002 on the basis of detailed district assessments and local recovery plans. The NRS focused on: (i) consolidating state authority and peace-building; (ii) promoting reconciliation and enforcement of human rights; (iii) facilitating

67 United Nations Disarmament, Demobilization and Reintegration Resources Centre; Country Programme: Sierra Leone

resettlement and reintegration and rebuilding communities; (iv) facilitating access to previously inaccessible areas and expediting service delivery; and (v) stimulating economic recovery. The NRS constituted the combined efforts of the Government and its development partners, particularly UNAMSIL. The strategy was people-centred, seeking community empowerment and participation, and was seen as a bridge between emergency humanitarian assistance and longer-term development challenges.

786. Both the I-PRSP and the NRS were successfully implemented during the 2001-2004 period. With the full support of the international community, considerable progress was made in restoring security and consolidating peace throughout the country. When the disarmament and demobilisation programme ended in February 2002, the ex-combatants were reintegrated and virtually all IDPs and refugees resettled. The National Commission for Social Action (NaCSA) implemented the National Social Action Programme designed to rebuild the social and economic capital at community level. The entire country is now accessible to Government and development partners and business, and consumer confidence has been substantially strengthened.
787. Although noticeable achievements have been made in implementing the I-PRSP and NRS in the immediate post-conflict years, poverty reduction still remains a major challenge for the Government and the people of Sierra Leone. New responsibilities have also emerged, with the need to pursue accountable, transparent, and corruption-free policies for stability and to ensure a carefully sequenced opening up of investment and trade to deliver economic growth. There are also new opportunities, including the capacity for making the investments in health, education and infrastructure that would allow the country to attain the Millennium Development Goals (MDGs) in the widest participatory manner. Through Vision 2025, Sierra Leoneans have committed themselves to building a better future characterised by the virtuous circle of peace, stability and wealth creation. The nation must therefore be ready to create the necessary institutions, build capabilities and invest in the resources that are needed to achieve the vision. In addition, the Government is aware of the need to prepare a more comprehensive poverty reduction strategy that builds on the gains from the Interim Poverty Reduction Strategy and the NRS while striving to achieve the MDGs and other socio-economic indicators.
788. In order to reverse poverty and its underlying causes, Sierra Leone launched the first PRSP (2005-2007) in February 2005, which provides bold sectoral policies and institutional reforms to achieve economic growth, food security, job opportunities, basic social services and effective social safety nets. It proposes actions to address (i) short-term living conditions, and (ii) long-term causes of conflict and poverty. Consolidation of peace and security, and continued

deepening of reform, will ensure that growth translates into less poverty and improved human development. Because it is linking the PRSP to attaining the MDGs, government expects maximum cooperation and support from the international community.

789. The implementation of this Poverty Reduction Strategy brought considerable progress in key areas, including peacebuilding and security after a decade of civil conflict. There were some significant achievements, notably relatively high economic growth rates, low inflation and macroeconomic stability. Sierra Leone remains an extremely poor country, nonetheless, with an absolute poverty headcount in 2007 of over 60 per cent. Policies, delivery mechanisms and outputs in key social development areas in the country need to be strengthened. Accordingly, the government has completed preparation of a second generation Poverty Reduction Strategy Paper (PRSP II: *An Agenda for Change*) covering the period 2008-2012. The strategy is informed by lessons learnt from implementing PRSP-I. a nationwide consultation and priority-setting exercise, and the growth diagnostic analysis for Sierra Leone. It focuses on four key priorities:

- Providing a reliable power supply in the country; transiting toward a low carbon energy economy by using the country's significant hydropower potential;
- Raising quantity and value-added productivity in agriculture and fisheries with emphasis on enhancing the productive capacities of the poor and vulnerable;
- Developing a national transportation network to facilitate movement of goods and people as a means of boosting investment and economic activity; and
- Ensuring sustainable human development through the provision of improved delivery and coverage of basic social services and social protection needs of the poor and vulnerable.

790. The Government of Sierra Leone has also sought to meet the objectives of the Agenda for Change by restructuring key Ministries, Departments and Agencies, including the: (i) Ministry of Energy and Water Resources; (ii) Ministry of Agriculture, Forestry and Food Security; (iii) Ministry of Lands, Country Planning

and the Environment; (iv) Ministry of Health and Sanitation; (v) Ministry of Education, Science and Technology; (vi) Ministry of Social Welfare, Gender and Children's Affairs; and (viii) Ministry of Internal Affairs, Local Government and Rural Affairs.

791. All these ministries formulated policies and strategies with the participation of all stakeholders and established mechanisms and regulatory frameworks to ensure implementation, reduce poverty, and accelerate sustainable socio-economic development in the country.
792. Decentralised governance was reintroduced in Sierra Leone in 2004, after thirty-two years of centralised governance. After the 2004 Local Council Elections, nineteen local councils were elected (6 municipal and 13 districts) to take responsibility for the local governance of their areas. Other local council elections were held in 2008. The central government has now devolved some of its functions to these councils and it is hoped that the devolution exercise will be fully completed within the next couple of years. The Ministry of Agriculture, Forestry and Food Security (MAFFS) is one of the ministries that have already begun the devolution process and some functions have been passed to the district councils. It is expected that the councils will promote agricultural development in their districts since most of them depend on agriculture.
793. Despite the above-mentioned efforts, many challenges remain and proactive action has to be taken to achieve the desired self-sustaining and self-reliant development of the country. For instance, youth unemployment in Sierra Leone is a growing concern. At 45.8 per cent of the total unemployment figure in 2008 (Ministry of Labour, 2008), it is amongst the highest in the West African sub-region. Most participants in the various discussions have recognised that youth unemployment in Sierra Leone is a potential trigger for social instability.
794. To combat endemic corruption, the Government of Sierra Leone in 2000 promulgated an Anti-Corruption Act creating and empowering an Anti-Corruption Commission (ACC), as part of its overall governance programme. The ACC is working to secure convictions of high-level government officials, raise national awareness of the problem and build in safeguards in "corruption hotspot" ministries through anonymous whistleblowing programmes and training on proper procurement procedures.
795. All stakeholders agree that adequate capacity building and domestic and foreign resource mobilisation are very important for the implementation of programmes and plans that the Sierra Leone government has adopted in key

sectors as it strives to provide affordable access to drinking water, land and shelter, energy, micro-finance, markets, and ICT – especially to the rural poor – so as to enhance their means of livelihood and reduce poverty.

796. Progress towards gender equality is also very critical for sustainable socio-economic development in Sierra Leone, particularly equal access to education for girls and boys at all levels. Promoting gender equality will require changes in mentalities, legal and customary laws, and measures to eradicate inequalities due to past policies and social practices.
797. Apart from the overview, this chapter on SED is organised into two sections. The first section deals with standards and codes and their implementation while the second section assesses performance on the six APRM objectives in SED. Each objective concludes with a set of recommendations from the APRM Panel of Eminent Persons.

6.2 Standards and codes⁶⁸

i. Summary of the CSAR

798. The discussion in the CSAR is limited to only a few standards and codes that have been domesticated:
- African Charter on Human and Peoples Rights
 - Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and People's Rights
 - Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa

68 This section is based on information gathered from the Ministry of Foreign Affairs, desk research and discussions with stakeholders

- Convention Governing the Specific Aspects of Refugee Problems in Africa
- African Charter on Democracy, Elections and Governance
- United Nations Declaration on the Rights to Development;
- African Charter on the Rights and Welfare of the Child
- African Charter on Popular Participation in Development (1990);
- African Union Convention on the Conservation of Nature and Natural Resources
- Bamako Convention on the ban of the import into Africa and the Control of Trans-boundary Movement and Management of Hazardous Wastes within Africa;
- United Nations Convention against Corruption ΩΩΩ
- International Covenant on Civil and Political Rights
- Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
- International Convention on Economic, Social and Cultural Rights
- Constitutive Act of the African Union: signed on 12 July 2000 and ratified on 09 February 2001
- Convention on the Elimination of All Forms of Discrimination against Women
- Convention on the Rights of the Child

- Convention on the Rights of Persons with Disabilities
- International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families

799. The following standards and codes have not been ratified:

- Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour
- Slavery Convention
- Protocol amending the Slavery Convention

ii. Findings of the CRM

800. As Table 6.1 indicates, Sierra Leone has signed, ratified and adopted numerous regional and international agreements aimed at improving the governance system and promoting socio-economic development in participatory nations.

Table 6.1: Standards and Codes for Socio-economic Development

Standards and Codes	Adopted/signed	Ratified	Accession	Succession	Date Deposited
OAU, African Charter on the Rights and Welfare of the Child (1990, Addis-Ababa, Ethiopia)	14 Apr 1992	13 May 2002			18 Jun 2002
Constitutive Act of the African Union (2000, Lomé, Togo)	27 Jul 2000	09 Feb 2001			01 Mar 2001
Convention on the Elimination of All Forms of Discrimination Against Women (Beijing Platform for Action)	21 Sep 1988	11 Nov 1988			
African Convention on the Conservation of Nature and Natural Resources	15 Sep 1968				
Revised African Convention on the Conservation of Nature and Natural Resources (2003, Maputo, Mozambique)	09 Dec 2003				
Charter for the Cultural Renaissance for Africa (2006 Khartoum Sudan)	14 Jan 2009				
Freedom of Association and Protection of the Right to Organise Convention		15 Jun 1961			
Right to Organise and Collective Bargaining Convention		13 Jun 1961			
Bamako Convention on the Ban of the Import into Africa and the Control of Trans-boundary Movement and Management of Hazardous wastes within Africa	09 Dec 2003				
United Nations Convention against Corruption	09 Dec 2003	30 Sep 2004			
Kyoto Protocol on the UN Convention Framework on Climate Change (1997, Kyoto, Japan)		07 Jun 2005			
OAU Treaty establishing the African Economic Community (1991, Abuja, Nigeria)	03 Jun 1991	15 Mar 1994			12 Apr 1994
African Charter on Human and Peoples Rights (1981)	27 Aug 1981	21 Sep 1983			27 Jan 1984
Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2003, Maputo, Mozambique)					
African Youth Charter (2006, Banjul, Gambia)	17 Jun 2008	17 Feb 2009			08 Dec 2009

Standards and Codes	Adopted/signed	Ratified	Accession	Succession	Date Deposited
African Convention on Preventing and Combating Corruption	09 Dec 2003	03 Dec 2008			11 Dec 2008
Protocol to the OAU Convention of terrorism	21 Jan 2006				
UN Convention on the Elimination of all forms of Discrimination against Women (1979, New York, USA)	21 Nov 88	11 Nov 2008			
UN Convention on the Rights of the Child (1989, New York, USA)		18 Jun 1990			
International Convention for the suppression of the Financing of Terrorism	27 Nov 2001	26 Sep 2003			
International Convention for the suppression of unlawful seizure of aircraft	19 Jul 1971	13 Nov 1974			

801. The CSAR does not provide detailed information on how domestication of the standards and codes is achieved. Similarly, the majority of the population, and most of the relevant bodies (public institutions, political parties, NGOs, economic partners) appear not to be fully aware of these regional and international agreements. In addition, the CSAR does not provide dates of signature, ratification, enactment and last report. Information about their implementation and dissemination through various ways and networks is also lacking.
802. Many stakeholders stated that socio-cultural and religious factors constitute a major hindrance to the domestication and implementation of some international instruments, such as the Convention on the Rights of Women and Children, which is still resisted in some communities.
803. Discussions with some staff members of the Ministry of Foreign Affairs indicate that Sierra Leone has adhered to the following documents which do not require internal ratification before implementation: NEPAD Framework Document (2001); World Summit on Sustainable Development, Johannesburg (2002); United Nations Millennium Declaration (2000); and World Summit on Social Development Plan of Action (1995).
804. The CRM observes the recent adoption of several laws and policies aimed at improving respect for women's rights, including the Domestic Violence Act in 2007, the Registration of Customary Marriages and Divorce Act in 2007, and the Devolution of Estate Act in 2007. However, the CRM finds that the Ministry of Foreign Affairs, which is responsible for recording the information, has incomplete records. This suggests that there are serious problems associated with keeping official records in Sierra Leone, among them the challenge of retaining institutional memory. This is because staff members of the Unit in charge of the standards and codes are, in large part, newcomers and require training on the process of implementation of regional and international agreements.

iii. Recommendations

805. The APR Panel recommends that Sierra Leone:
- Undertake a comprehensive review and identification of relevant standards and codes for signature, ratification or implementation; [*Ministry of Foreign Affairs*]

- Create an easily accessible database on signed, ratified or domesticated standards and codes for their close monitoring; [*Ministry of Foreign Affairs*]
- Translate all important standards and codes into the major languages of the country; [*National and local governments*]
- Design a programme for disseminating information on signed, ratified or domesticated standards and codes, and encourage its utilisation in policy formulation, and programme and project design. [*Ministry of Foreign Affairs and CSOs*].

6.3 Assessment of Performance on APRM objectives

OBJECTIVE ONE: Promote self-reliance in development and build capacity for self-sustaining development

i. Summary of the CSAR

Institutions and Structures

806. The CSAR notes that achieving self-reliance in development has been a key objective of Governments of Sierra Leone since the country achieved independence in 1961 and that various governments established a number of structures to facilitate this objective. These include the Ministries of Agriculture and Forestry, Social Welfare and Rural Development, Housing and Country Planning, Health and Sanitation, Education, Youth and Sport, Economic Planning and Development, and Internal Affairs.
807. As more self-reliance issues evolved, the responsibilities of the Ministries and Agencies were expanded accordingly. For instance, the Ministry of Agriculture and Forestry now includes food security among its responsibilities. Also, the Ministry of Social Welfare and Rural Development currently caters for social welfare, gender and children's affairs, among other things. The Internal Affairs Ministry has been expanded to include decentralisation and community development while an Environmental Protection Agency has been added to

the Ministry of Housing and Country Planning. The Ministry of Education, Youth and Sport now includes science and technology, and the Ministry of Economic Planning and Development is now the Ministry of Finance and Economic Development to underscore its central role in the quest for self-reliance in development.

808. The CSAR notes further, that all these Ministries and government departments and agencies have initiated processes and action to bring about sustainable socio-economic development that will usher in the desired self-sustaining and self-reliant development of the people of Sierra Leone.

Policies and Policy Formulation

809. The CSAR underscores that the Government's policy on sustainable self-reliance in development and capacity building is based largely on sustainable livelihoods as an integrating factor to allow policies to address development, sustainable resource management, and poverty eradication simultaneously. Accordingly, the Government's strategy seeks to not only foster a bottom-up local partnership where poor people direct their affairs and determine their own destiny, but also to institutionalise environmentally sound community development processes and outcomes that will guarantee sustainable livelihoods for the poor.
810. The CSAR, however, notes that the sustainable livelihood approach has had a marginal impact on socio-economic development in Sierra Leone because it has not gained much significance in policy formulation.
811. Apart from the marginal impact of the livelihood approach, the CSAR identifies other causes of Sierra Leone's slow progress to greater self-reliance and sustainable development as: (i) poor political and developmental governance, (ii) corruption that saw Sierra Leone drift from a democratic state to a one-party dictatorship and then to a centralised system of governance and (iii) the civil war.
812. After the war, the country speeded up the process of socio-economic development and governance through formulation and implementation of various programmes and plans, including Sierra Leone Vision 2025, and the PRSP II: *An Agenda for Change* (2008-2012). All these strategies and programmes used the participatory approach through consultations, yet many stakeholders complain about the limited decentralisation and their marginal involvement in the process.

813. Despite the huge challenges to Sierra Leone's socio-economic development, the CSAR commends the tremendous progress made by the government in combating HIV/AIDS, improving school enrolment and reducing child and maternal mortality. It is noteworthy that the support of the international community was critical for the progress made towards attaining these goals.

ii. Findings of the CRM

814. The CRM observes that Sierra Leone is well-endowed with natural resources and has the potential to be self-reliant in its socio-economic development. It is among the largest producers of titanium, bauxite, gold, rutile and diamonds, and it also has one of the largest iron deposits in the world.

815. However, the country has faced a number of serious challenges in its socio-economic development over the years. Long periods of political violence and instability and, more particularly, the bitter experiences of the decade long civil conflict, shattered the country's economy. Sierra Leone continues to face the impact of these challenges even as it attempts to promote self-reliance in development and build capacity for self-sustaining development.

Promotion of National Social Vision: Strategies for Sustainable Development

816. The Government has taken a number of commendable steps to minimise these challenges. It has developed and instituted a national vision to coalesce and motivate national effort for development. The national social vision of "Sweet-Salome"⁶⁹, "United People Progressive Nation Attractive Country" is based on the desire to create a better future for Sierra Leone – "a future that is characterised by the virtuous circle of peace, stability and wealth creation, in place of the vicious circle of poverty and underdevelopment"⁷⁰.

817. In addition to the national vision, successive governments have developed and implemented a number of strategies and plans to promote self-sustaining development since the war ended. Through the current key development

69 *Sierra Leone Vision 2025 "Sweet-Salome" Strategies for National Transformation*, p. 1, National Long Term Perspective Studies (NLTPS), Government of Sierra Leone, August 2003.

70 *Ibid*, pg. 2

document – *An Agenda for Change* for 2012 – the present administration hopes to achieve this objective by focusing on a number of sectors of the economy, including agriculture, transportation and energy.

818. The government's focus on agriculture as a source of self-reliance in development is a step in the right direction. The sector accounts for an estimated 31 per cent of Sierra Leone's GDP and employs about 60 per cent of the population. The CRM learnt that there are several agricultural and socio-economic projects under the government's Small-holder Commercialisation Programme (SCP) in rural areas that are currently being implemented in all the 14 districts in the country. Their overall purpose is to increase agricultural production, income generation, poverty reduction and combat malnutrition. By engaging a two-pronged approach of building smallholder farmers' commercialisation framework and developing a private sector large-scale commercial farming framework to increase food security in the country, the Government has sought to address two needs simultaneously: (i) the need for pro-poor policies, and (ii) the need to promote private sector-development.
819. However, the CRM notes a number of challenges facing these interventions. It appears that citizens at the sub-national and project levels are not adequately aware of the national vision to develop a consensual approach to sustainable socio-economic development. This may, in part, explain the contradictory views held by state stakeholders and some of the sub-national stakeholders. State stakeholders informed the CRM that development plans are designed, adopted and implemented through broad-based consultations with the public sector, the private sector, and local communities. Some sub-national stakeholders in Kenema, on the other hand, said that project designers still employ a top-down approach without their input. They maintained that even the direct project beneficiaries are often not consulted, as was the case of a market designed and located "at a wrong place" in one of the districts. The beneficiaries have refused to use the market indicating a lack of ownership at the local level.
820. Both stakeholders and experts maintain that, for the agricultural sector to achieve the desired results, the Government needs to scale up its interventions in agriculture to accommodate a majority of low-income rural farmers, and enhance the capacity of farm-based organisations (FBOs).
821. The fact that the Government has embarked on road and infrastructure projects is equally a welcome start. It addresses concerns raised by some stakeholders about the poor state of the roads, which prevents some rural farmers from transporting their farm produce to marketing centres or accessing medical care during the rainy season. The CRM noted that the lack of a direct road link

between the only international airport at Lungi and the City of Freetown needs urgent attention to ensure that the country becomes an investor-friendly and tourist destination of choice. Currently, it takes more time to travel by ferry to the mainland than it takes a jet plane to fly from the airport to Banjul in Gambia. The CRM was therefore pleased to learn that the Government has plans to modernise the airport and build a bridge to link Lungi and the mainland.⁷¹

822. Another sector that needs improvement for self-reliant sustainable development is electricity. Most areas of the country are not connected to the national grid and even in most of the connected areas, the supply of electricity is sporadic and inconsistent. The CRM learnt that current production of electricity is between 100MW and 180MW, making it one of the lowest producers of electricity in sub-Saharan Africa. Though the Bumbuna hydro-electric project will triple the current electricity production level, even that output may not be sufficient for both industrialisation and domestic consumption suggesting that Sierra Leone will still need to increase electricity production substantially to meet its needs.

Dependence on Aid Donors

823. The CRM's interactions with both domestic and foreign experts suggest that Sierra Leone faces serious challenges in mobilising domestic and international resources that can generate high sustainable growth and poverty reduction. Such challenges include: (i) attracting sustained capital inflows (including remittances) and ensuring that they are directed to sectors with high added-valued and strong quality employment impact; (ii) improving domestic resource mobilisation through increased savings, higher tax revenue and reduction of capital flight; (iii) managing debt effectively and efficiently; and (iv) improving trade, market access and aid effectiveness.
824. The challenges have contributed to the country's high dependence on foreign aid for its socio-economic development. About 44 per cent of the estimated USD 1.92 billion needed for the key development actions contained in Sierra Leone's Agenda for Change for 2012 is expected to be donor-funded. In 2004, for example, the total amount of aid to Sierra Leone was USD 239 million⁷². By 2007, it had climbed to USD 504.6 million, indicating a 53 per cent increase.

71 *President Koroma Outlines Fantastic Plans for Lungi*, p. 1, The Satellite, Vol. 8, NO 40, Friday 27 May, 2011.

72 *Development Assistance to Sierra Leone*, p.5, DACO, 2007. This document was supplied to the CRM by DACO.

Similarly, external debt rose from about 270 per cent of domestic revenue in 2008 to 300 per cent in 2009. Sierra Leone's socio-economic development to be so dependent on foreign resources is a threat not only to its self-reliance and self-sustaining development but also to its sovereignty. It also runs the risk of encountering the attendant effects of donor fatigue.

825. The CRM further noted that weak capacity is another challenge to self-reliance and ownership of development programmes in Sierra Leone. Although a general constraint in all sectors of the economy and at all levels of government, it is more serious at the sub-national levels, due mainly to the high level of illiteracy among the population, a result, partly, of the civil war.
826. The CRM was, however, impressed that the Government recognises the serious lack of progress in these areas, and has responded by articulating bold reforms and policy prescriptions as evidenced in its Agenda for Change. Also, the Government is looking towards the Diaspora to mobilise expertise in priority areas where there are currently capacity gaps in the public sector. Specifically, the aim of the Diaspora initiative is to lay the foundation for a productive and mutually beneficial partnership between the Government of Sierra Leone and Sierra Leoneans in the Diaspora. A Directorate of Diaspora Affairs has been set up to this effect, supported by a newly created Public Sector Reform Unit, in the Presidency, to lead the process. This initiative is a short-term measure; in fact most of the experts who have been engaged since the beginning of the programme are yet to assume duty in the various Ministries of their expertise. The long term solution to the challenge of limited capacity for development is to improve the educational system and provide more technical and vocational institutions. Above all, until the positive effects of the Government's articulated reforms gain deep roots, Sierra Leone will continue to rely more on external assistance than on internally generated revenue to finance its development agenda.

iii. Recommendations

827. The APR Panel recommends that Sierra Leone:
- Boost electricity production to beyond the supply of the Bumbuna hydro-electric project to ensure sufficient supply of electricity for both industrialisation and domestic consumption to meet its energy needs for self-reliance in development; [*Ministry of Energy and Water Resources*];

- Strengthen the implementation of the smallholder farmers' commercialisation framework and private sector large-scale commercial farming approach to enhance the capacity of low income rural farmers in increasing food security in the country and contributing to self-reliance in development; [*Ministry of Agriculture, Forestry and Food Security, Ministry of Trade and Industry*]
- As a matter of urgency, implement the government's domestic resource mobilisation schemes for attracting sustained capital inflows including remittances that are directed to sectors with high added-value and strong quality employment impact; [*Ministry of Finance and Economic Development, the Bank of Sierra Leone, other financial institutions and the private sector*]
- Deepen the implementation of educational reforms, and provide more technical and vocational training to help address the serious issue of capacity development. [*Ministry of Education, Science and Technology, Ministry of Trade and Industry, the Private Sector and CSOs*]

OBJECTIVE TWO: Accelerate socio-economic development to achieve sustainable development and poverty eradication

i. Summary of the CSAR

828. The CSAR points out that after the war, Sierra Leone moved in a very structured manner to accelerate the process of socio-economic development and governance. As part of this process, it formulated a National Recovery Strategy in 2000, an Interim Poverty Reduction Strategy in 2002, the Sierra Leone Vision 2025 in 2003, the First Poverty Reduction Strategy Paper (PRSP) for 2004-08, and the Second PRSP (commonly known as *An Agenda for Change* for 2009-12). The CSAR also states that, in addition to these national documents, sectoral development plans and strategies were formulated⁷³ and implemented, such as the National Sustainable Agricultural Development Programme (NSADP), the Health Strategy, the Education for All Policy and the Financial Sector Development Plan (FSDP).

73 The material for this paragraph was discussed under Objective One of the CSAR.

829. The CSAR notes that these policies and countrywide reconstruction and rehabilitation work after the cessation of hostilities spurred economic activities that led to a sharp rise in GDP. However, the high rates declined between 2003 and 2009 from 7.5 per cent to around 3.2 per cent⁷⁴. The CSAR sees these decreases as a worrying concern because Sierra Leone needs to sustain an economic growth rate of at least 6-7 per cent to halve poverty by 2015 and meet its Millennium Development Goal no.1.

Poverty

830. The CSAR states, in addition to the foregoing, that even a steady growth rate of 6.5 per cent will not be enough to substantially reduce poverty levels. In fact, according to PRSP II, an annual growth rate of 10 per cent or more will be required to significantly reduce poverty in the medium term. Yet, as indicated earlier, the whole process of the government policies and strategies is over-centralised and highly dependent as it is mostly funded by the international community.

831. Using evidence-based survey statistics from the Centre for Economic and Social Policy Analysis (CESPA), the CSAR illustrates that households in rural and urban areas alike are living in very poor conditions. About 74 per cent of households live in unsecured housing and, of the remaining 26 per cent who live in secured houses, only 3 per cent have access to water closet toilets.

832. On progress towards the MDGs, the CSAR states that Sierra Leone lost a decade in the process of their implementation because of the civil war of 1991-2001. The CSAR notes that only objective 6 (which is on HIV/AIDS, Malaria and TB) may be achieved and that only the HIV/AIDS goal is really on track while malaria and TB still pose a huge challenge and their attainment by 2015 is in doubt.

ii. Findings of the CRM

Dimensions of Poverty

833. The CRM observed that generally, the level of poverty in Sierra Leone is very high. Table 6.2 illustrates that 66.4 per cent of the total population is poor. Forty-seven per cent of urban population and 79 per cent of the rural population are

74 Official documents indicate that the GDP growth rate for 2009 was 4.0 per cent.

poor. Nationally, 21 per cent of the population lives in extreme poverty, that is, in households where the consumption levels below what is needed to meet basic food needs. The equivalent figures for rural areas are even worse than those for urban centres such as Freetown, the capital city. Regionally, poverty is most pronounced in the Eastern Region followed by the Northern Region, while the Western Area has the lowest levels of extreme poverty. At the district level, extreme poverty is most prevalent in Bombali, Kailahun, Kenema and Koinadugu.

Table 6.2: Absolute Poverty: Nationally and Rural-Urban in 2003

Area	Head Count	Poverty Gap	Share of Population	Contribution to Poverty	Gini Coefficient
National	66.37	27.53	100.00	100.00	0.37
Rural	78.55	34.57	61.34	72.61	0.36
Urban	47.02	16.31	38.66	27.39	0.34
Freetown	22.21	5.07	16.20	5.42	0.28
Other Urban	64.92	24.42	22.45	21.97	0.33
Southern Region	61.45	22.97	22.30	20.64	0.38
Regional Capital (BO)	56.34	22.11	9.52	8.08	0.44
Eastern Region	84.35	38.97	22.50	28.59	0.34
Regional Capital (Kenema)	87.48	39.09	9.96	13.13	0.28
Northern Region	78.84	33.34	35.63	42.33	0.31
Western Region	28.59	9.00	19.58	8.43	0.30
Freetown	22.21	5.07	16.20	5.42	0.28
Freetown	22.21	5.07	16.20	5.42	0.28
Other Western	59.14	27.81	3.38	3.01	0.35

Source: Sierra Leone Poverty Diagnostic, Report No. 44082-SL, Poverty Reduction and Economic Management Sector Unit, Sub-Saharan Africa Region, World Bank, 16 June 2008.

834. Some sources⁷⁵ suggest that Sierra Leone's per capita GDP in the third millennium is below the level of the early 1990s. In addition, while the share of agriculture (an important sector of the economy) in GDP increased during the conflict years, it has since shrunk. This means that the majority of the population still engage in subsistence farming and low productivity informal sector activities, both of which lead to high rates of poverty.

75 Sierra Leone Poverty Diagnostic, Report No. 44082-SL, World Bank, 16 June 2008.

835. Sierra Leone ranks low on other indices also. The United Nation's Human Development Index (HDI) ranks Sierra Leone as one of the poorest countries in the world. In 2005, the country's HDI value of 0.336 ranked it last on the HDI scale. Data for 2009 indicate that life expectancy at birth was 49 years for females and 47 years for males, and the infant mortality rate was at 123 per 1,000 live births while the under-five mortality rate was at 192 per 1,000. Furthermore, 21.3 per cent of children under five were underweight⁷⁶, 37.4 per cent⁷⁷ of these were stunted and 9 per cent wasted. In the same year, according to the HDI, the adult literacy rate was 34.8 per cent.

Youth Unemployment

836. Youth unemployment, underemployment, and employment without secure remuneration remain a social, economic, and security challenge in the country. As a result of the civil war, a generation of young people received little or no schooling. Many were uprooted from rural areas and they sought refuge in cities, notably Freetown. Sierra Leone faces a key challenge - that of creating jobs, primarily through private sector growth and skills improvement – especially vocational training supplemented by work programmes. Because much of the economic growth is expected to be in agriculture, job creation may depend upon young people's willingness to relocate from cities to villages and towns. However, it appears that they are not ready to make this move partly because the current liberal arts education does not prepare school leavers adequately enough for such a move.

Institutions and Policies

837. The CRM observed that, in response to these challenges, Sierra Leone has made some remarkable efforts to accelerate socio-economic development. The authorities have established appropriate institutions and adopted targeted policies and social programmes for poverty alleviation.

838. All the programmes cited in the CSAR reflect the Government's numerous efforts in this context. In addition, the CRM learned that the focus of the National Recovery Strategy is on the consolidation of state authority, peace-building, promotion of reconciliation, enforcement of human rights, resettlement, reintegration and the

76 This figure is for 2008.

77 This figure is for 2008.

rebuilding of communities. The Sierra Leone Vision 2025 document provides a long-term framework for development planning and management, while the First Poverty Reduction Strategy Paper (PRSP-I) was developed to promote good governance, security and peace; pro-poor sustainable economic growth for food security and job creation; and human development. The CRM was told that the document enjoys strong ownership within the Government, and was subjected to extensive frank and open discussions throughout the country with key stakeholders. The current socio-economic development plan, the Second Poverty Reduction Strategy Paper (PRSP-II: *An Agenda for Change*) for 2008-2012, is focused on promoting transformational economic growth to achieve accelerated sustainable development and poverty reduction through the key strategic sectors of energy, transport and infrastructure, agriculture and human development.

839. The Government's commitment to decentralise the implementation of the PRSP-II: *An Agenda for Change* for 2008-2012, is equally commendable. The process will be effective in accelerating poverty reduction if it is properly implemented. By enabling each District to engage closely with its population and serve specific local needs, the process will enable ordinary citizens, through their respective District Councils, to effectively participate in poverty reduction decisions. Also, District Councils, along with other important local organisations, can have a tangible impact on local delivery of policy objectives. The created District Working Groups (DWGs) where representatives from the District Councils, Paramount Chiefs, local representatives of MDAs, CSOs and other selected parties meet to debate local cross-sectoral issues, will enhance this process. The Local Monitoring and Evaluation of the PRSP-II: *An Agenda for Change* for 2008-2012 Results Framework will empower districts to influence local delivery and provide transparency on the progress towards poverty reduction for both local and national decision-makers.
840. However, in interactions with the CRM, stakeholders suggested that the decentralisation process is not progressing as fast as intended. They maintained that District Councils are not fully aware of their responsibilities to ensure proper project implementation, monitoring and evaluation. Moreover, in addition to the challenge of coordinating the Agenda for Change for 2008-2012, they identified other factors that could impede its success and ability to accelerate socio-economic development. These are: (i) a lack of technical capacity; (ii) an insufficient funding of projects;(iii) a lack of proper audit and monitoring; (iv) starting projects such as roads and not completing them; and (v) corruption.

Social Programmes to Alleviate Poverty

841. The CRM was equally impressed by the series of pro-poor programmes set up in recent years to alleviate poverty. The CRM learnt that Social Protection (SP) in Sierra Leone is poorly provided resulting in a lack of a clear and coordinated national approach in that area. Moreover, previous development programmes did not really highlight the role of social protection in poverty reduction, promoting equity of access to social services, reducing discrimination; strengthening capacity of vulnerable groups to manage risk; and promoting social cohesion and stimulating growth.
842. Currently, social protection is provided by governmental and non-governmental organisations in varying areas. The Government of Sierra Leone has put together a number of initiatives geared towards providing SP and alleviating poverty especially amongst the vulnerable groups. Among the most prominent are the Social Security and Pension Scheme, implemented by the National Social Security and Insurance Trust (NASSIT), and Pro-poor Social Action Projects, implemented by the National Commission for Social Action (NaCSA). The Social Insurance Trust (managed by NASSIT) operates a contributory scheme that provides security for contributors in old age or in the case of disability. It mainly attracts people in formal employment in both the public and private sectors.
843. Through NaCSA's operations, a significant number of community social and economic infrastructure has been provided and temporary employment created, especially in the rural, peri-urban and slum settlements in urban areas. The CRM learned that, more recently, some focus has shifted to productive assets and economic empowerment activities aimed at addressing poverty among the extremely poor at the individual and household levels.
844. Other government interventions include safety-nets, such as tuition-free primary education and support to the girl-child, pioneered by the Ministry of Education, as well as cash transfers to the elderly, managed by the Ministry of Labour and Employment. Further initiatives, including the School Feeding Programme sponsored by the World Food Programme and other food pipeline agencies, are being delivered by NGOs and the UN.
845. However, such safety net interventions are fragmented with weak institutional arrangements for delivery and coordination. Due to the lack of synergy from poor coordination, there is little empirical evidence of the impact of social safety net schemes and the overall investment in such schemes is hard to determine.

Progress on Millennium Development Goals (MDGs)

846. As indicated in Table 6.3, while Sierra Leone, with increased and sustained effort, is likely to meet 30 per cent of its MDGs goals by 2015, it will definitely not achieve about 50 per cent of them.
847. Significant constraints that continue to impede progress in achieving all the MDGs goals are poor infrastructure, lack of a reliable electricity supply and weaknesses in social services delivery. Equally important are governance and capacity constraints in the public sector, including corruption, resulting in a very inefficient civil service.
848. To achieve the MDGs, whether on time or later, it is central to maintain and increase robust economic growth, preferably to the 10 per cent per annum range. This level of growth is particularly important for reducing poverty and hunger and for enhancing employment creation. Growth in agriculture is particularly important, due to its very direct link with poverty and hunger, which is highest in rural agricultural communities. Accelerating growth calls for improvements in the business environment, including removing administrative barriers and tackling other issues, such as access and collateralisation.

Table 6.3: Sierra Leone's Progress Towards Achieving the Millennium Development Goals

Goal/Target	Indicator	Current Status	2015 Target	Status	Feasibility of Achieving the Goal
Eradicate Extreme Poverty and Hunger	Proportion of population living below USD 1.00 per person per day	60%	40%	Off track	Will not be met
	Poverty Gap Ratio	29%	0%	Off track	
	Prevalence of Underweight Children	21%	0%	On track	
Achieve Universal Primary Education	Proportion of population below minimum level of dietary energy consumption	26%	0%	Off track	
	Net Enrolment in Primary	61.7%	100%	Off track	Inconclusive
	Literacy Rate (15-24 yrs)	43.5% (female) 69% (male)	100%	On track	
Promote Gender Equity and Empower Women	Proportion of Pupils Starting Grade 1 Reaching Grade 5	-	-	Off track	
	Ratio of Girls to Boys in Primary Education	1.01	1	On track	Will not be met
	Ratio of Girls to Boys in Secondary Education	0.78	1	On track	
	Ratio of Literate Women to Men 15 – 24 Years Old	0.63	1	On track	
Reduce Child Mortality	Proportion of Seats Held by Women in Parliament	14.5%	30%	Off track	
	Under-five mortality rate	140 per 1,000	95 per 1,000	On track	May be met, with increased and sustained effort
	Infant Mortality rate	50 per 1,000	On track		
Proportion of 1 year old children immunised against measles	59.7%	100%	On track		

Goal/Target	Indicator	Current Status	2015 Target	Status	Feasibility of Achieving the Goal
Improve Maternal Health	Maternal mortality ratio	857 per 100,000	450 per 100,000	On track	May be met, with scaled up and sustained effort
	Proportion of births attended to by skilled health personnel	42%	100%	On track	
Combat HIV and AIDS, Malaria and other diseases	HIV prevalence among 15 – 24 year old pregnant women	1.5%	0%	On track	Likely to be met, but only with regard to HIV/AIDS. Malaria and TB will lag behind
	Access to Malaria Treatment	30.1%	100%	Not on track	
Ensure Environmental Sustainability	Proportion of Household with at least one ITN	25.8%	-	On track	
	Proportion of land covered by forest	<5%	-	Off track	
	Proportion of area protected to maintain bio-logical diversity	8%	-	Off track	
	Proportion of population using solid fuel	-	0%	Off track	Will not be met
	Proportion of population with sustainable access to an improved water source	50%	73%	On track	
	Proportion of population with access to improved sanitation	13%	65%	Not on track	
Develop Global Partnership for Development	Net ODA as a percentage of Real Gross Domestic Product	30%	-	On track	Global goal may be met locally with sustained effort.

Source: Millennium Development Goals Report 2010, pp. 8 and 9, Government of Sierra Leone.

MDG 1: Eradicate extreme poverty and hunger.⁷⁸

849. This goal will not be met. Though absolute poverty fell from around 70 per cent after the war to around 60 per cent by 2007, for Sierra Leone to reach the target, absolute poverty would have to fall to below 40 per cent in 5 years in order to lift 20 per cent of the population out of poverty. The limited absorptive capacity of the country's labour market is a major constraint. Currently, the employment to population ratio has remained constant at 40-45 per cent due to low investment and lack of relevant education and/or skills among job seekers.

MDG 2: Achieve Universal Primary Education.

850. Information about expected outcomes for this goal is inconclusive due to the limited data available to assess progress towards relevant indicators. Gross enrolment rose significantly after the war and even exceeded 100 per cent for a while as older students returned to school. Net enrolment also rose but now seems to have peaked at between 62 and 69 per cent. The yearly enrolment in each of the years 2006 to 2008 remained constant around 62 per cent. Drop-out rates are high, notably among girls reaching puberty.

MDG 3: Promote Gender Equality and Empower Women.

851. This goal will not be met. While near gender balance has been achieved in gross primary enrolment, because of a higher drop-out rate among girls, female completion rates are currently much lower. Boys enrol and complete secondary school more often than girls. Even with an immediate turnaround, parity cannot be reached by 2015 because other forms of discrimination against women still exist and women are generally less empowered than men.

MDG 4: Reduce Child Mortality.

852. This goal may be met, with increased and sustained effort. After the war, under-five child mortality was estimated at 267/1000 (2005), the highest in the world. A more recent survey (DHS) estimates child mortality at 140. This is a major achievement and, if sustained, Sierra Leone might reach a target just below

78 This section of the discussion is drawn from: Government of Sierra Leone, Millennium Development Goals Report 2010.

100, and therefore close to the target of 95 by 2015. A similar drop was noted for infant mortality. The new Free Healthcare Initiative should help create and maintain momentum for progress toward this goal.

MDG 5: Improve Maternal Health.

853. This goal may be met with increased and sustained effort. In 2000, the maternal mortality ratio was 1,800/100,000 births, the world's highest. A 2008 DHS study puts this number at 857, a dramatic drop of 52.4 per cent. As with child mortality, the Free Healthcare Initiative should increase the possibility of achieving the target of around 450/100,000 in 2015.

MDG 6: Combat HIV/AIDS, Malaria and other Diseases.

854. This goal is likely to be partly met. The targets for combating HIV/AIDS will be met, but reducing malaria and TB will lag behind. HIV prevalence appears to have been stabilised at a rate of just over 1.5 per cent of the general population with pockets of higher prevalence among certain groups. Treatment options are widely available free of charge, but fear of stigma appears to be a larger obstacle to effective treatment than access. While there has not been much progress in reducing the incidence of malaria, there are no indications that the disease is growing in frequency. Planned campaigns – providing treated bed-nets, etc. – should at least help stabilise and, possibly, start to reverse the incidence. The TB prevalence rate is difficult to assess because of stigma. The treatment success rate of 85 per cent is encouraging but World Development Indicators show a rising rate from 540 per 1,000 people in 2006 to 644 per 1,000 people in 2009.

MDG 7: Ensure Environmental Sustainability.

855. This goal will not be met. Remaining forest cover is currently less than 5 per cent of total forest and cannot be reversed by 2015. Sustainable development principles should be incorporated into policies and programmes to reverse the loss of environmental resources. Many sustainable principles have already been incorporated into law and policies but they require medium- to long-term implementation. Biodiversity is still being lost in many parts of the country. Progress is being made as regards rural water supply, but it is still a long way from reaching its target. Major towns, with large populations, are without safe drinking water. The proportion of people with access to safe drinking water peaked at 50 per cent in 2008. The MDG target for 2015 is 73 per cent.

MDG 8: Develop a Global Partnership for Development.

856. This goal, while a global one, may be met locally with sustained effort. Sierra Leone enjoys strong support and partnership from the international community, with ODA levels remaining stable at around USD 65 per capita. All development partners have endorsed the Government's Agenda for Change, and new support strategies (UN Joint Vision, AfDB/WB Joint Assistance Strategy) are fully aligned with it. A new Aid Policy has been approved by Government and endorsed by all development partners. In this regard, regular Government-Development Partners meetings now take place.

iii. Recommendations

857. The APR Panel recommends that Sierra Leone:

- Accelerate the decentralisation process by completing the devolution of powers and responsibilities to the District Councils to enable them take more control of the socio-economic development agenda at the sub-national level; [*Government, MoFED, Sierra Leone Ports Authority*]
- Improve the business environment, including removing administrative barriers, such as limited access to finance and collateralisation, to enhance the "Doing Business" initiatives in order to attract foreign investment for accelerating the achievement of the MDGs; [*Government, MoFED, Sierra Leone Ports Authority*];
- Enforce a compulsory retirement policy by ensuring that retired workers are paid their retirement packages on time to enable them leave their employment to make room for youth employment; [*Government, MoFED, Sierra Leone Ports Authority*]; and
- Strengthen safety net interventions and the institutional arrangements for their delivery and coordination. [*Government, MoFED, Sierra Leone Ports Authority*].

**Strengthen policies, delivery mechanisms and outcomes
OBJECTIVE THREE: in key social areas including education and combating of
HIV and AIDS and other communicable diseases**

i. Summary of the CSAR

Education

858. The CSAR indicates that enrolment level has increased at all levels, particularly at the primary level. Yet, over a third of school-age children are still out of school. Progression rate to Junior Secondary School (JSS) has improved but it is still low. Enrolment beyond JSS and adult literacy are abysmally low. Enrolment, progression and adult literacy rates for girls are worse than for boys. They are also worse for poor households than non-poor households. Since 2004, school fees have been abolished to encourage primary school enrolment and enrolment of girls, enrolment in selected districts and enrolment of disadvantaged groups. This measure was supplemented by school feeding and de-worming to encourage children to attend school. Schools damaged by the conflict have been refurbished and new ones have been built. Efforts have been made to make furniture and textbooks more readily available. The CSAR also identifies several factors that could contribute to further positive achievement in education. These are (i) improving proximity to and accessibility of schools; (ii) eliminating hidden charges; (iii) improving the supply and quality of teaching materials; (iv) reducing teacher absenteeism; and (v) increasing the size and effectiveness of public expenditures in education.

Health

859. The CSAR states that the health infrastructure had been damaged severely by the war. It also suffered from inadequate funding until the financial injections through PRSP-I. Provision of government health care services is organised in three tiers: Peripheral Health Units (PHUs), District Hospitals, and tertiary level specialised hospitals. PHUs have been decentralised to the district councils. A referral system is in place to take advantage of the existing facilities and to increase the sector's internal efficiency. In addition to the government, private providers, faith-based organisations and other NGOs play an important role. GoSL exempted the disabled, nursing and pregnant women, under-five children and the elderly from paying fees at government facilities. Use of health services is influenced by distance from a health facility, service cost, and quality of service.

HIV & AIDS and other communicable diseases

860. The CSAR indicates that HIV prevalence is low and mentions the strong political commitment of the GoSL to combat the spread of the epidemic and the establishment of the National AIDS Council in 2002. The underlying factors fuelling the spread of the epidemic are identified, and include poverty, the high unemployment rate, a large population of youth, stigma, and a high level of risky behaviour in urban areas. The CSAR also indicates that GoSL has developed a special programme for malaria and TB as part of the national health delivery system.

ii. Findings of the CRM

Education Sector⁷⁹

Primary School Enrolment

861. The CRM observed that about two-thirds of primary school children are attending school. After the conflict, with the reconstruction of schools and exemption of fees, enrolment has increased. In 2006-7, primary school enrolment reached about 1.32 million. Of this number, about 40 per cent were girls. While progression has increased, enrolment and progression of girls has not kept equal pace with the overall increase⁸⁰. There is a large number of over-age youth who attend primary school. Enrolment and progression levels are lower among poor households, among girls, and in some districts⁸¹.

Enrolment in Technical and Vocational Training (TVET):

862. The CRM noted that there was a strong TVET sub-sector in the early 1990s in Sierra Leone. By the early 2000s, there were more than 200 TVET institutions in operation, with about 30,000 students. About half of the existing TVET institutions

79 CRM sources, stakeholders consultation and government policy documents, *Education in Sierra Leone: Present Challenges, Future Opportunities*, African Human Development Series, The World Bank, 2007.

80 Stakeholders indicated that the cause of under-enrolment and low progression of girls is unplanned pregnancies and early marriages, among others.

81 Stakeholders indicated that the provision of subsidy (Le 3000/student/term) based on number of students has caused the existence of ghost schools, ghost teachers and ghost students. Essentially, the process creates an incentive to inflate the numbers.

were established in the 1990s and 30 per cent have been established since 2000. Most TVETs are located in the Western Urban and Bo Districts. Female students make up the largest proportion but they are more concentrated in teaching areas that are traditionally considered as “female” fields.

863. Despite the considerable successes, the education sector still faces many challenges in meeting the goal of universal access to primary education. These include (i) incomplete enrolment, high repetition and drop-out rates, and low primary school completion rates, (ii) sexual harassment and gross child abuse, exploitation and violence, particularly the girl child post-primary level; (iii) overcrowded classrooms; over-aged children and high pupil-teacher and learning material-pupil ratio; and (iv) delay in changing curriculum to address emerging issues in education and exploit synergies.
864. The CRM noted that school administration was decentralised in 2004. Since then, management of Primary and Junior schools has been devolved to the district councils. Each school is run by a School Management Committee (SMC). Over 90 per cent of schools are either government-owned or government-assisted⁸². The Ministry of Education, Science and Technology (MEST) is entrusted with the responsibility of setting policies, supervising performance, issuing licences and registering non-government schools, managing post-Junior Secondary education, and ensuring capacity building. In 2007, the Government issued an Education Sector Plan which aimed to provide quality basic education, primary plus Junior Secondary School, while providing training in marketable skills and relevant tertiary education.
865. The CRM also noted that school feeding and de-worming programmes are in place to attract children to come to school. The 2004 Education Act abolished school fees for all children at the primary school level, and at junior secondary school level for girls in the Northern and Eastern Regions. Priority is also being given to children with special needs (the disabled, and vulnerable groups such as the hearing speech and visually-impaired)⁸³. Yet, the needs of children in post-conflict situation, particularly orphans, the vulnerable and the disabled remain among the major challenges. In addition, despite the above policies and strategies, additional payments exist for school uniforms and other accessories. Principals and teachers at each school also institute hidden payments that discourage poor households from sending their children to school. For instance,
- 82 The government-assisted schools are set up by the community and receive textbooks as well as subsidies, including salaries, from the Government.
- 83 Stakeholders at one of the APRM meetings indicated that the school infrastructure is not friendly to the needs of the disabled. Despite Government’s affirmative action and support, the education of disabled people is inadvertently discouraged.

stakeholders informed the CRM that the process of recruiting a new teacher may take up to two years, and to mitigate this, parents are obliged to pay the costs of the teachers in the interim.

866. Mindful of the importance of well trained, well-motivated and qualified teachers in adequate numbers for a sound education system, the CRM notes that there were 19,316 primary school and 5,580 secondary school teachers in 2004-2005. About 30 per cent of the teaching staff at primary level was female. The CRM was also informed that about 40 per cent of primary school teachers may be un-qualified and that programmes are underway to lift the standard of these teachers. As a result, close to 40 per cent of these teachers had received in-service training and over 2000 teachers were attending distance education programmes during the same period 2004-2005⁸⁴. Since most qualified teachers prefer to work in urban areas, rural schools resort to less qualified or unqualified teachers putting the children at a disadvantage. Teacher absenteeism and shirking on the job are not uncommon⁸⁵. Staff of School Management Committees (SMCs), administrators (i.e. principals, supervisors), as well as at the Ministry lack skills and experience in different management areas. The shortage of supervisors is known to jeopardise the quality of education both in the public and private sector.
867. Stakeholders informed the CRM that school infrastructure was heavily damaged during the ten years of conflict. About 290 schools have been reconstructed or rehabilitated as part of the ongoing process of reconstruction and rehabilitation.. Over-crowding is common, particularly in the Western Area. Sanitary facilities such as latrines and clean drinking water are lacking. Classroom furniture is inadequate in many schools, and pupils often resort to sitting on stones or they stand. There are not enough textbooks to meet demand and those that are available may be stolen and sold at street corners.
868. The CRM noted that government spending on education has increased rapidly since 2000. The share of the budget devoted to education was expected to increase from about 17 per cent in 2004 to an estimated 19 per cent in 2008. In real terms, current education expenditure per school-age child (6–21 years; constant 2003 Leones) is estimated to hover between 50,000 to 55,000 Leones. About 40-50 per cent of the overall government budget comes from external support. Half of all government resources for education went to primary education (including the pre-primary level).

84 *Education in Sierra Leone: Present challenges, future opportunities*, Lianqin Wang, World Bank.

85 Stakeholders indicated that teachers are not paid on time. The subsidies come very late and general conditions of service are unattractive. As a result, teachers demand side payment and moonlight.

869. The CRM observed that households in Sierra Leone spend considerable amounts on education. Households pay tuition and other education-related costs, such as supplying uniforms, books, and transportation for their primary-school children. At the primary level, household expenditure matches or exceeds government expenditure. Alternative funding mechanisms are being considered in the future to increase the volume of resources and spread the burden more equitably.
870. The CRM is of the view that legislations, policies and strategies issued by GoSL are in the right direction. The measures were formulated through wide-scale consultation and there is popular ownership and goodwill. The major weaknesses have so far been the inadequacy in implementation and financial resources. The focus should be more on implementing policies, strategies and programmes using locally available resources. For instance, schools in rural areas could be built exclusively with contributions of local material and labour, with very limited support from the district and/or city councils. High school graduates who have not been able to proceed to higher education could serve as teachers if provided with short-term training and a small stipend or in-kind allowance (e.g. lunch) during service. These young people would have greater opportunity to stay in their communities and contribute to the local development endeavour. The key requirement for such an approach is foresight, along with leadership and organisation skills at the local level. There is also a need to review the priorities and intra-sectoral resource allocation to ensure that resources reach priority areas. At a higher level, a loan system may be considered.
871. However, given the low human resource capacity at all levels (national, district, communities and schools) and the weak management of finances, human resources, information and delivery systems will pose a major challenge in the short- to medium-term.

Health Sector⁸⁶

Burden of Disease & Causes of Mortality

872. The National Health Sector Strategic Plan (2010-2015) states that most illnesses and deaths in Sierra Leone are due to preventable causes. Most deaths are

86 Section is based on *National Health Sector Strategic Plan 2010-2015*, Ministry of Health and Sanitation, Government of Sierra Leone, November 2009; *Second Poverty Reduction Strategy (PRSP-II: An Agenda for Change 2008-2012)*, Republic of Sierra Leone.

attributable to nutritional deficiencies, pneumonia, anaemia, malaria, TB, and AIDS. Diarrhoeal diseases and acute respiratory infections are the major causes of out-patient attendance and illness. Rural areas suffer more than urban areas due to poor sanitation and lack of knowledge about prevention practices.

873. The CRM was informed that more than 85 per cent of pregnant women attend ante-natal care services at least once but only about half of them deliver in health facilities. As a result, maternal mortality rates are very high. Child and under-five mortality rates are also considerably high. Shortage of clean water and poor sanitation are the major factors contributing to the poor health situation. Despite the challenges, there has been a marked improvement in child immunisation, distribution of mosquito nets, and pre-and post-natal care. As a result, mortality and morbidity rates are declining. An Essential Health Care Package has been developed and is being offered at the district level⁸⁷. Non-communicable illnesses, such as high blood pressure, diabetes, mental illnesses, etc., have emerged as the new public health challenge.
874. Malaria, tuberculosis (TB) and sexually transmitted infections (STIs), including HIV/AIDS, are considered priority health problems in Sierra Leone. Malarial deaths in children under five have increased “significantly” since August 2009, where the disease kills a child every 30 minutes despite government efforts. A 2009 epidemiological report published by the MoHS ranked malaria as the number one cause of outpatient visits to hospitals throughout the country. Statistics from MoHS indicate that the average Sierra Leonean suffers three to four bouts of malaria per year. and that Sierra Leoneans have a high resistance to the malaria drug, chloroquine.
875. The GoSL accelerated its malaria intervention following the Abuja Declaration of April 2000 but the results have been rather limited. A massive campaign was started in November 2010 when Sierra Leone health workers began to distribute three million mosquito nets in an effort to roll back malaria by up to 40 per cent. Every household in the country was expected to receive one to three long-lasting insecticide treated nets (ITNs) depending on the size of the family.

87 The report on MDGs indicates that the goal relating to achievement of universal primary education is inconclusive due to limited data available to assess progress; promoting gender equality and empowering women will not be met; reducing child mortality and improving maternal health may be met with increased and sustained effort; combating HIV/AIDS, malaria and other diseases is likely to be partly met. The targets for combating HIV/AIDS will be met but reducing malaria and TB will lag behind. *Millennium Development Goals: Progress Report 2010*, Republic of Sierra Leone.

876. The burden of tuberculosis (TB) is increasing. Between 2004 and 2007, the number of registered TB cases in the country almost doubled despite a case detection rate of 52 per cent (the WHO target is 75 per cent). The situation is further complicated by the recent emergence of multi-drug resistant tuberculosis (MDR-TB). TB/HIV co-infection is also an issue of concern with a prevalence rate of 11.6 per cent. However, the defaulter rate has been declining and the treatment success rate increased from 83 per cent in 2004 to 87 per cent in 2008.
877. The CRM was informed that Sierra Leone adopted the DOTS strategy in 1992. The number of DOTS centres has been increased to 86 nationwide. However, the TB control programme is faced with issues of low case-detection rates, high proportion of patients without sputum results, and high defaulter rates.
878. The CRM noted that health services are provided both by public health delivery system as well as non-profit or for-profit providers. With the decentralisation, the operation of the lower-tier public providers (primary & secondary services) has been devolved to the district councils. Oversight responsibility rests with the District Health Management Teams. The Ministry of Health and Sanitation (MoHS) has responsibility for policy formulation, standard setting and quality assurance, resource mobilisation, capacity development and technical support, epidemic control, coordination of health services, and monitoring-evaluation (M&E) of sector performance.
879. The Government has issued several bills, policies and strategies to guide the development of the sector⁸⁸. The most notable are the Hospital Boards Act 2003, the Local Government Act 2004, and the health policy (2009). The health policy was followed by a Strategic Plan that spelt out the direction and resource needs of the sector.
880. The CRM was informed that the public health facilities include 30 hospitals, 11 clinics, 520 maternal and child posts and 176 community health posts. Considerable infrastructure rehabilitation and construction had been undertaken during PRSP-I. By the end of December 2007, 867 PHUs, and 3 tertiary facilities had been rehabilitated, and maternity ward hospitals and several laboratories were also constructed. However, service delivery does not match the demand, particularly in rural areas. Unavailability and/or shortages

88 The policies and strategies issued include: *National Medicines Policy of Sierra Leone*, Second Edition, 2004; *Child Health Policy*, February 2007; *Reproductive Health Policy of Sierra Leone* (Draft); *Human Resources For Health Policy in Sierra Leone for the Ministry of Health and Sanitation*, October 2006; *The Sierra Leone National Food and Nutrition Policy: 2003-2008*, May 2003

of medicines and similar inputs exacerbate the weakness in health delivery. The Central Medical Store and District Medical Stores face a number of challenges resulting in stock-outs of medicines⁸⁹. These include shortage of qualified staff and logistics, inadequate funding, lack of medicines management information system, inadequate storage facilities and lack of coordination among government providers.

881. The shortage of human resources seriously undermines efforts to improve health service delivery in Sierra Leone. This is as a result of the lag in training as well as the exodus of a large number of health professionals during the war. Efforts are ongoing to train lower and middle service providers. As a result, over 500 mother and child health aides have been trained to provide safe delivery, immunisation, growth monitoring and treatment of minor ailments. Nurses have also been trained in diverse specialities. In spite of these efforts, the health profession gap in specialised areas remains very high. Indeed, in some areas, there are no professionals working in the country. Shortages are most pronounced in rural areas.
882. The CRM also noted the inadequacy of financial resources as a significantly large proportion of health expenditure is borne by households. Towards 2005-2006, the distribution of expenditure by the major actors was 70 per cent by households, 10 per cent by donors, and about 20 per cent by GoSL, on average. A study to improve health conditions in Africa (Better Health for Africa) recommended a yearly expenditure of US\$ 15 per capita. Sierra Leone's expenditure is below half of this amount. Collection of fees for service is inadequate and GoSL is considering introducing a social health insurance scheme to address the financial gap.
883. Despite GoSL's effort, health service delivery, particularly to the poor and to rural areas, continues to suffer from (i) limited access due to distance and cost of services; (ii) inadequate transport and referral system; (iii) inadequate supply of medicines and supplies; (iv) limited community participation in sanitation and health care; and (v) critical shortage of health professionals.
884. GoSL's strategy for the health sector, as spelt out in PRSP-II: Agenda for Change, focuses on (i) provision of integrated reproductive and child health services; (ii) promoting nutrition services focusing on promotion of early and exclusive breast feeding, infant and young child feeding, promotion of local

89 *TB drugs not available at health centres in Sierra Leone – Patients are dying*, People's Health Movement- Sierra Leone Chapter, Press Release, Freetown, 15 June 2011.

salt iodisation, provision and distribution of micro-nutrients to both pregnant women and children; (iii) continued distribution of mosquito nets and control and promotion of environmental sanitation to eradicate malaria; (iv) increasing services in STIs/HIV/AIDS and Tuberculosis; (v) addressing the increase in non-communicable diseases and mental health illnesses; (vi) placing much more emphasis on water, sanitation and hygiene promotion; (vii) provision of infrastructure for primary, secondary and tertiary institutions; (viii) human resource development and management; (ix) strengthening health system financing; and (x) development of information management systems.

885. The CRM recognises that the strategy is consistent with the aspirations of the people and encourages GoSL to speed up its implementation. However, as resources are scarce, further prioritisation is required. Emphasis should be placed on those illnesses where lives could be saved or sickness averted per unit of the most scarce resource while, at the same time, exerting more effort in resource mobilisation.
886. The CRM also recognises the absence or shortage of drinking water and latrines in schools. These could be addressed by organising students, teachers and the community. Boiling the water and applying simple purification at schools would help address a few of the major causes of disease.
887. The CRM recognises the Government's effort to take both education and health services closer to the citizenry by exempting people from the payment of fees for targeted educational and health services. These measures stand a good chance to benefit the poor provided that the services are available in the first place. Unfortunately, the existing services are not sufficiently targeted to the rural areas where most of the poor are found. The CRM suggests that GoSL target its budget allocation in such a way that service delivery points are established in rural areas. Considering the earlier suggestion regarding the use of domestically available resources, this need not be a very expensive venture per unit of service provider. The CRM also underlines that the legislative and executive arms of government could work together to mobilise the people for the common good, while still maintaining their independence. Jostling for visibility among Members of Parliament, district councillors and the chieftaincy, and vying and jockeying for a position has not been helpful so far. The overarching objective should be to see that measures are being taken to help the people, regardless of who initiated them. The fact that such competition exists was brought to the attention of the CRM during the meetings with the public.

HIV & AIDS & STI⁹⁰

888. *Trend in Prevalence:* From information gathered from the National AIDS Secretariat and discussions with the stakeholders, HIV prevalence in Sierra Leone is very low. It has stabilised at about 1.5 per cent in the general population since 2005⁹¹. Prevalence is higher among the urban population than the rural population. Geographically, it is higher in the Western Region (major urban concentration) and the Southern Region. In 2008, prevalence among women was slightly higher than among men. Due to widespread male circumcision and a certain degree of alcohol abuse, vulnerability to infection is much less pronounced. A Sierra Leone Demographic and Health Survey conducted in 2008 established that prevalence among circumcised and uncircumcised men was 1.2 per cent and 2.4 per cent respectively implying that uncircumcised men were twice as likely to be infected. The main socio-economic groups affected are fishermen, female commercial sex workers and their clients, miners, and homosexuals. Sierra Leone cannot afford to be complacent about the situation, however, as knowledge about the epidemic, is fairly low, particularly in rural areas, and prevention services are still lacking despite the improvements. Six to seven thousand adults and children are under ARV and the epidemic has rendered an estimated 350,000 children orphans and/or vulnerable⁹². Together with the impact of the war, the effect of HIV has been grave and more pervasive among children.
889. The CRM learned that Sierra Leone established the National AIDS Council (NAC), and the National AIDS Secretariat (NAS) in 2002 to coordinate implementation of the national response by all major actors: government, NGOs and CBOs, FBO, private sector, unions. Over 300 agencies and organisations, both state and non-state, are engaged in HIV and AIDS activities. Coordination of HIV and AIDS is being decentralised to the district level through the establishment of District AIDS Committees (DACs).
890. A National HIV and AIDS Policy was also issued in 2002 (and revised in August 2007), and a second National Strategic Plan (NSP) covering the period 2011-2015 is in place. A mid-term review of the First Plan conducted in 2008 made several recommendations concerning, *inter alia*, NAS's lack of statutory support

90 Section is based on information from: *Report of the Final Joint Review of the NSP 2006-2010*, National AIDS Secretariat/UNAIDS, August 2010; *National Strategic Plan on HIV/AIDS 2011-2015*, National AIDS Secretariat/UNAIDS, December 2010.

91 This figure is from the *Millennium Development Goals: Progress Report 2010*

92 *Situation Analysis of Orphans and other Vulnerable Children in Sierra Leone: A Report to the National OVC Task Force*, Government of Sierra Leone, July 2005

and weak coordination with the DHMTs, and deficiencies in the involvement of key ministries. The Prevention and Control of HIV & AIDS Act was issued in 2007.

891. There has been an increase in the number of voluntary confidential testing and counselling (VCCT) and PMTCT sites within health facilities and the procurement and distribution of condoms has been stepped up. The development and distribution of policies and IEC/BCC materials needs substantial improvement. Considering the educational level of most of the population, emphasis should be placed on making information available in local languages, using the broadcast media (mainly radio). At the same time, religious leaders should be given a greater role and the focus should be more on services that have greater potential to reach the people. The role of chiefs must be further investigated and optimum use made of that institution. Efforts to use community conversation and enhancement (CCE) tools will be useful in bridging the information gap. The condom availability gap is very substantial. Human resource constraint is among the most critical factors stifling the scaling up of the response.
892. The CRM noted that annual expenditure on HIV/AIDS is estimated to be as high as USD 10 million. As over 95 per cent of it is foreign funded, this makes the national response externally-driven. Because the prevalence rate is low, only a few donors provide support to Sierra Leone's response. The main development partners are the Global Fund (GF), and UN agencies. A recent award from the Global Fund is being used for health system strengthening.
893. The fact that Sierra Leone is a low prevalence country poses a challenge because low prevalence does not evoke the same level of alarm and does not attract high response and resources. Additional challenges in scaling up the response are the overdependence on donor funding and capacity constraints in all spheres of the response.

iii. Recommendations

Education

894. The Panel endorses the recommendations of PRSP-II: *An Agenda for Change*, and further recommends that GoSL:
- Consider the establishment of an inter-ministerial committee comprising Ministry of Education, Science and Technology (MoEST), Ministry of Health

and Sanitation (MoHS), Ministry of Local Government (MLG) and Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA) at the national, district and sub-district levels to review the education curriculum on regular bases to exploit the synergy and their complementarities for fostering a spirit of collective community development/action; (*Government, MoEST, MoHS, MLG, MSWGCA*)

- Encourage a spirit of voluntarism among the youth and use them as change agents at the local level. This could be stimulated by small in-kind or monetary allowance and a Certificate (Medal) of Exemplary contribution to be granted by the President during some annual occasion; (*Government, MoEST*)
- Introduce a conditional grant scheme to encourage parents to enrol their children, particularly the girl child, and successful completion of the requirements for a particular grade. MoEST may allocate a modest budget to be administered by SMTs; (*Government, MoEST*)
- Strengthen and enhance Parent, Teacher, Student Associations (PTSA) or their equivalent to monitor child abuse and sexual harassment cases and to refer regular offenders to law enforcement officers. At the same time, PTSAs could respond to challenges faced by schools, such as unavailability of latrines and drinking water. [*MoEST, Schools Principals*]

Health

895. The Panel recommends that GoSL:

- Establish greater collaboration between the education and health sectors so that health issues are integrated into the curriculum, and basic health services are provided at the school level. The school feeding and de-worming initiative should be expanded; [*Government, MoEST, MoHS*]
- Transfer some tasks to less qualified health professionals and traditional birth attendants (TBA). With minimum training, support and on-site supervision, substantial gain could be obtained in reducing maternal and childhood mortality and morbidity. These services could be supplemented by mobile health attendants who visit villages every week or every other week; [*Government, MoHS*]

HIV/AIDS

896. Considering the above discussion, the APR Panel recommends that GoSL:

- Focus more sharply on prevention, education and information dissemination. Prevention programmes should be expanded in schools and rural areas that are otherwise left out. The training of guidance councillors in schools should include modules in HIV & AIDS management and should prepare them to an environment of OVCs; [*Government, MoEST, MoHS*]
- Formulate a clear strategy of establishing and/or strengthening district and sectoral M&E units so that they become effectively functional. In addition, NAS should continue monitoring sectoral responses to HIV/AIDS epidemic using results-oriented indicators and making use of the findings for vetting the continued operations of the various sectoral activities; [*Government, MoHS, National AIDS Secretariat*]
- Train and deploy national volunteers until the national human resources constraints in health and other areas are addressed. [*Government, MoHS*]

OBJECTIVE FOUR: Ensure affordable access to water, sanitation, energy, finance (including micro-finance), markets, ICT, shelter and land to all citizens, especially the rural poor

i. Summary of the CSAR

Water and Sanitation

897. The CSAR indicates that despite Sierra Leone's favourable sunny and tropical climate, high rainfall, good natural vegetation, and numerous rivers and creeks, harnessing water resources is perpetually a serious challenge making access to basic water and sanitation facilities for the majority of Sierra Leoneans extremely limited. This is compounded by the limited functional water supply infrastructure and the exponential population increase in Freetown and provincial cities over the past decade as a result of the civil war.

898. Access to water supply from all sources is annually intermittent. Two-thirds of all survey respondents find it extremely difficult, or impossible, to get water from any of their different water sources during the dry season. A likely reason for this is that the water tables for most water sources fall considerably during the dry season. This tends to diminish the quantity of water available in the dams, soil or in streams, rivers, lakes and ponds.
899. The consequence of the acute water supply situation is that people, in particular rural dwellers, develop extremely unhealthy and burdensome coping mechanisms, such as fetching water from inappropriate sources, including unprotected surface water and wells. As water from these sources is neither treated nor monitored for quality, there is a high presence of E-coli, faecal coliforms, and other pathogens unfit for human consumption.

Waste Disposal

900. A key challenge to public health is the disposal of household waste. The Western Urban area (Freetown) has a relatively high proportion of flush toilet facilities followed by Bo and Kenema respectively. The Western Urban area also has the highest proportion of VIP latrine facilities followed by Western Rural, Kailahun and Kono respectively. Pujehun has the highest proportion of ordinary pit latrine facilities, followed by Port Loko, Bonthe and Bombali districts. A relatively small proportion of stakeholders in the Western Urban, Western Rural and Tonkolili districts reported using buckets for toileting purposes. According to the CSAR, on average, only 3 - 8 per cent of the population has access to good sanitary faecal disposal of household waste. The relatively high percentage of ordinary pit latrines in household dwellings is a serious threat to public health.

Energy

901. The CSAR indicates that less than 10 per cent of Sierra Leone's population has access to electricity, compared to 49 per cent in Ghana, 46 per cent in Nigeria, 96 per cent in North Africa, 73 per cent in Asia, 99 per cent in China and 76 per cent global average. Only around 1 per cent of Sierra Leone's rural population has access to electricity. However, the Government recognises that a reliable energy power supply will be a catalyst for growth by increasing investor confidence and industrial activities in the country. This could create productive employment opportunities for young people, lowering poverty levels while supporting national social and macroeconomic stability. In addition, reduced expenditure on private electricity generators in the production, service and commercial industries will translate to lower or stable commodity prices, which will also help to drive growth. The Government is further strongly convinced that providing adequate and affordable energy will greatly facilitate achievement of the MDGs.

902. The CSAR states that most households in the country use basic energy, usually traditional sources, for lighting and cooking. Accordingly, 59 per cent and 43 per cent of the rural and urban population, respectively, use kerosene lamp as a source of lighting in spite of the associated safety and environmental risks. The CSAR also states that about 91 per cent of rural dwellers and 47 per cent of the urban population use wood and its derivatives (charcoal: 50 per cent urban and 6 per cent rural) as the only source of cooking energy.

Access to finance

903. The CSAR states that a good number of the population in the rural and urban areas uses traditional revolving “Osusu” as a source of financial intermediation. A significant proportion of the population in the urban and rural areas reported using micro-credit/micro-finance as available savings and loan schemes while a small proportion reported using commercial/mobile banks. A relatively small proportion in both the rural and urban areas reportedly use rural/community banks, cooperatives, money lenders and NGOs as available savings and loan schemes.

Information and Communication Technology (ICT)⁹³

904. The CSAR states that access to and use of ICT, especially the use of mobile phones, has grown significantly in Sierra Leone in both urban and rural areas. Most people in rural and urban areas reported having access to a mobile phone while only a minority in rural and urban areas has access to land phones. Radio and television are also significantly accessed by both rural and urban dwellers, with an average access of 82 per cent and 32 per cent respectively. Access to internet is still low and use of the postal service is on the decline.

ii. Findings of the CRM

Water and Sanitation

905. According to the Ministry of Energy and Water Resources, Sierra Leone has abundant water resources from rainfall and from the country’s nine major river systems. The total river catchment area varies from 720 to 14,140 square km.

93 ICT includes telephone, internet and postal services as well as Radio and TV network

Surface water, therefore, appears not to be in short supply nationally. Some earlier estimates suggest that Sierra Leone's global renewable water resources (surface, ground and atmospheric) could amount to about 160 cubic km per year. Average run-off was computed for each basin based on some selected rainfall stations, and is estimated at a total of 74 cubic km per year.⁹⁴

906. The Ministry of Agriculture, Forestry and Food Security (MAFFS) indicated that only about 0.37 cubic km per year of the water potential is used, mainly in agriculture, for irrigating a total water-managed area of 155,360 hectares as illustrated by Table 6.4. This level of utilisation is very low (i.e. less than 0.5 per cent) in relation to the available potential. There is as yet no national strategy to utilise the surplus annual rainfall.

Table 6.4: Distribution of Water-managed Area in Sierra Leone

Water Managed Area	Areas (hectares)
Surface irrigated sugar cane	1,000
Equipped wetlands and inland valley bottoms	28,000
Other cultivated wetland and inland valley bottoms	126,000
Total	155, 360

Source: Ministry of Agriculture, Forestry and Food Security (MAFFS)

907. Despite the abundant water resources, unavailable or limited functional water infrastructure severely limits access to potable water. According to the Ministry of Energy and Water Resources, only about 32 per cent of the rural population has access to a reliable water supply. Most urban water supply schemes are not functioning properly either, due to inadequate capacity and poor operational and maintenance arrangements. Water supply coverage for urban areas, in particular Freetown, is about 50 per cent, a poor service delivery level below the needs of its population, which burgeoned during the civil war.
908. The sewerage and sanitation situation in the country is also highly unsatisfactory. Sewerage infrastructure, confined to Freetown, is old and inadequate to meet the ever-increasing demand. The institutions responsible for provision of sewerage services suffer from insufficient human resources and lack the financial ability to carry out their duties.

94 The National Sustainable Agriculture Development Plan and the National Water and Sanitation Policy

909. Through discussions with stakeholders, the CRM found that water pollution and degradation continues unabated even though there are water quality standards for various uses. Degradation is due to (i) discharge of untreated effluent by industries; (ii) unprotected watersheds; (iii) groundwater contamination by hydrocarbons and saline solutions; and (iv) irresponsible mining activities. In addition, the CRM was informed that due to inadequate capacity, poor management of waste, and lack of appropriate civic education, many citizens dump their garbage on streets or in public areas, causing serious hygiene problems and public health hazards.
910. It is important to note that the Government of Sierra Leone has formulated a national policy and guidelines on water and sanitation with an overall objective of managing water resources in an integrated manner. This approach is designed to support social and economic development in the fields of health, agriculture, and energy, and to maintain the productivity and integrity of the environment on a sustainable basis. Specifically, the policy objective is to improve health through the provision of a reliable water supply and sanitation facilities to meet Sierra Leone's Vision 2025 and the Millennium Development Goals.

Roads and transportation for agriculture⁹⁵

911. A good transport network is critical for growth in key sectors of the economy and for meeting the MDGs. Stakeholders asserted that a network of rural and feeder roads exists connecting villages and farm areas to market centres but this is inadequate and generally in poor condition. The lack of regular transport services also poses serious challenges to economic development in the country. The CRM learnt that the Government's priority is to construct highways between the urban centres and rehabilitate approximately 160 km of roads in the major provincial towns and 2,055 km of feeder roads⁹⁶.
912. The construction of the Lungi-Port Loko Road Project, which was approved in June 2009 and signed in September 2009 as well as that of the Mototoka to Sefadu Road, planned for 2012, illustrates the Government's efforts to improve the transport network. These roads form part of the core road network identified by government and on which 65 per cent of the funds generated for road maintenance (Road Fund) is spent annually.

95 This section is based on the EU Road Programme, the NSADP and the discussions.

96 The 2,055km are programmed in the NSADP/CAADP agriculture sector investment programme, while the 468 km on page 46 are being constructed under the Rural and Private Sector Development Project (RPSDP), particularly under one of the sub-components of the Domestic market improvement component of the RPSDP.

Energy⁹⁷

913. According to the National Energy Policy document, Sierra Leone's electricity supply has been characterised by poor investments in generation, transmission and distribution, resulting in a very low generating capacity, rising transmission and distribution losses, poor revenue collection and a restricted distribution system in major towns. The country is also endowed with abundant renewable energy resources, mainly biomass, solar and hydroelectric. However, access to electricity is one of the most binding constraints to job creation and poverty reduction.
914. The CRM observed that key reforms are being introduced to enhance operational efficiency, improve financial performance, increase energy supply in a sustainable manner, and mobilise finance more efficiently for expansion and service improvement. However, power supply in Sierra Leone is still restricted to the major towns, and even then, supply is erratic.
915. The exceptionally high electricity prices are due to inefficient and costly energy production with generators. The development of the energy sector should be brought within the main priority areas of the Government's Poverty Reduction Strategy. The CRM was informed that the Ministry of Energy and Water Resources is paying special attention to providing the rural and peri-urban areas with energy and electricity, as this has an impact on rural economic activities, including agriculture, business, and social services. Despite these efforts by the government⁹⁸, stakeholders are of the view that electricity is costly and not yet accessible to many Sierra Leoneans, particularly the poor, because of the dilapidated infrastructure, inadequate human and financial resources, and the delivery cost, among the highest in the world.
916. The vast majority of rural Sierra Leoneans depend mainly on wood-fuel for cooking and kerosene for lighting; both have negative consequences on the environment and the quality of life, particularly of the rural poor. The main concern is that the MDGs cannot be achieved with energy supply at the current level.

97 *Sierra Leone Energy Sector: Prospects and Challenges*, National Energy Policy and discussions.

98 The EU has traditionally been involved in the power sector with a EUR 2 million intervention for emergency rehabilitation of the transmission and distribution system in Freetown. The project was completed in 2004, and it is in the 9th tranche of the European Development Fund, Sierra Leone was allocated one project under the EU Energy Facility I, with funding of EUR 4.7 million.

Information and Communication Technology (ICT)⁹⁹

917. In line with the ECOWAS ICT policy, and as an attempt to map out ways to use ICTs to achieve basic development objectives, the Government of Sierra Leone adopted a National ICT Policy in May 2009, using the Poverty Reduction Strategy Paper, Vision 2025, and the Millennium Development Goals as a baseline for analysis. The policy links the application of ICT to national development goals identified under specific areas with a series of ICT-specific objectives and targets for measuring progress over a 5-year implementation timeline.
918. According to the National ICT Policy, the installed capacity of the Public Switch Telephone Network (PSTN) fixed line system was s 250,000 lines as at 2004, but only 25,000 fixed lines were active at end of 2008. The fixed-line tele-density is currently 0.4 per cent. A major constraint of line expansion is the use of copper lines that are in very poor condition and therefore ineligible for upgrade to ADSL standards. SierraTel, the fixed line telecommunications company in Sierra Leone, has plans to rehabilitate, upgrade and expand its PSTN services. It has recently complemented its PSTN services using the CDMA wireless technologies to deliver both voice and data (Internet services).
919. One of the biggest constraints to the expansion of the telecommunications infrastructure in Sierra Leone – outside of the capital and a few main cities – is the limited reach of the electricity grid, which has yet to extend to many of the provincial areas. These areas typically lack electricity or fixed phone service and are completely unconnected to the rest of the country. Even in the main cities, the provision of internet bandwidth is limited, expensive and largely unavailable. These are all significant constraints to investment promotion in the ICT sector.
920. Moreover, the public telephone network is largely circuit-switched as opposed to packet-switched, and relies heavily on copper wire rather than fibre optics. The limited infrastructure makes congestion management difficult since internet traffic shares the same network as voice traffic. Most of the available ISP providers concentrate their wireless broadband services in the greater Freetown area and only expensive VSAT services are available in the other major cities (VSAT bandwidth fees can range from USD 500 to USD 15,000 per month)¹⁰⁰.

99 National ICT Policy of Sierra Leone, discussions and desk work

100 National ICT policy of Sierra Leone, 21 May 2009

921. Stakeholders indicated that all the major tertiary institutions, such as the university and polytechnics, have computer centres for training students and give concessionary internet access to staff and students. For example, the University of Sierra Leone has a computer centre that provides teaching in basic computer skills to all staff and students. The Centre also offers internet and electronic library services. There is very little infrastructure in schools in terms of computers and the internet. The CRM believes that the numerous computer education needs show that very little has yet been done in terms of equipping schools with computers, and the little effort in this area is mainly through the support of NGOs.
922. The CRM learnt that Sierra Leone is connected to the rest of the world via an Intelsat (Atlantic Ocean) Satellite Earth Station operated by SierraTel, which was managing the international gateway. However, this mandate expired in August 2008, and the national regulator (NATCOM) is set to review this exclusivity status. Efforts are being made to facilitate submarine optical fibre landing and several applications have been received from prospective providers. The process of approving landing rights is currently underway. It is believed that the cost of international communications will be drastically reduced if Sierra Leone acquires fibre optic landing in the near future.

Postal Services

923. Due, in part, to the emergence of internet and web technologies, the use of postal services has declined drastically. This is also a sign of a general loss of confidence in postal services. These problems have been exacerbated by poor infrastructure and inadequate financing to improve and expand the postal sector. The CRM was informed that the Government is, nonetheless, committed to developing a vibrant and efficient postal sector to effectively meet present and future needs. In particular, the Government plans to liberalise the fast mail and courier service segment of the sector in which the private sector has continued to play an important role.

Access to land and housing¹⁰¹

924. The CRM learnt through discussions and desk work that land tenure in Sierra Leone is characterised by a dual ownership structure. The Western area, including the Freetown Peninsula is governed by the English system of land ownership. Land in the rest of the country, the bulk of the agricultural land, is held

101 NSADP, discussions with stakeholders and desk work

in communal ownership under customary tenure and is controlled by traditional rulers who administer land on behalf of their communities. Though there are minor differences among the various communities, the general trend is that land is considered a divine heritage, which the spirits of departed ancestors expect to be preserved and handed down to future generations. Responsibility for ensuring the preservation of the land and subsequent enjoyment by future generations therefore rests on the community as a whole.

Acquiring Land

925. Official documents and consultations with stakeholders revealed that, in Freetown and its environs where land is held in freehold ownership, a person seeking to acquire land will negotiate with the landowner to reach agreement on a sale (usually of the freehold) at a specific price based on the size, quantity and location of the land. Once agreement is reached, the land is then surveyed. The site plan is taken through the Validation Process at the Ministry of Lands. After the Validation Process, a solicitor draws up a deed of conveyance, which is then registered at the Deeds Registry in the Office of the Administrator and Registrar-General (OARG).
926. In the Provinces, when family members require land for farming, they approach the family head at the beginning of the farming season and are allocated land. For non-family members and foreigners, the procedure involves calling on the Paramount Chief to request land. The Paramount Chief directs them to a land-owning family. All negotiations are then completed with the family head and principal elders, and the agreed price is paid.
927. Where the land required is for the cultivation of annual crops, usually no money is paid, but at the end of each farming season, the farmer gives some token produce, the equivalent of a bushel or two of rice, to the land-owning family. The family head then allocates a portion of the proceeds to the Paramount Chief. The grantees of such land can occupy and use the land for as long as they wish to remain in the community. In addition, they must be worthy members of the community, participate in all activities and generally be on good terms with the Paramount Chief and the land-owning family. In effect, despite the appearance of a clear process of acquisition, much discretion about the status of the land still rests with the family and the Chief. Such a situation does not provide the certainty and predictability required for large commercial investments.
928. Access to land by the poor for cultivation, commerce and shelter is achieved principally through inheritance, gift, lease, and, to a lesser extent, through

purchase. Therefore, the functioning of these land delivery systems, particularly in terms of mitigating inequality in land-ownership and increasing access to land by the poor, is critical for poverty reduction and economic growth. The operation of customary law, with regard to succession, marriage and other family law matters, is of critical importance. Under the prevailing customary family law, women have less access to land than men. Younger male siblings also seem to have few opportunities to acquire land rights through these means. Descendants of village founders form elites within villages throughout the country, sitting above subsequent settlers in the local social hierarchy.

929. The CRM learnt that the multiplicity of interested parties when dealing with large tracts of land in the provinces is also a particularly thorny issue frequently encountered by mining companies. Even the government is sometimes frustrated in its attempt to acquire large tracts of land for development purposes. This is compounded by the lack of proper ownership documentation when dealing with family-owned property. Land reform in Sierra Leone is a necessity as it will promote efficiency and equity. However, this will take time as discussions held with stakeholders have illustrated that it is difficult to change mentalities quickly.
930. Also from discussions with stakeholders, it appears that, for large scale commercial farming, some ad hoc arrangements that enable farmers and companies to acquire leases on land exist already, and there is evidence that many farmers, particularly expatriates, have taken advantage of these mechanisms. What needs to be done is to use these arrangements to fashion new legislation and generally streamline the system to ensure that all parties know the full extent of their commitments under a leasehold arrangement.

Access to finance¹⁰²

931. The CRM notes that Sierra Leone's financial sector is relatively small with some recent movement in the number of players. The sector could see substantial growth over the next few years. The banking presence outside Freetown, although growing, is still thin on the ground (see the Corporate Governance section, Objective 1, Chapter 5). Access to rural and agricultural finance has proved to be a challenge because of (i) high cost; (ii) perceived limited market potential; (iii) limited know-how in terms of agricultural finance, (iv) limited access to long-term finance, and (v) lack of clarity in rural land titling making it difficult to use land as collateral.

932. The nature and characteristics of agricultural production mean that sustainable and long term funding for growth and development will be required. Many aspects of agricultural production and agro-processing involve considerable risk. Much of the agricultural production in the country is in the hands of smallholders and SMEs and both groups are considered too small and too risky for the types of loans provided by banks. For this reason, the approach taken towards financing of agriculture should be long-term and comprehensive.

Agricultural Finance

933. Most banks are willing to lend only against certain fixed assets that serve as collateral, or against sufficient guarantees. Banks typically require collateral such as real estate that is easy to sell or liquidate in the event of default. Credit providers are extremely wary of supplying funds to producers, processors and exporters in Sierra Leone because they feel there is a high risk of default. The poorer producers, processors and agricultural traders are, therefore, more constrained in their ability to obtain credit and finance.
934. The Sierra Leone Agricultural Sector Review document stresses that banks and other financial institutions are unable to provide agricultural credit based on the current system of land holding. The issue has been that the financial institutions do not consider the existing system as providing the necessary security on which credit could be advanced. Individuals cannot mortgage the land on which they work without the consent of the family head and, even where they can obtain the consent, the financial institution cannot sell the land to a purchaser who is not a member of the family should they default in payment.
935. The Review Mission learned that, in the past, a number of financial institutions played a role in rural and agricultural finance. These include the National Development Bank (NDB), the National Cooperative Development Bank and the Post Office Savings Bank. Subsidised lines of credit were provided through agricultural projects and the NDB, often with the support of donors under various integrated rural development projects. However, it was found that default rates were high and the credit schemes were unsustainable without donor support and collapsed. This, coupled with the failure of the NDB, has had a huge negative effect on the development of the agricultural finance sector.
936. The Bank of Sierra Leone¹⁰³, established the Export Credit Guarantee Scheme (ECGS) to encourage financial institutions to provide credit to exporters,

103 The establishment year is unknown

particularly exporters of non-traditional products such as pineapples, horticultural products, gari, and batik. The ECGS guaranteed participating commercial banks 66 per cent of any amount defaulted by exporters either through insolvency or protracted default. Although the ECGS was fairly innovative, the commercial banking community never really gave it wholesale support, citing the high costs of lending small amounts to numerous and widely dispersed enterprises.

Current Financial Initiatives

937. The agricultural sector within Sierra Leone is working on a plan to convince commercial banks to serve agricultural businesses. A number of stakeholders have already made a proposal to re-establish a dedicated agricultural finance bank.
938. The Private Sector Development Strategy Programme (PSDSP), developed by the Ministry of Trade and Industry, proposes to motivate banks to lend to Micro, Small & Medium Enterprises (MSMEs) by establishing a pilot partial credit guarantee scheme that will reduce the risk banks face in advancing loans to MSMEs. The programme is to be known as “Salone BEST” - Salone Business Expansion Scheme Trust. The scheme will be managed by a designated organisation that will receive technical assistance from the PSDSP. The reduction in loan default risk provided by the partial guarantee should result in lending at a significantly reduced cost, which should translate into a lower interest rate. Salone BEST guarantee will not exceed 40 per cent of the value of each loan ensuring that the banks remain committed to the scheme.

Micro-Finance and Community Banking

939. Official documents and consultations with stakeholders indicate that a number of microfinance institutions (MFIs) currently service the rural and low income markets, providing small loans and credit to traders and farmers. Similarly, self-help groups called “Osusus” are formed to provide credit among people with similar incomes and social status. This grouping is more prevalent among the women of Sierra Leone. Some Village Savings and Loans (VSL) schemes operated by CARE International and other NGOs have also proved useful in remote areas.
940. Microfinance has been seen as a tool for empowerment and for ensuring the welfare of the poor, particularly women in Sierra Leone, and it has provided financial support to women entrepreneurs who, until now, had no access to

credit. As a result, they can finance the costs of their children's education, take part in decision-making within their families and communities, and participate in community project formulation, implementation, monitoring and evaluation.

941. The GoSL has established a number of Community Banks in rural areas to provide improved access to finance for rural communities, including micro-finance. However, the CRM has observed that these banks are often weak and need substantial restructuring if they are to continue to play a role in expanding financial services across the country. Some commercial banks, such as the Union Trust Bank, have started forming associations with community banks in order to further leverage their presence in rural areas.
942. The Government of Sierra Leone has made a tremendous effort to provide financial support for the development of the agriculture sector and poverty reduction. However, many challenges, such as the lack of adequate resources, seriously limit prospects for socio-economic reconstruction and development.

Markets

943. Domestic Market Improvement and Agricultural Export Promotion are among the four key components of the Rural and Private Sector Development Project (RPSDP) under the responsibility and management of the MAFFS. The main sub-components of the Domestic Market Improvement component include: (i) rehabilitation of critical feeder road links; (ii) provision of matching grants for rural market infrastructure improvements to address critical infrastructure needs for selected products; and (iii) knowledge management and technical assistance to improve access to market information.
944. According to the report from MAFFS, a total of 468 km of feeder roads are being constructed in all the 13 districts. This intervention has created jobs for 4,000 youths, and injected money into the local economy as most of the contractors are from within the community. Indirect benefits include: (i) about 400 women food and water vendors serving the labourers; (ii) some 400 community members providing sand and stones to the contractors; and (iii) petty traders selling various items to the workers. The sub-component on matching grants has supported 75 farmer-based organisations (FBOs) with a total membership of 4,737 (2,337 females and 2,460 males) through the provision of storage facilities and processing equipment. The project is currently supporting an additional 200 FBOs with similar facilities. Under the Knowledge Management sub-component, RPSDP has supported the establishment of a

Market Information System (MIS) focusing on the export market; the production of marketing and processing manuals for 5 crops; and creating market linkages between trader groups and FBOs.

945. Agricultural Export Promotion includes: (i) upgrading and creation of market and export infrastructure; (ii) technical assistance for product development and adaptation, proactive marketing and compliance with quality and phytosanitary standards; (iii) introduction of high-yielding crop varieties; (iv) support for improving product quality and standards; and (v) support for identifying non-traditional exports and markets opportunities. MAFFS stated that, through this component, the RPSDP has supported the Sierra Leone Investment and Export Promotion Agency (SLIEPA) to carry out a regional market survey expected to provide a better understanding of market conditions, especially within West Africa and identify potential sources of supply of selected commodities in Sierra Leone.
946. A comprehensive sub-sector study of the Sierra Leone Cocoa Industry has been carried out to help improve the supply and export of the commodity. The implementation of the study findings has led to the establishment of three cocoa cooperatives with a total membership of 12,688 (Male, 10,256; Female, 2,432). These cooperatives have set up an export company, which has already exported 127 Mt of cocoa. Also under the Agricultural Promotion component, an Export Supply Chain study has been conducted to identify non-traditional Export (NTE) and market opportunities. . The findings revealed sector readiness to embark on the development of NTE commodities. Major challenges include lack of availability of planting materials, packaging, transportation, cold chain and access to agricultural financing.
947. The RPSDP has also supported the Sierra Leone Standards Bureau with the Development of Norms and Grade Standards and Implementation of the Grade System. These interventions aim at developing national standards for traditional and non-traditional products in line with international standards. The project provided support for the introduction of high yielding materials by introducing improved planting materials for rice, cassava and cocoa to all the RPSDP-supported FBOs. It has also supported Njala University with the establishment of an advanced product development and adaptation laboratory. With regard to export market information, RPSDP has supported SLIEPA to develop an MIS plan, which currently provides a detailed strategy on how to set up a centralised export MIS. These systems should make for more efficient transfers of standardised, harmonised and reliable information on all exports to stakeholders.

iii. Recommendations

948. The APR Panel recommends that the Government of Sierra Leone:

- Mobilise financial resources for rehabilitation and development of infrastructure for a sustainable, affordable and efficient water supply, sewerage and waste water disposal systems; [*Government of Sierra Leone and all stakeholders*]
- Continue implementing policies and strategies commenced for the development and maintenance of roads, ports and airports, particularly feeder roads connecting villages and farm areas to market centres; [*Government of Sierra Leone and all stakeholders*]
- Consolidate, improve and expand the existing power supply infrastructure; [*Government of Sierra Leone and concerned development partners*]
- Establish coordination in ICT infrastructure development to achieve national backbone networks that can carry data, voice and video, as would be employed in effective management and operations of basic infrastructure; [*Government of Sierra Leone and all stakeholders*]
- Establish a land reform process so as to enhance efficiency in the land tenure registration system; [*Government of Sierra Leone*]
- Establish, as a matter of urgency, a financing vehicle for long term lending to the agricultural sector such as the proposed agricultural finance bank which would provide subsidised lines of credit for farmers and smallholders. [*Government of Sierra Leone and Bank of Sierra Leone*]

OBJECTIVE FIVE: **Progress towards gender equality in all critical areas of concern, including equal access to education for girls at all levels**

i. Summary of the CSAR

949. The issue of gender equality and women empowerment is analysed under Objective 7 of the section on political governance in the CSAR. The report indicates that, in Sierra Leone, women suffer from cultural discrimination that is deeply rooted in traditional customs and laws, and that these must be overcome in order to enhance gender equality and women empowerment. Sierra Leone embraced the Beijing Declaration and is making progress towards its international commitments in gender equality. The relevant institutional framework to address the issue has been set up with the creation of the Ministry of Social Welfare, Gender and Children's Affairs in 1996 and the establishment of a parliamentary sub-committee on gender affairs. In 2007, the Government enacted the Domestic Violence Act, the Devolution of Estates Act, the Registration of Customary Marriage and Divorce Act and the Child's Right Act. Furthermore, a number of policies and legislation, such as the Education Act 2004, make basic education compulsory, with penal procedures for those hindering it. The Chieftaincy Act, which grants equal legal rights with men in chieftaincy matter, has been passed to address issues of abuse against women and children, and guarantee their rights.
950. The CSAR states that gender disparities in education have narrowed as the number of girls enrolled has increased in both primary and secondary schools. Out of all children enrolled in primary school, 58 per cent were boys and 42 per cent were girls. For primary and secondary schools combined, 63 per cent of those enrolled were boys and 37 per cent were girls, which raises the gender parity index to 101 per cent in primary school, and 78 per cent in secondary school. In furtherance of its commitment to provide girls and boys with equal access to education, encourage school attendance and lower regional disparities, the Government has also abolished school fees in junior secondary school in the Eastern and Northern Regions.
951. The CSAR reports that the number of women holding political office has increased as the number of women represented in Parliament and in the government has risen. In 2010, women's representation in Parliament was 14 per cent and, in the Cabinet, 2 women held ministerial positions and 4 others were Deputy Ministers.

952. In the employment area, the CSAR acknowledges that women suffer more from unemployment compared to men and that more women have meagre revenues or no revenue at all.
953. With regard to non-agricultural employment, the CSAR reports a lower proportion of women than men, and very few women in senior level position despite government effort to achieve parity.

ii. Findings of the CRM

954. The CRM acknowledged the efforts made by the Government and all other stakeholders to address gender inequality in Sierra Leone. As Commendable Practice Box 6.1 indicates, Sierra Leone has taken some bold steps in this regard. Although the Constitution of Sierra Leone provides for equal rights for men and women, the principle of non-discrimination does not apply in all areas. In February 2007, the Government established a commission to review the Constitution and eliminate all discriminatory provisions. Sierra Leone has signed, ratified and adopted numerous regional and international agreements including the Convention on the Elimination of All Forms of Discrimination against Women, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2003, Maputo, Mozambique), and the National Domestic Violence Act, 2007.
955. As a result of Sierra Leone's international, regional and national commitments, the youth female literacy rate (% of females ages 15-24) is reported to have increased, from 79 per cent in 1990 to 84 per cent in 2000 and 86 per cent in 2009, and female enrolment at primary level rose from 89 per cent in 1990 to 97 per cent in 2009. Table 6.5 shows that infant and maternal mortality has also improved substantially. Accompanying the closure of the gender gap in education, the share of women in the labour force rose from 51.3 per cent to 53 per cent during the same period¹⁰⁴.

104 See table below. Recent data and information are not available

Commendable Practice Box 6.1: Sierra Leone's Four Key Actions to Ensure Gender Equity

Sierra Leone has taken the following four significant steps in the area of gender:

Enactment of three important Gender Acts: First, it enacted three important Gender Acts; the Domestic Violence Act 2007, the Devolution of Estates Act 2007, and the Registration of Customary Marriage and Divorce Act 2007.

Restructuring of the Ministry of Social Welfare, Gender and Children Affairs: In 2011, the Ministry of Social Welfare, Gender and Children Affairs was restructured into Directorates to enable autonomy for its various divisions - Gender, Social Welfare, and Children Affairs - to plan and budget independently. Each has adequate levels of authority to act to ensure implementation and monitoring of programmes, and to access resources needed to deliver on its respective mandate. The Directorate will be devolved to the district levels.

Establishment of Family Support Unity: A Family Support Unity (FSU) mechanism for addressing violence has been established in police stations. Though the Units are primarily located in urban areas, there are plans to expand them to rural areas when resources are available.

Women's Role in Conflict Resolution: On the 10th anniversary (2010) of the United Nations Security Council Resolutions 1325 and 1820, Sierra Leone made a significant commitment to the call on State Parties to ensure women's participation in the prevention and resolution of conflicts and peace building. The Resolution further calls on states to recognise the special circumstances of women as Internally Displaced Persons (IDPs) and refugees and to commit necessary support and resources to this end. Subsequently, Sierra Leone developed a National Action Plan to advance this Resolution.

Source: CRM

956. Despite these efforts, gender inequalities are still strong in Sierra Leone. Women are subject to legal and social discrimination in day-to-day life, and their rights and position are contingent on traditional law and the ethnic group to which they belong. Their access to health services (particularly to antenatal care, emergency obstetric care and safe delivery services) is most in need of improvement. The Sierra Leone Integrated Household Survey (SLIHS) reporting on the status of wage-earners, confirmed that female-headed households are, in general, poorer than male-headed households. There are no clear indications from any of the documents reviewed by the CRM that household activities are shared in any significant way that favours women nor could it be concluded that the rural woman's daily chores are alleviated by any specific investments in time-saving technology. Furthermore, access to land remains a major problem for women in Sierra Leone.

Table 6.5: Sierra Leone Gender Equality

	1990	1995	2000	2009
Goal 2: Achieve universal primary education				
Literacy rate, youth female (% of females ages 15-24)	79	..	84	86
Literacy rate, youth male (% of males ages 15-24)	88	..	90	92
Persistence to last grade of primary, total (% of cohort)	..	..	..	..
Primary completion rate, total (% of relevant age group)	79	..	82	88
Total enrolment, primary (% net)	..	..	84	90
Goal 3: Promote gender equality and empower women				
Proportion of seats held by women in national parliaments (%)	13	12	14	19
Ratio of female to male primary enrolment (%)	89	..	92	97
Ratio of female to male secondary enrolment (%)	83	..	92	96
Ratio of female to male tertiary enrolment (%)	..	..	99	108
Share of women employed in the non-agricultural sector (% of total non-agricultural employment)	34.5	37.0	36.5	..
Goal 4: Reduce child mortality				
Immunisation, measles (% of children ages 12-23 months)	73	74	72	82
Mortality rate, infant (per 1,000 live births)	64	61	55	43
Mortality rate, under-5 (per 1,000)	92	88	79	61
Goal 5: Improve maternal health				
Adolescent fertility rate (births per 1,000 women ages 15-19)	..	..	60	51
Births attended by skilled health staff (% of total)	..	..	62	66
Contraceptive prevalence (% of women ages 15-49)	57	..	61	61
Maternal mortality ratio (modelled estimate, per 100,000 live births)	400	370	340	260
Pregnant women receiving prenatal care (%)	..	..	75	82
Unmet need for contraception (% of married women ages 15-49)	..	..	..	..
Goal 6: Combat HIV/AIDS, malaria, and other diseases				
Incidence of tuberculosis (per 100,000 people)	130	130	140	140
Prevalence of HIV, female (% ages 15-24)	..	..	..	1.4
Prevalence of HIV, male (% ages 15-24)	..	..	..	0.5
Prevalence of HIV, total (% of population ages 15-49)	0.3	0.7	0.9	1.0
Tuberculosis case detection rate (all forms)	43	47	45	61

Source: World Development Indicators database Gender Based Violence (GBV). The HIV statistics are from the 2010 Sierra Leone United Nations General Assembly Special Session (UNGASS) Progress Report.

957. The CRM was informed that sexual violence against women and girls was widespread during the 12 years of Sierra Leone civil war. The most common forms included individual and gang rape, sexual assault with objects, sexual slavery and abduction of women and girls, forced bondage to male combatants in slavery-like conditions often accompanied by forced labour. Sexual violence was a common weapon used to terrorise, humiliate, punish and control women and girls during the civil war.
958. In post-war Sierra Leone, rape has increased, especially child rape, according to the Sierra Leone Police Family Support Unit (FSU), which investigates abuses of women's and children's rights. According to the FSU's most recent report, 65 per cent of rape cases reported to the police in 2006 involved teenage girls under the age of 18.
959. In 2002, the government established a Truth and Reconciliation Commission, which made specific recommendations for the rehabilitation, psychological recovery and social reintegration of victims. However, the discussions with stakeholders conclude that insufficient attention has been given to the Commission's findings and victims find themselves marginalised in society.
960. Stakeholders state that, although the Anti-Trafficking Act of 2005 prohibits human trafficking, this practice remains widespread with women and young girls as the main targets. Women and children are trafficked from the provinces to work in the capital as labourers and commercial sex workers and to the diamond areas for labour and sex work.
961. As regards domestic violence, the Domestic Violence Act was passed in 2005 and came into force in 2007. The law criminalises domestic violence and all forms of gender-based violence. However, the CRM learnt that the law is not effectively implemented and monitored.

Female genital mutilation (FGM)

962. The reviewed literature and discussions held confirm that there is no law in Sierra Leone prohibiting female genital mutilation (FGM) which is widely practised on women and girls. FGM is generally condoned and practised by all classes, including the educated elite. In 2007, it was estimated that 94 per cent of women in Sierra Leone between the ages of 15-49 had been subjected to some form of FGM. It is practiced by all Christian and Muslim ethnic groups.

963. The CRM was informed that secret societies such as the Sande and Bundo, where girls are forced to go through certain rituals, such as puberty rites, are also widely adhered to in Sierra Leone by all ethnic and religious groups, with the exception of the Krios¹⁰⁵ who live in the Western region. According to stakeholders, these girls are taught to be submissive to their husbands. Traditional dances and annual feasts are part of the rituals. It is reported that 85 per cent of women and girls in Sierra Leone are members of these secret societies.

Customs and tradition: contributing factors

964. Customary laws discriminate against women in Sierra Leone in different ways. For instance, the CRM has learnt that marriage is very symbolic and highly regarded among Sierra Leoneans, An adult male or female who is not married is, therefore, frowned upon. The most important dream of every adult, especially women, is to be married to escape being treated with contempt.

965. Although prohibited by statutory law, polygamy is authorised and widely practised under customary and Islamic law. Indeed, reviewed literature reveals that approximately 70 per cent of marriages take place outside of statutory law and an estimated 43 per cent of women between the ages of 15-49 are in polygamous unions. Despite the adoption of the Child Rights Act and the Registration of Customary Marriages and Divorce Act of 2007 that set the legal age of marriage at 18, early marriage continues. In 2007, it was estimated that 62 per cent of girls under the age of 18 were married.

966. The CRM has learnt that women are considered perpetual minors under customary law. A woman cannot file a legal complaint without her husband's consent. Moreover, women must seek parental consent to marry while this is not necessary for men.

967. Discussions with various stakeholders revealed that a reluctance to pursue justice for women, combined with limited economic opportunities, has created a culture of impunity for people who perpetrate violence against women. Women often remain silent about this systematic violence against them for fear of being stigmatised in their own communities once they admit they have been victims.

105 We can use Krios or Creoles invariably. However, the word Krios is specific to Sierra Leone

Access to property

968. The Devolution of Estate Act of 2007 requires property to be equally distributed between the spouse and children of the deceased and criminalises expulsion of widows from their homes after the death of the husband. That notwithstanding, women do not have full access to property, particularly land, which is governed by customary rules. Land generally belongs to the family and is most often administered by the male head of the household.
969. All stakeholders also recognised that women are not only discriminated against in the distribution of property, but may themselves be considered property, and therefore can be inherited by other family members upon the death of the husband. It is also admitted that the customary law gives men the right to discipline their wives as they see fit. The right of a husband to beat or physically intimidate his wife is a deeply held conviction among the local population. In a nutshell, women occupy a decidedly subordinate position under customary law. In parts of northern and western Sierra Leone, a woman can only access land through her husband or male relatives.
970. It is commendable that, in 2007, Parliament passed the Intestate Succession Act of 2005, which deals with property and inheritance rights for women. However, this Act has yet to be effectively implemented.

Discrimination and exclusion from authority

971. Another example of the role of culture in violence against women is the discrimination against them and their exclusion from positions of trust. This is very common among the ethnic groups in the Northern Region of Sierra Leone where it is a taboo for a woman to become a ruler. To them, a woman is to be led and not to lead unlike in the South and Eastern regions where women have held, and still continue to hold, responsible positions in their areas.
972. The status of women in Sierra Leone is defined by discrimination that has deep cultural roots, and these disempowering traditional customs and laws must be overcome in order to enhance gender equality and empower women. Affirmative action is needed to eliminate gender disparity at all levels and achieve MDG3.

Access to education

973. As indicated earlier, girls' enrolment at primary level has improved tremendously since the end of the civil war, particularly since the abolition of school fees.

However, the CRM was informed that the situation remains unsettled at the junior secondary, senior secondary and tertiary education levels where parents have to pay for the education of their children.

974. Stakeholders stated that inadequate educational infrastructure and teaching materials, poorly qualified teachers, a lack of community involvement in decision-making along with teachers' absenteeism, girls' early marriage and pregnancy, and the economic environment have contributed to the high dropout rate among girls, and limited their equal access to education. New laws provide for girls to return to school after giving birth but these are not yet effectively enforced.
975. The CRM was informed that girls are also discriminated against within the education system at school in the sense that they are often oriented towards social sciences and discouraged from taking mathematics or pure sciences as an option. Sometimes, the discrimination concerns physical education as some teachers persuade girls not to participate in sport activities.

Access to healthcare services

976. On 27 April 2010, the Sierra Leone government began implementing a policy of free healthcare for pregnant women, nursing mothers, and children under five. However, the CRM observed that healthcare services for women are inadequate. Indeed, various meetings with stakeholders indicated that health clinics are understaffed and personnel undertrained and often unpaid. As a result, medical doctors with a solid background often prefer to work for private hospitals, NGOs or in neighbouring countries, or they migrate overseas.
977. Sierra Leone's maternal mortality rate is the highest in the world (2,000 per 100,000), as a result of lack of proximity to health services, lack of access to prenatal and postnatal care, lack of contraceptive usage and inadequate family planning. Only 4 per cent of women have access to family planning services. Other contributing factors include cultural and financial barriers, a lack of skilled birth attendants, and inadequate information on health issues, including malaria, HIV/AIDS and unsafe abortions.

Access to employment

Women in agriculture

978. Women are considered to be an important factor in the overall performance of the agricultural sector. They constitute about 75 per cent of the active labour

force in food production, processing, preservation and marketing, and in food preparation (from the farm to the table). In addition, further responsibilities, such as child bearing and rearing, fetching fuel wood and water, and other household chores are imposed upon them either naturally or by tradition.

979. The CRM was informed that despite these critical roles, the efforts of women remain less appreciated. Until the important role that women play as partners in the production process is duly recognised, food security will be difficult to achieve. The constraints that women face must be fully recognised, such as the use of rudimentary tools, low yielding planting materials, lack of access to information, land and credit; as well as pressures on their time management.
980. As explained in the previous sections, land belongs to a community and traditional rulers grant land to families meaning that individual requests to have access to land are often not granted in some areas. However, individuals with financial resources can access land. Furthermore, the cost of tractors and farming related costs are often beyond the means of the average man.

Women in the Civil Service

981. Table 6.6 presents employment by grade and by gender in the Public Service. The proportion of females in the total civil servant population is very low compared to males, especially at a higher grade. Women represent 39 per cent of the total number of junior level civil servants and account for only 13 per cent at the senior levels. This situation could be related to women's level of education and the prevailing disempowering customs.

Table 6.6: Employment by Grade and Gender in the Public Service

Level	Male	% male	Female	% female	Total
Junior	8,865	61	5,556	39	14,421
Middle	741	78	205	22	946
Senior	322	87	46	13	368
Total	9,928	-	5,807	-	15,735

Source: *Human Resource Management Office/Millennium Development Goals Progress Report 2010*, Government of Sierra Leone.

Access to financial resources

982. Despite the importance of women in agriculture and in household activities, they find it difficult to access financial resources as the terms and conditions for loans from traditional financial institutions are difficult for a person without collateral.
983. In an attempt to improve the well-being of women and accelerate poverty reduction, the government of Sierra Leone has instituted policies and strategies to help develop micro-finance institutions. Many such institutions were established by the Government as were CSOs with a special emphasis on providing support to women in agriculture and vulnerable groups.
984. From discussions with stakeholders, the CRM found that the above mechanisms have given women a certain financial independence as they can now contribute to their children's education and participate in decision-making within their families and communities.

Participation and Representation

985. There are currently no measures in Sierra Leone to accelerate the achievement of gender equality in political and public life, education, and employment in the formal economy as the proportion of women in each of these fields remains very low. Most illiterate women work in the informal sector and do not benefit from the social security scheme.

Women in Politics

986. Sierra Leone emerged from conflict in 2002 and held its first post-conflict national elections the same year, in which 18 women were elected to Parliament out of a total of 124 MPs. However, in the 2007 national elections, this figure dropped to just 16 women. One reason for this was that the 2002 election had used a proportional representation system to reflect the fact that so many people were displaced because of the war while, in 2007, there was a return to Sierra Leone's traditional first-past-the post system. This resulted in fewer women being selected as candidates as the political parties were concerned that, in a patriarchal society, the electorate would not vote for women. In terms of women in leadership roles, there are two women Ministers in the 24-member Cabinet.

987. Local government was re-established in 2004 with local elections in which women won 56 out of a total of 456 district council seats across the country. In 2008, local elections produced 86 women councillors, a significant increase on the 2004 elections. Women's representation in district councils varies significantly nationwide: in some councils, there are just a couple of women councillors, while in others, women form a substantial minority. At Ward Committee level, it is mandatory that 50 per cent of members are women, making this the only gender-balanced level of governance, although these committees have little power. One level of government that women are finding it difficult to penetrate is the customary system of chieftdom. The setup and operations of this system are illustrated in Box 6.1.

Box 6.1: The Chieftdom System in Sierra Leone

Within the customary system, every chieftdom is headed by a paramount chief, under whom there are section chiefs, divisional chiefs and then village level authorities. The current system of chieftdom governance was established during colonial rules and, to a large extent, it has ratified and standardised previously diverse traditions although there are still significant differences in the nature and rules of customary governance systems among localities. The 2009 Chieftaincy Act recognises the role of paramount chiefs in safeguarding customs and supporting local development. In some rural areas, the paramount chiefs and chieftaincy system proved to be a significant post-conflict stabilising force. However, the dominance of the institution also creates potential for perpetuation of exploitative relationships, patronage, and corruption.

Sierra Leone is divided into 3 provinces (Eastern, Northern and Southern Province) and one Western Area; the provinces are further divided into 14 districts, and the districts are further divided into chieftdoms. One traditional leader from each district occupies a seat in Sierra Leone's Parliament. The customary governance system is regulated by the Native Administration Act (1927). The Chieftdoms are the third-level units of administration in Sierra Leone.

Source: CRM

988. In addition to the formal and customary governance structures, an important area of women's political action is through civil society. Sierra Leone has a weak but growing civil society which has developed significantly following the civil war. This includes a wide variety of organisations working on gender equality issues as part of a broader mandate as well as a range of women's civil society organisations at national and local level.

iii. Recommendations

989. The APR Panel recommends that:

- The following remedies be pursued by Government: (i) specific attention be made to girls' access to secondary education; (ii) improvement of women's sexual and reproductive health education and rights; (iii) creation of time-saving infrastructure for women; (iv) implementation of effective and equal property and inheritance rights for women; (v) provision of formal employment and equal employment opportunities for women; (vi) adequate participation and representation of women in politics and public administration; and (vii) strengthening of other measures to protect women from violence, including removing obstacles to victims' access to justice, ensuring effective prosecution and punishment of offenders; implementing training for all law enforcement personnel; and establishing shelters for women victims of violence to minimise violence against women. [*Parliament, Specify ministries and agencies*]
- In order to help address and enhance women's rights, including the rights to equality and empowerment that support sustainability, Government to address gender-based violence and strongly support community based programmes for addressing women's health issues; [*Government of Sierra Leone and International Community*]
- The government effectively implement and monitor the Domestic Violence Act 2005 and the Intestate Succession Act of 2005; [*Government of Sierra Leone*]
- The government of Sierra Leone harmonise statutory, customary, and religious laws in conformity with international and regional instruments on women's rights and ensure that where conflicts arise between formal legal provisions and customary law, the formal provisions should prevail; [*Government of Sierra Leone, private sector and CSOs*]
- The Government step up and narrow the gap between women and men as indicated in its commitment to the CEDAW and Beijing Platform of Actions including the stipulation of a 30 per cent quota for women in elective and appointed positions to enhance women participation and representation in politics and public institutions. [*Government of Sierra Leone*]

OBJECTIVE SIX: Encourage broad-based participation in development by all stakeholders at all levels

i. Summary of the CSAR

990. The CSAR indicates that the Government has promoted and practised participatory development in all its interventions, policies and strategies, such as SL-PRSP, Community Driven Development (CDD), Decentralisation. The evidence-based field data elicited information on how communities are seeking self-reliance through bottom-up processes and interventions. The CSAR stated that a variety of CDD projects had been undertaken at the community level. The major project for both rural and urban communities is road maintenance followed by construction of school buildings and water and sanitation projects.
991. The bottom-up community initiatives are facilitated by opinion leaders and Traditional Chiefs, Project Management Committees (PMC), Finance Committees and community meetings, NGOs and Government. Village Development Committees and Community Based Organisations (CBOs), especially in rural areas, are also very important in initiating and implementing projects at the community level. Community structures exist to facilitate local project implementation, monitoring and evaluation.

ii. Findings of the CRM

992. The CRM noted that most post-war strategies and programmes were formulated by national experts with little external input. They used a participatory approach through public consultations, participatory assessment and validation, including a cross-section of both primary (communities and households) and secondary (experts, academics, CSO/NGO, media, chiefs) stakeholders. The CRM commended this inclusiveness, which showed a shift in attitude towards making all stakeholders participants in the development process.
993. The CRM sought the views of a wide spectrum of state and non-state stakeholders to assess the intensity and quality of the society's involvement in the development process. The CRM was impressed by the enthusiasm for the debate and the varied views and perspectives presented during the stakeholder

interactions. They indicate that the community at large remains engaged. Stakeholders generally agreed that the process for drafting and adopting the PRSP and key sectoral programmes and strategies was highly participatory and that the proposed policy framework was appropriate.

994. There were different views about the adequacy and quality of the consultation. Some stakeholders contended that the consultations did not cover all parts of the country and that large parts of the community were marginalised in the decision-making process. They complained that they are often either minimally involved or not consulted at all. Interest groups, like farmers and vulnerable groups (the aged, the disabled, persons living with HIV/AIDS and orphans), are in a better position to convey their problems and expectations. Some other stakeholders reported that they were consulted but that they did not receive any feedback. Conversely, some others confirmed that they were consulted and were satisfied with the consultation process, citing numerous occasions when they were directly engaged or involved through other means such as the media.
995. Most decentralised councils also complained about limited decentralisation of governance, and about not being fully involved in the monitoring and evaluation of projects in their districts. Public officials cited the limited technical capacity in councils and the fact that projects are usually managed by semi-autonomous units. Many experts have raised concerns that the PRSP implementation process has been mainly public driven with little involvement of both the private and not-for-profit (NGO/CSO) sectors. Most non-state actors (NSA) argued that government, being both the executing and implementing agency for projects, will undoubtedly limit its critical review and the checks and balances for ensuring effective, efficient, quality controlled and timely delivery of interventions.
996. The CRM observes that the process of designing development policies is currently going through a transformation such that all stakeholders now participate in planning, decision-making and empowerment of non-governmental actors. However, recent studies indicate that much more is required to ensure that all stakeholders participate in the development process. Gender inequality still persists in education, employment, access to production (land, credit), policy formulation and decision-making. Also, there is a lack of effective communication strategies that could build trust and bridge the information and feedback gaps that were revealed at stakeholder discussions about the development process.

iii. Recommendations

997. The APR Panel recommends that the Government:

- Put in place mechanisms for effective participation of the private sector, civil society and communities in negotiations leading to policy formulation and decision-making that affect the daily lives of people; [*MoFED, Indigenous Business Association, Civil Society Organisation*]
- Implement incentive measures in the private sector for business women to contribute effectively to the rehabilitation of some social and economic infrastructure; [*Government of Sierra Leone and the private sector*]
- Earnestly pursue the decentralisation programme with a view to promoting participation at all levels of society; [*Government of Sierra Leone*]
- Develop training programmes for community members to take active part in the political and socio-economic activities (health care, education, civil society and private sector) of their regions; [*Government of Sierra Leone and the community at large*]
- Formulate an effective communication strategy for keeping citizens fully informed about challenges, development options, policy content and intended outcomes. [*Government of Sierra Leone, Community-Based Organisations*]

CHAPTER SEVEN

7. CROSS-CUTTING ISSUES

7.1 Overview

998. This Chapter is a special thematic chapter. It focuses on overarching issues. These are issues revealed by the review of the previous four thematic areas as being recurrent concerns having a wider impact on all areas of governance. By their very nature, the issues require a holistic approach in finding solutions.

999. Specifically, the key cross-cutting issues the chapter addresses are:

- Capacity Constraints;
- Corruption;
- Decentralisation
- Ethnicity and Managing Diversity;
- Youth Unemployment;
- Blessings and Curse of Mining and Minerals; and
- Gender and Women Empowerment

7.2 Capacity Constraints

1000. The CSAR and CRM findings reveal that a significant constraint to good governance processes across the four thematic areas in Sierra Leone is lack of capacity and poor policy implementation. These militate against achievement of

the objectives under *An Agenda for Change* and the Millennium Development Goals, and other policies of the government.

1001. This situation exists despite continuing efforts by the Government, in partnership with the private sector and civil society, to design public-interest legal and policy framework and reforms for pursuing good governance and development initiatives and programmes in the country, under *An Agenda for Change*.
1002. The interrelated problems of weak capacity and poor policy implementation, so characteristic of developing African states, has been compounded in the case of Sierra Leone by the residual effects of the country's civil war on the public and private sector alike. For example, a major finding of the CRM is that the civil war depleted the country's public service in number and quality. It remains understaffed and under-resourced despite reform and policy measures to address the problem.
1003. Though lack of implementation may be due to lack of capacity, it may also be the result of a combination of nepotism, corruption and related rent-seeking activities, poor accountability, poor coordination, conflicting interests, and bureaucratic politics among the various institutions and agencies involved in policy formulation and implementation.
1004. There are various dimensions and levels of the nature of lack of capacity brought out by the findings. However, the key dimensions are human, physical, ICT, and social infrastructural, and financial resource capacity issues. Though the effects cut across the public and private sector and civil society, lack of capacity manifests more severely in the public sector, which is currently the engine of development in the country. Many public sector institutions are deficient or weak in skilled and specialised manpower to undertake their service delivery and regulatory functions. The problem is more severe at the provincial, districts and local government levels where decentralisation remains stultified and a vain hope, in spite of a National Devolution Policy adopted in 2010.
1005. In the area of economic management and governance, lack of human and financial capacity has had negative impacts on responsive budgeting, which has largely contributed to lack of reliable and current data on employment and unemployment in the country. It has also negatively affected ability to fully provide key deliverables, such as robust economic indicators and collection and dissemination of economic and social statistics. This dearth of human and financial capital has also hampered the distribution of resources to communities at regional and local government levels.

1006. With respect to corporate governance, CRM findings show that lack of capacity by regulatory agencies, such as the Office of Administrator and Registrar-General (OARG), the Corporate Affairs Commission, the Bank of Sierra Leone, the National Revenue Authority (NRA), the National Telecommunications Commission (NATCVOM) and the Sierra Leone Insurance Commission (SLICOM) has largely contributed to a weak regulatory and inadequate monitoring of institutional framework for the oversight of business and economic activities in the country.
1007. Lack of capacity, especially human resources and inadequate domestic and foreign funding, has also slowed down the provision of physical and social infrastructures such as roads and transportation, electricity, energy, shelter, potable water, education and health, so vital for socio-economic development, including meeting the Millennium Development Goals. For example, despite government and donor interventions in the energy sub-sector, power supply is still erratic and unaffordable by many Sierra Leoneans because of dilapidated infrastructure and inadequate human and financial resources in the sub-sector.
1008. The problem of lack of capacity exists also in democracy and political governance. The legislature and the judiciary both suffer from debilitating resource capacity challenges. As a result, they have been weakened in the effective performance of their oversight roles ascribed by the principle of separation of powers under the Constitution.
1009. The findings of the CRM indicate that a number of democracy-promoting institutions established under the provisions of the Constitution face serious capacity problems in discharging and prosecuting their constitutional mandate. These institutions are the National Electoral Commission (NEC) and the Political Parties Registration Commission (PPRC) as well as others established by legislation, such as the National Commission for Democracy (NCD), National Human Rights Commission (NHRC), the Anti-Corruption Commission (ACC), and the National Youth Commission.
1010. In the private sector, serious capacity gaps also pose challenges in the banking, commerce, retail, trade, and extractive industry sub-sectors. Consequently, indigenous entrepreneurs and small and medium scale industrialists are burdened by challenges in accessing badly needed funds from government and commercial banks. For example, microfinance banks and agricultural finance schemes established across the country, and especially in the rural areas, are hampered in achieving the objectives of socio-economic development because they lack the necessary resource base. With the post-war revival of the mining industry and the discovery of oil in commercial quantity in the country, capacity constraints and challenges for regulatory institutions and for indigenous

participation in these key sub-sectors are already surfacing, evidenced by the ongoing debate about the concessions granted to a number of mining and oil-exploring companies.

1011. The role of civil society, including the media, as a countervailing force in state and society is also diminished by capacity problems. The problem is more pronounced in data gathering and dissemination and in civil society's ability to engage on equal terms with the state and private sector on public policy issues.
1012. Though implementation gaps occur at various levels, it is a general problem that is acutely felt in economic management and socio-economic development policy areas. As a result, the completion rate of major development projects is low. The Government of Sierra Leone Millennium Development Goals Report for 2010 contends that, even "*with increased and sustained effort [Sierra Leone] is likely to meet 30 per cent of its MDGs (...) by 2015...*" Poor policy implementation in the country results from a combination of factors including: (i) lack of capacity such as poor infrastructure, lack of reliable electricity supply and weaknesses in social services delivery; (ii) corruption; (iii) poor coordination among implementing agencies; and (iv) weak accountability, monitoring and evaluation mechanisms.
1013. The Government of Sierra Leone is faced with the need to formulate (or rethink), its short-term strategies to achieve its medium-to long-term development goals. This will involve two key strategies: planning and determining of capacity priorities, and a political will to plug leakages generally generated by corruption.
1014. The Government will also need to re-examine and redefine the country's higher education policy. As much emphasis will need to be placed on polytechnics and technical colleges as on universities, with curricular changes stressing the application of ICT, policy formulation and implementation. Therefore, the government will need to reinvent and retool polytechnic and technical education, as part of its long-term investment in education. Moreover, there must be an alignment of the new directions in higher education with adult education, secondary and elementary education as a long-term investment in capacity development. The CRM was concerned about the state and condition of Fourah Bay College, the University of Sierra Leone, when some of its members paid an unscheduled visit there. Subsequent to this visit, the CRM learned that the students could not take their final exams because of lack of writing paper. The exams were to be postponed until the following **week** when new stationery was expected. This is a further proof of the endemic nature of capacity weaknesses in the country. In any case, the panel believes that Fourah Bay has a significant role to play in meeting the capacity needs of the country. It should be capacitated and strengthened to play this role effectively.

7.3 Corruption

1015. Sierra Leone has had a long and painful history of corruption. As Desmond Luke, a reputed former Chief Justice of Sierra Leone puts it, *“if you have been here for some time, you will know that anybody and everybody is stealing everything”*¹⁰⁶. The root causes of corruption in Sierra Leone have been complex and have tended to conform over time to a combination of poverty, greed and low levels of remuneration.
1016. Besides its moral aspects, corruption has had other negative consequences on Sierra Leone. Politically, it has affected the efficacy of governance by undermining the rule of law, and violating the principles of accountability and probity, thereby perpetuating impunity. Economically, corruption has had a negative impact on the economy by withholding resources that could have been put to the production of goods and services for Sierra Leoneans. Its effects on corporate governance have been to increase the cost of doing business and limiting the competitive edge of firms in the economy. As regards socio-economic development, corruption has undermined the country’s poverty reduction efforts. Since the institutions and public officials predominantly involved in corruption are linked to the provision of essential services, corruption has inhibited the pace of socio-economic development.
1017. A number of legislative frameworks for fighting corruption have been implemented over the years. These include the: Anti-Corruption Act, 2000, Anti-Corruption Commission, Office of the Ombudsman, Anti Money Laundering Act 2005 and the new Anti-Corruption Act, 2008. The scope of offences under the new Anti-Corruption Act has been widened and the Anti-Corruption Commission is expanding its operations to all the regions of the country.
1018. The Acts for fighting corruption, especially the new Anti-Corruption Act, 2008, are in line with the United Nations Convention against Corruption and the African Union Convention on Combating Corruption and Related Offences. Sierra Leone is a signatory to them both.
1019. These regulatory frameworks have been strengthened by the creation of bodies such as the National Public Procurement Authority, the Audit Service of Sierra Leone, the Public Accounts Committee and District Budget Oversight Committees. Despite these Acts, corruption remains rife and endemic in both

106 The Economist, “Bad apples are in the barrel”, March 17th 2011.

the private and public sectors. In Transparency International 2011 Report's Corruption Perception Index, Sierra Leone scored 2.5 out of a possible 10 and ranked 134 out of 182 countries reviewed.

1020. Stakeholder interactions revealed that the Anti-Corruption Commission is underfunded, it lacks the necessary capacity to function effectively, and it is prone to political interference. The stakeholders suggested that the effective prosecution of corruption cases is limited in Sierra Leone because of tribal sentiments and political affiliations and interference. Furthermore, the Commission is dependent on contributions from international donors, which exposes it to the possible risk of donor fatigue.
1021. It is the view of the Panel that the Anti-Corruption Commission needs to be adequately resourced to enable it better analyse submissions and perform its responsibilities effectively and efficiently. Also, there is the need to reduce sentiments of tribalism and political affiliations in corruption cases to ensure they are effectively prosecuted.

7.4 Decentralisation

1022. After the Civil War, Sierra Leone implemented a number of policies and programmes to curb the causes of the conflict. In this regard, the Sierra Leone People's Party (SLPP) Government of H.E. Ahmed Tejan Kabbah introduced the Local Government Act 2004 to address both internal and external pressure for inclusive governance, reverse the conditions that generated the country's civil war and enhance the delivery of basic services.
1023. While the Act was also an attempt by the Government "to reconfigure political institutions in a way that reduced the urban-central bias and the potential for a return to the pre-war political economy, which tended to benefit the APC more than the SLPP"¹⁰⁷, and to enhance political support for the SLPP, it provided a strong basis for the establishment of decentralisation through devolution of key functions from the Central Government to the Local Councils and through inter-governmental transfers. The Act was intended to expand the political space by bringing the Government closer to the people. Therefore, a major goal of the decentralisation system was to ensure that the local people and their communities were empowered and fully involved in political and socio-

107 Vivek Srivastava and Marco Larizza. (2011), Decentralisation in Post-conflict Sierra Leone: The Genie Is Out of the Bottle in Punam Chuhan-Pole and Manka Angwafo (Ed.), *Yes Africa Can Success Stories from a Dynamic Continent*, The World Bank, Washington, D.C.

economic development processes by actually formulating and implementing development plans themselves.

1024. Administratively, the local government structure now comprises 19 Local Councils so as to promote good governance and democracy, accountability and transparency, improved service delivery and development of the local economy. The major means of achieving these objectives include mobilising human and material resources necessary for development, promoting productive activities and basic infrastructure, overseeing chieftom councils and cooperating with relevant authorities to ensure security. Each Local Council is further subdivided into Wards.
1025. Under the Local Government Act 2004, traditional local government structures now consist of 149 chiefdoms ruled by Paramount Chiefs elected for life from among members of the ruling families. The eligibility to vote for a Paramount Chief is restricted to only members of an electoral college. This arrangement was reinforced by the Chieftaincy Act 2009. The Act principally deals with matters concerning election of Paramount Chiefs and defines the roles of the National Electoral Commission and the Ministry responsible for Local Government with regard to the crowning of Paramount Chiefs. Chiefs are expected to rule according to customary practices. The services they provide include ensuring law and order, determining the right to local resources and resolving disputes.
1026. As regards fiscal decentralisation, the decentralisation policy in this area seeks to increase local government autonomy in revenue and expenditure decision-making, as well as to harmonise and rationalise the fiscal transfer system in order to equalise fiscal capacity. Therefore, the Local Government Act provides specific revenue avenues for the local councils which include: (i) Central Government transfers for devolved functions and administrative expenses; (ii) Local Councils' own revenues from taxes, fees, licence royalties, mining revenues, and (iii) loans and grants from other sources.
1027. Since the decentralisation process became operational only in 2008, it is very difficult to adequately assess its impact on the quality of governance in Sierra Leone. However, the decentralisation has recreated local councils which were abolished in 1972. It has also resuscitated the institutions of Chieftaincy which were seriously compromised after H.E. Siaka Stevens declared a One-Party State in 1978. Moreover, there is an indication that political accountability is being firmly established at the local level. Fairly competitive local elections were successfully held in 2004 and 2008, with peaceful transitions and a significant turnover of councillors between the two elections¹⁰⁸.

1028. Potentially, by providing local citizens with the opportunity to monitor the performance of their politicians, decentralisation can help in resolving some of Sierra Leone's winner-take-all political problems by diffusing the tendency to appeal to ethnic rather than manifesto-based politics. The maturation of the decentralisation system can institutionalise the participation of local communities and reduce the political dominance of national elites.
1029. The general challenge is the complex structure of decentralisation, a system that is expensive and may not be easily sustainable. Also, a weak human resource base resulting from the Local Councils' inadequate ability to attract and retain staff and the low revenue mobilisation capacity make the Local Councils heavily dependent on the National Government.
1030. Furthermore, the Act establishing the decentralisation system failed to clarify the relationship between the Local Councils and the Chieftaincy Institution. Although by law the Chiefdoms are subordinate to the Local Councils, Chiefs have not accepted this hierarchy, and this constitutes a source of continuous tension between the two institutions. Such tensions could be capriciously exploited by any National Government that decides to do so. In addition, a number of laws are either inconsistent with the Local Government Act 2004 or a duplication of some of its provisions. These laws include the Education Act, the Hospital Board Act, the Local Tax Act and the National Decentralisation Policy as approved by the Cabinet in September 2010. Under this Policy, Local Councils are regarded as the highest development and service delivery authorities in their respective localities but this provision is inconsistent with the Local Government Act (2004), which identifies Local Councils as the highest political authorities at the local level.
1031. The reintroduction of District Officers since 2010 as central government links with the chiefdoms is also a concern of the decentralisation process. This arrangement provides opportunities for those in power to manipulate and capture more political power, considering that chiefs are able to influence 10 – 20 per cent of the electorate in their jurisdictions.
1032. The area of transfer of functions is another source of concern. The goal of the Local Government Act 2004 was to achieve a full transfer of functions from the National Government to the Local Councils by the end of the year 2012. To date, the devolution of functions is far from being completed in time for 2012. Therefore, it is doubtful that the full transfer of functions will be completed as planned. Whereas a good number of Ministries have been decentralised, only some of their functions have actually been decentralised. Furthermore, in the area of fiscal decentralisation, most of the targeted policies have not been effectively achieved.

1033. In spite of these challenges, decentralisation is now well established in Sierra Leone, particularly in the political domain, and it will be very difficult for the process to be reversed. Local Councils are now assuming full identity as democratic, effective and legitimate political actors at the local level and are beginning to institutionally orient themselves towards discharging the devolved functions.

7.5 Ethnicity and Managing Diversity

1034. Diversity typically refers to (i) associational life, which is interposed between the state and the individual, such as that reflected in professional associations, civil society organisations, faith-based organisations and other subsidiary associations in state and society; (ii) interest group and competitive party and electoral politics, with emphasis on multiparty politics; and (iii) political and socio-cultural pluralism, defined by such identity-attributes as age, ethnicity, gender, language, race, region, and religion.

1035. Recent constitutional and political reforms in Africa have tried to move beyond the poor and undemocratic management of diversity that characterised the progressive decline into authoritarian (one-party and military) rule on the continent between the mid-1960s and the 1980s, with disastrous effects. It gave rise to (i) troubling questions about citizenship rights, violent and decimating political conflicts and civil wars; (ii) threatened peace and stability; and (iii) stunted development in various African countries. In the case of Sierra Leone, the assault on diversity from 1996 was a major precipitating cause of the country's civil war. It is for this reason that the challenge of the democratic management of diversity remains a major issue in post-conflict Sierra Leone.

1036. The Constitution of Sierra Leone attempts to address the issue of diversity by including provisions that recognise, promote and protect diversity¹⁰⁹. These provisions are reinforced by the anchoring jurisprudence of constitutionalism, separation of powers, and other checks and balances. For example, Chapters, II-III, and V-VII of the Constitution stipulate the need for a democratic system of government based on the recognition and respect for diversity. However, this recognition is qualified by the overriding provision that, "*every citizen shall (...) cultivate a sense of nationalism and patriotism so that loyalty to the State shall override sectional, ethnic, tribal or other loyalties*"¹¹⁰.

109 See (i) Article Article 12 (especially Article 12(b)(c)(d)); (ii) Article 13(e); (iii) Article 15(b); (iv) Article 24; (v) Article 25; (vi) Article 26; (vii) Article 27; and (viii) Article 28.

110 See Article 13(b).

1037. The constitution also includes provisions intended to strengthen the democratic management of diversity¹¹¹, through electoral governance processes and mechanisms, which are insulated from partisan political party and executive branch control. Their insulation is to create a level competitive playing field for credible, fair and free elections. In addition to the National Electoral Commission (NEC) and the Political Parties Registration Commission (PPRC), other institutions established by legislation for the democratic management of diversity include: (i) the National Commission for Democracy (NCD); (ii) the Human Rights Commission (HRC); (iii) the Independent Media Commission (IMC); and (iv) the National Youth Commission.
1038. Further legislation and policy reform to promote and protect diversity include: (i) the Gender Acts 2007; (ii) the National Child Rights Acts 2007, (iii) the Persons with Disabilities Act 2011; (iv) laws which guarantee the rights of workers to form unions; (v) the Local Government Act 2004; and (vi) the National Decentralisation Policy.
1039. Sierra Leone's modern local government structure comprises 19 local councils, established under the Local Government Act 2004, which also created the Local Government Service Commission, the Inter-Ministerial Committee on Local Government and Decentralisation, and the Provincial Coordinating Committee.
1040. Considerable progress has, therefore, been made in post-conflict Sierra Leone to promote the democratic management of diversity in the country. The (by and large) successful conduct of presidential and parliamentary elections in 1996, 2002 and 2007, including the transfer of power at the national level from the Sierra Leone People's Party (SLPP) to the All People's Congress (APC), and local government elections in 2004 and 2008, attest to this progress. In the same vein, the three Gender Acts and the appointment of women to high profile positions in the public service, in the Judiciary and in the independent commissions have enhanced diversity management in the country. Nonetheless, serious challenges and "red flag issues," remain for the future of diversity management in the country. These challenges are due to historic prejudices, polarisations and animosities, which have endured over the years, indeed since colonial times.
1041. A salient and historically deep-rooted polarisation, drawn along ethno-regional (Colony-Protectorate) lines, continues to feed into not only mutual ethno-regional antagonisms but also mutual fears of ethno-regional domination. It is

being replicated in the formation of political parties with strong ethno-regional bases or “vote banks.” Managing this type of diversity, under the first-past-the-post electoral system, with its tendency to encourage a winner-takes-all or do-or-die approach to competitive party and electoral politics, continues to constitute a serious violent conflict-prone impediment to the management of diversity in the country. Clear evidence of the political problem which the persistence of this mutual distrust and fear poses for the management of diversity, is the alleged abuse of the presidential power of appointment to advance partisan party political interests and ethno-regional bias each time the two major parties alternate in power.

1042. Another lingering relic of colonialism - and a strain on the management of ethnicity - is the controversy surrounding the position and political role of paramount chiefs, guaranteed¹¹² by the Constitution; and the role of traditional institutions and culture, as a fundamental principle of state policy¹¹³. More often than not, the partisan use of the office of paramount chief and the prejudices and practices prevalent in traditional culture and customary law constitute serious impediments to constitutional and political reforms designed to advance the management of diversity as mechanisms for strengthening national cohesion, reconciliation and unity.
1043. The challenge for Sierra Leone is how to use competitive party politics, electoral governance processes, the rule of law, political decentralisation and traditional institutions to manage diversity constructively. Diversity can be a positive and enduring force for national unity and cohesion. By building bridges of accommodation and tolerance across age, class, ethno-regional, gender, political, racial and religious divides in the country, Sierra Leone can learn a great deal about how to achieve such accommodation of diversity. Commendable practices in this respect from other African countries and its own time-worn inter-religious harmony can be a good guide.

7.6 Youth Unemployment

1044. According to Statistics Sierra Leone, the youth is defined as the population between 15-35 years. This population constitutes 34 per cent, or 1.9 million people, of the country's 5.6 million inhabitants. Because of the conflict in Sierra Leone throughout the 1990s, most of these young people have received little

112 Article 72(1)

113 Article 12(b) and 12(c)

or no schooling. They lack the skills for gainful employment, and may even lack the social norms that bind society together. Most of them participated in the war and/or experienced its trauma losing their formative and transformative years in the process. Unless they are properly managed and their economic and social needs are well addressed, there is potential for them, once again, to become a breeding ground for social instability and unrest. The Truth and Reconciliation Commission's Report shows that economic marginalisation and social and political exclusion of the youth was one of the major precipitants of the civil war. Also, findings of the Country Review Mission show that, historically, the two dominant political parties – the SLPP and the APC – have appealed to, and in the urban areas largely relied on, unemployed youth for support and as foot soldiers of their parties.

1045. Youth unemployment in Sierra Leone is therefore a growing concern for all stakeholders. At 45.8 per cent, it is one of the highest in the West African sub-region. One of the most challenging policy issues that the Government of Sierra Leone faces is creating productive jobs for this army of unemployed youth. The nation's objective of inclusive growth, poverty reduction, political security, social stability and safety very much depends on the degree to which unemployed young people are engaged in meaningful employment to contribute to economic growth and social development. They constitute the core of the labour force that could support the growth process itself, and their full participation in that growth could facilitate poverty reduction.
1046. To address the problem of youth unemployment, underemployment and gender disparities in the labour market, the Government recently revised and improved its Youth Employment Strategy by placing more emphasis on labour demand. In November 2009, Parliament approved the establishment of a National Youth Commission (NYC) which aims at coordinating the work of all relevant government Ministries concerned with youth employment matters. On 4 December 2010, the President established the Ministry of Youth Employment and Sports to concentrate on youth issues at the ministerial level.
1047. In addition to these institutions, immediate steps need to be taken to ensure that the youth have the necessary skills for employment in the modern sectors of the economy. They must be able to communicate in a written form so that they would be able to use modern technology, including ICT. Technical and vocational training in both formal and informal settings (such as apprenticeship, and other on-the-job-training) needs the emphasis that it deserves.
1048. Conducive macroeconomic and sectoral policies, as well as the institutional and infrastructural environment for private sector development are needed to resolve the challenge of youth unemployment. However, the economic

performance still suffers from limited private investment; weak local purchasing power; dilapidated infrastructure despite considerable investment, weak implementation capacity, a fragile judicial system, and corruption. These outstanding policy and institutional issues need to be addressed to create an enabling environment for strong economic growth that will help reduce youth unemployment.

1049. In a more direct way, policy emphasis should shift to unleashing the potential of the agricultural and the rural sector. The agricultural sector accounts for about 45 per cent of national GDP and provides employment for over 90 per cent of the rural population. During the war, most Sierra Leoneans fled to the urban areas in search of relative safety and some form of sustenance. The rural to urban migration still persists and is important to stop the flow by investing more in rural areas. Therefore, priority needs to be given to developing the rural sector through a concerted support for the agricultural sector. Even though the current decentralisation programme is a massive step in this direction, a more direct effort is still needed. A broader perspective would involve opening access to land and other productive assets to the youth.

7.7 Blessing and Curse of Mining and Minerals

1050. The paradox of Sierra Leone is that it is one of the poorest countries in the world yet it has abundant resources and possesses some of the most commercially valuable mineral reserves in the world. The country is (i) among the world's top ten diamond producing countries; (ii) one of the largest rutile and bauxite producers; and (iii) a major producer of gold and it has the second largest iron ore deposits in the world. The recent announcement of off-shore oil reserves is an addition to the country's considerable mineral wealth. Sierra Leone is one of Africa's seven mineral dependent states. Its dependence on the mining sector is reflected in the sector's historically high contribution to GDP at 20 per cent and registered exports at 90 per cent, especially during the late 1980s and early 1990s. Mining and quarrying provided a livelihood for more than 250,000 people, and employed about 14 per cent of the labour force during the period.
1051. The importance of the mineral sector to Sierra Leone is further exemplified by its role in the brutal civil war that was partly fuelled by some of the mineral resources, particularly diamonds. Diamonds became the key source of revenue for the rebel groups to procure weapons and ammunition. This allowed them to control mining areas under them and to further expand their territorial control over such areas and the mines, which they exploited for their own economic gains. This created a spiral effect as the rush for minerals became a motivating factor for armed groups to further fuel the war.

1052. The Revolutionary United Front (RUF), for example, took control over mining areas and forced individual miners and dealers to mine for them. In addition, they seized towns and mining sites and organised serious mining operations to finance arms purchases to prosecute the war. The diamonds were smuggled outside the country for sale and exchange for more arms. The smuggling of Sierra Leonean diamonds within the axis of Guinea, Liberia and Cote d'Ivoire played a vital role in increasing the demand for diamonds and the accrued revenue from sales that, in turn, fuelled the war. This illegal trading in so-called "blood diamonds", damaged the reputation of the country internationally.
1053. The Government of Sierra Leone has taken steps to effectively govern the mining sector. New incentives include a decrease in corporate mining tax from 37.5 per cent to 30 per cent and a reduction in import duties for raw materials from 5 per cent to 3 per cent. Sierra Leone is one of the 75 member countries of the Kimberly Process Certification Scheme designed to prevent illicit diamonds from entering into the legitimate diamond trade, and the Extractive Industries Transparency Initiative (EITI) that seeks to ensure transparency in the management of revenues from natural resources.
1054. As a beneficiary of the AU African Mining Vision (AMV), Sierra Leone aims at maximising the economic and developmental benefits of its mineral resources. Through the AMV, Sierra Leone envisages its mining sector as a catalyst to broad-based growth and development that should be sustained and well-governed. It also sees the sector as a key component of a diversified, vibrant and globally competitive industrialising economy. Sierra Leone's tripartite arrangements involving government, mining companies and local government oversight committees are intended to ensure equitable distribution of mining revenues.
1055. However, there are challenges requiring attention in the mining sector. The country's Mines and Minerals Act of 2009 does not incorporate the AMV provisions. The Act grants wide discretionary powers to the Ministry of Mines and Mineral Resources but does not adequately provide for broad stakeholder participation. Also, there are daunting challenges relating to accountability in the use of mining revenues at the local authority level. Moreover, there are widely held negative perceptions among Sierra Leoneans about the role and responsibilities of foreign investors in the mining and mineral sector. These perceptions revolve around: (i) corporate social responsibility; (ii) the contribution of the sector to permanent employment creation, growth and development; (iii) non-transparency of transactions; (iv) the belief that paramount chiefs receive personal gains from mining companies; (v) relocation and compensation of land owners; (vi) crowding out of the agricultural sector and potential food shortages; and (vii) the environmental impact of the mines. Also, the potential of significant future revenue flows to the Government is hampered by the extensive periods of tax holidays granted to mining companies. In addition, the corporate mining

levy is low as are the Diamond Area Community Development Fund levies. It is important for the Government to ensure that measures are in place to mitigate the mining sector's negative impact on the economy and environment and the negative perceptions of mining activities in the country.

7.8 Gender and Women Empowerment

1056. Sierra Leone has taken several legal and institutional steps to strengthen governance for gender equality. It has ratified and domesticated the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). It recently submitted the 5th and 6th CEDAW Report to the CEDAW. Sierra Leone has also set up institutions with regional structures, such as the Ministry of Social Welfare, Gender and Children's Affairs, to promote women's rights. A Family Support Unit (FSU) mechanism has been instituted to address domestic violence and, through the decentralisation programme, women's participation in the affairs of their communities through the Ward Committee system has been enhanced. Above all, women have acceded to elective and high appointive offices such as ministerial positions, Chief Justice of the Supreme Court, and Head of the National Electoral Commission.
1057. Despite these achievements and the constitutional provisions against discrimination and violence against women, there are many areas where gender equality and women empowerment in Sierra Leone are still lacking.
1058. Sierra Leone has not adopted the recommendation of the Truth and Reconciliation Commission that 30 per cent affirmative action for women be implemented to increase women's representation in public office at decision-making levels. Implementing this recommendation would enhance the chances of women in a number of areas including the field of politics. Because of the "rough and tumble" nature of competitive party politics and the domination of old boys' clubs, women find it very difficult to compete on an equal footing with their male counterparts. Failing to implement this recommendation is depriving Sierra Leone of the decision-making capacity of 51 per cent of its citizens which has serious ramifications on political, economic and socio-economic decisions that are taken to advance the country's development agenda.
1059. Another stumbling block to gender equality is the general view of women as an "outsider caste". This perception is reinforced by the country's high rate of illiteracy, socio-cultural barriers, and a lack of awareness of the need to support the legitimacy of women as public figures. The culture of viewing women as an "outsider caste" demeans all Sierra Leonean women and limits and degrades

their potential contribution to its political, economic and social development. Furthermore, the perception is counter to the dictates of the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa which Sierra Leone signed on 9 December 2003. The Protocol enjoins all signatories to create a society where all enjoy gender equality, social justice and development. The protocol further requires that women in signatory countries *"shall have the right to dignity inherent in a human being and to the recognition and protection of [their] human and legal rights"*¹¹⁴. Clearly, the view of women as an "outsider caste" violates this clause of the Protocol. The CRM was informed that the marginalisation and poverty of rural women continue to hamper the efficacy of existing gender equality laws, development outcomes, and pro-poor growth. This situation has a particularly serious bearing on the child rearing capability of women. It curtails the growth and development of Sierra Leone's future generation and leaders because it hinders women's ability to effectively contribute to the education and wellbeing of children.

1060. The CRM also learned that traditional authorities continue to undermine the rights of women and vulnerable groups in a context of strong cultural mores and practices that discriminate against women. This practice goes against the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa, specifically its provision prohibiting any differential treatment based on sex. Besides, this practice, which on the surface appears to target only women, can be a source of encroachment on the freedoms of all in society.
1061. A glaring discrimination against women in Sierra Leone concerns citizenship and nationality. While the foreign wife of a Sierra Leonean man has the right to Sierra Leone nationality through naturalisation, a Sierra Leonean woman is denied such rights and cannot accord her foreign spouse the same privilege. This Act, at best treats the women of Sierra Leone as second-class citizens, and at worst as half citizens. Though the Sierra Leone Citizenship Act 1973, and subsequent amendment to the Act in 2006, has now taken the positive step to grant Sierra Leone women the right to pass on citizenship to their biological offspring, it does not extend that right to their adopted children.
1062. These shortcomings in the area of gender equality suggest the need for (i) intensifying public awareness for the promotion of gender equality and women empowerment; (ii) expediting further legal reforms to strengthen gender equality and women empowerment; (iii) strengthening the capacity of all governance institutions focusing on professionalism, tools and skills for gender responsive planning, budgeting and on establishing accountability mechanisms for gender equality and women empowerment; and (iv) providing adequate resources for gender programmes.

114 See *Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa*, Africa-union.org/root/Documents/Treaties.

CHAPTER EIGHT

8. GENERAL CONCLUSION: CONSTRAINTS AND PERSPECTIVES

8.1 Overview

1063. In conclusion to this Report, the Panel would like to note its appreciation of the collective effort of all Sierra Leoneans towards building a modern and economically viable and equitable nation. It is commendable that the leadership invited the CRM to review the state of affairs of the country just some months to a scheduled general election, and with a strong opposition party as a government in waiting. This action suggests an “I-have-nothing-to-hide” attitude of the current administration.

1064. While taking cognisance of this stance, the Panel wishes to point out a number of challenges needing to be addressed in order to move the political, economic and socioeconomic agenda of Sierra Leone forward. In identifying these challenges, the Panel is fully aware that Sierra Leone has been through the traumatic experience of a vicious ten-year civil war that shattered all vital state institutions and social order. All those institutions had to be rebuilt and all former rebels reintegrated into the general Sierra Leonean society, a huge undertaking under any circumstances. That this was achieved before the Country Review Mission took place is a noteworthy effort.

8.2 Constraints and risks

1065. Some of the significant constraints and risks include the following:

i. At the Political level

1066. **Ethnicisation of Politics:** Many Sierra Leoneans are focusing more on their ethnic rather than their national identity. This, by itself, is not a serious challenge to the political stability and socio-economic development of the country. It is

the cunning ability of politicians to exploit the situation that is a challenge and could even be a risk. The two main political parties have tended to appeal for political constituency through ethnic lineage. This has tended to exacerbate electoral competition, pre-existing ethno-regional tensions and intra and inter-party violence. It is a dangerous recipe for political violence and a threat to peace. Most stakeholders believe that electoral violence is a recurring theme in Sierra Leone politics and that tensions are extremely high between the two dominant political parties in the lead up to the 2012 elections.

1067. **Youth unemployment:** Economic marginalisation and social and political exclusion of the youth is a major challenge to peace. Youth unemployment and social exclusion and alienation were critical factors that added fuel to the country's civil war. Over the years, poor educational facilities, inadequate curricula and programmes, and lack of employment opportunities for young people helped to marginalise and turn them into a rebellious group. The youth were socialised in an atmosphere of violence, drugs, criminality and general lawlessness during the period of the civil war and it was among this ready pool of alienated young people that the rebel groups and leaders recruited their first crop of fighters. The youth were, thus, at the centre of the country's conflict, for they became the most available source of recruitment that sustained the rebel groups and government soldiers, and the civil militia forces. Historically, the two dominant political parties, the SLPP and the APC, have appealed to unemployed youth and have largely relied on them in the urban areas for support and as foot soldiers for their parties' "dirty work". Currently, close to two-thirds of young people in Sierra Leone are considered unemployed or under-employed, with unemployment highest among the urban youth and among urban males in particular. This is a readily available pool of political mercenaries for hire given that there were clashes between youth supporters of both parties throughout 2009, and again in the summer of 2010, and once more during the 2011 by-elections.
1068. **Weaknesses and Contradictions in the Practice of Constitutional Government:** The Constitution of Sierra Leone fails to provide for a strong system of separation of powers among the three branches of government. This has given rise to some weaknesses and contradictions in the practice of constitutional government in the country. During the pre-war period, these weaknesses and contradictions served to create and harden conventions that have tended to reinforce the pre-eminent and overbearing position of the executive over the other branches of government. Sadly, the situation continues today.
1069. **Ethno-regional Imbalance in Presidential Public Political Appointments:** Although the cultural, economic and political environment of governance and

institution-building in post-conflict Sierra Leone has improved substantially, the potential for ethno-regional imbalance in presidential public political appointments to create ethno-regional fissures remains a serious concern. Under Article 77 of the Constitution, such appointments must be approved by Parliament, the President can make these appointments with no hindrance at all. This practice has been underpinned by years of bad governance, political and administrative centralisation, misuse of mineral resources (notably diamonds and their contribution to the conflict) and the tyranny of traditional governance institutions. The practice has generated distrust, lack of constructive cooperation and unhealthy competition between the APC and SLPP, the two main parties.

1070. **Loss of Capacity in the Civil Service:** The civil service, poorly remunerated, weak and politicised before the 1990s, emerged from the civil war depleted in numbers and quality, psychologically traumatised and severely under-resourced. The resultant loss of capacity became a major post-conflict constraint to the effective implementation of the Government's development and poverty reduction agenda. Since capacity deficiency is system-wide, nothing short of a holistic revitalisation of the entire public service is considered appropriate.
1071. **Mineral Resources, a Curse and a Blessing:** The lack of ability to translate the country's rich mineral resources into tangible benefit for all the citizens is a source of concern. The political economy of diamond exploitation has created a small Sierra Leonean elite and their business associates while impoverishing the majority of the population, particularly those whose lives depend on the mining of alluvial diamonds. Improved governance of the natural resource sector is a key requirement for post-war reconstruction, stability and development. The very foundation for peace consolidation also depends on how well the nation manages its mineral wealth.
1072. **Corruption:** Corruption remains a major stumbling block to the political and socio-economic development of Sierra Leone. Corruption is pervasive across all sectors of the economy and all strata of society. However, it is most prevalent in natural resources management, the civil service (education and health especially), the judiciary and police, and development aid administration. It violates the principles of truth, honesty and social justice. Corruption is also influencing the tax-paying culture of Sierra Leoneans, posing a serious threat to revenue mobilisation.
1073. In general, the Panel is aware that, central to the government's agenda, there are policy measures on employment creation and income-generating opportunities for unemployed youth, rural communities, and demobilised ex-

combatants, whose improved standards of living are critical to social stability and cohesion. The government's goal of aggressively courting private-sector investors by providing improved legal and policy environment frameworks to increase outputs, employment, fiscal revenues, and foreign exchange are commendable and the Panel applauds the approach. The Panel is also conscious of the fact that Sierra Leone, with the help of the donor community, has adopted a comprehensive strategy to: promote private sector-led initiatives and investments; administer mineral rights; and implement clear and consistent policies for the sector's growth. However, there is a need to attend to the above political level constraints and risks in the interest of social unity and cohesion, political stability and socio-economic development.

ii. At the Economic level

1074. **Poor Resource Mobilisation:** There are serious challenges in mobilising domestic and international resources for generating high sustainable growth and poverty reduction. They include: (i) attracting sustained capital inflows (including remittances) and ensuring that they are directed to sectors with high added-valued and strong quality employment impact; (ii) improving domestic resource mobilisation through increased savings, higher tax revenue and reduction of capital flight; (iii) managing debt effectively and efficiently; and (iv) improving trade, market access and aid effectiveness.
1075. **Lack of Access to Credit:** Access to credit is a major problem in the provinces. This inhibits small entrepreneurs from expanding their operations – a direct challenge to rural development. Though commercial banks exist in some rural areas, they are, by their nature, not oriented towards rural financing. The current savings deposit rate of 3.6 per cent and the very high lending rate of 26 per cent imply a very wide interest rate spread of over 22.4 per cent for rural entrepreneurs to contend with.
1076. **Serious Lack of Capacity:** Serious lack of capacity exists at the District levels for distribution of resources that the Government provides to communities. Persistent human resource and essential equipment challenges exist across districts, which tend to impede the smooth implementation of the decentralisation programme. The Public Service Commission is aggressively seeking to recruit the best available skills but these are being undermined by uncompetitive wages, lack of purposeful training, and other working conditions.
1077. **Poor Monitoring and Evaluation Process:** The pervasive poor monitoring and evaluation and programme coordination across the board - but especially

in the implementation of the Public Sector Reform Programme (PSRP) - is a serious threat to the effective programme implementation and the general development agenda of the country.

1078. **Dearth of Institutions to Support Agricultural Credit:** While the financial sector is growing and a range of traditional products are evolving, community banks have not developed a product to finance agriculture, and microfinance institutions tend to concentrate on trade and commerce leaving agricultural finance poorly attended to. Therefore, the absence of a special institution to provide suitable finance to agriculture remains a big challenge for such an important sector of the economy.
1079. **Token and Uncoordinated Corporate Social Responsibility:** The Government has primary responsibility for promoting a favourable and enabling investment climate but private investors do have an obligation to support this process. The main concern in this regard is that of corporate social responsibility, particularly in the mining sector. In their own interests, companies operating in Sierra Leone need to adopt best practices in the sector, although, admittedly, the absence of a robust regulatory system will make the self-regulation of companies appear all the more challenging.
1080. **Inability to Verify Asset Declaration Effectively on Ongoing Basis:** Although plausible programmes exist in the private and public sectors for asset declaration, lack of resources has proved a binding constraint in their effective implementation. The Anti-Corruption Commission, for instance, cannot verify asset declaration on an ongoing basis. The One-Stop-Shop lacks electrical generators to enable it to operate without interruptions. The media needs training in investigative journalism but is hampered by the unavailability of resources.
1081. However, the Panel is aware that the Government of Sierra Leone has recorded significant progress in rebuilding and strengthening public expenditure and revenue systems. This has been done with the support of international development partners since 2001. The regulatory framework for public financial management has been transformed by several laws.
1082. The Panel is encouraged by the efforts and progress of the Sierra Leone Government, in consultation with an array of development partners, in the formulation and implementation of a wide range of economic policies. The guiding strategic plan - *An Agenda for Change* – was adopted in 2008 and it

provides a framework to ensure a transformation of the economy as a means to address the broader poverty challenges facing the country. *An Agenda for Change* acknowledges that a number of challenges remain to achieving the targets set in the First Poverty Reduction Strategy Paper (PRSP I) concerning public service reform, improvements in public financial management and maintaining macroeconomic stability. The Government also acknowledges that various lessons were learnt and that certain constraints still exist.

1083. *An Agenda for Change* is commendable in the directions it provides for enhancing institutional capacity in support of the various goals set. The strategy is unambiguous in the four key priority areas: (i) provision for reliable power supply; (ii) raising value-added production in agriculture and fisheries to support poverty alleviation; (iii) development of a national transport network; and (iv) improved social services to support sustainable human development. However, as a first step for addressing the above economic level challenges, the Government may consider directing adequate effort and resources towards their resolution.

iii. At the social and cultural level

1084. **Poor Energy Supply:** Electricity supply is sporadic and inconsistent. Current production of electricity is very low, making the country one of the lowest producers of electricity in Sub-Sahara Africa. Although the Bumbuna hydro-electric project will boost electricity production to three times the current level, this output will not be sufficient for both industrialisation and domestic consumption. This lack of stable energy has the potential to seriously undermine efforts to achieve the Millennium Development Goals.
1085. **Poverty:** The level of poverty is generally very high. About 66.4 per cent of the total population is poor. At the rural and urban levels, 47 per cent and 79 per cent of the urban and rural populations, respectively, are poor. Nationally, 21 per cent of the population lives in extreme poverty. The equivalent figures for rural settings are much worse than those for urban centres such as Freetown, the capital city. Regionally, the Eastern Region has the highest levels of extreme poverty, followed by the Northern Region and the Western area, in that order. At the district level, extreme poverty is most prevalent in Bombali, Kailahun, Kenema and Koinadugu. This situation is a serious challenge to the country's development process.
1086. **Inadequate and Poorly Maintained Infrastructure:** The lack of a direct road link between Freetown and the only international airport at Lungi is an

urgent challenge to the country's aspiration to become an investor and tourist destination of choice. Also, the existence of inadequate and poorly maintained rural and feeder roads connecting villages and farm areas to market centres, and the lack of regular transport services pose serious challenges to economic development in the country.

1087. It is, however, noteworthy that the Government recognises the serious lack of progress in these areas and that it has articulated bold reforms and policy prescriptions for enhancing the situation, as evidenced in *An Agenda for Change*. Additionally, the Government is looking to the Diaspora to mobilise expertise in priority areas to address current capacity gaps in the public sector. Specifically, the aim of the Diaspora initiative is to lay the foundation for productive and mutually-beneficial partnerships between the Government of Sierra Leone and Sierra Leoneans in the Diaspora. To this end, the Government has established a Directorate of Diaspora Affairs, supported by a newly created Public Sector Reform Unit in the Presidency to lead the process.

8.3 Strengths and prospects

1088. While the above political, economic and social and cultural constraints and risks have the potential to seriously impede Sierra Leone's march towards social unity, political stability and socio-economic development, the country has a number of strengths and prospects for mitigating their effects. These strengths and opportunities include: the resilience of Sierra Leoneans, mineral wealth, land mass, the country's membership in international organisations and good development plans.
1089. *A Resilient People*: Sierra Leone's greatest strength in dealing with these challenges resides in its citizens. Sierra Leoneans have shown unimaginable resilience in the face of adversity. Despite enduring a ten-year civil war and a complex demobilisation and reintegration programme, they are rebuilding their society at a progressive pace. This resilience is an important asset that can be tapped to build stable governance and a vibrant economy for the eradication of poverty.
1090. *Mineral Wealth*: Sierra Leone's readily available assets for addressing its challenges are its immense natural resources. The country is endowed with diamonds and other minerals, and some oil deposits have reportedly been discovered recently. Its 120 sq. km of water is a source for the riches of the ocean. A consistent approach to establish development on the basis of these

resources and to own and control the enhancement of their values would establish them as strategic national assets for socio-economic development.

1091. *Land Mass:* With a land area of 71,620 sq. km., of which almost 8 per cent is arable land, the country has enough land and a rich biomass that constitute a precious economic asset. This potential and other profitable uses make the land an asset that provides the guarantee for the fundamentals of an emerging economy.
1092. *Membership in International Organisations:* Over the years, Sierra Leone has generated a number of political and socio-economic assets which can be brought to bear to overcome these challenges. Some of these assets have the potential for fighting corruption. For example, Article 6 of the United Nations Convention against Corruption (UNCAC), to which Sierra Leone is a signatory, mandates signatories to establish and well-resourced anti-corruption agencies to enable them implement anti-corruption policies. Therefore, Sierra Leone is obligated to develop and implement effective anti-corruption policies and to collaborate with other international and regional organisations in promoting anti-corruption measures. Article 6 of the UNCAC mandates signatories to establish well-resourced anti-corruption agencies to enable them implement anti-corruption policies.
1093. Similarly, Sierra Leone signed the AU Convention on Preventing and Combating Corruption (AU-CPCC) on 9 September 2008 and ratified it on 3 December 2008. As in the case of the UNCA, the AU-CPCC's main objectives are to ensure that signatory states adopt and strengthen policies and mechanisms required to prevent, detect, punish and eradicate corruption and related offences in the public and private sectors. Equally, the AU-CPCC provides for the establishment of an anti-corruption agency, and cooperation among signatories in fighting corruption.
1094. As a member of the Economic Community of West African States (ECOWAS) and the West African Monetary Zone (WAMZ), Sierra Leone has increased its asset base for facing the above challenges. Membership of ECOWAS and WAMZ provides Sierra Leone with institutional and technical assistance as well as market access and thus, it stands to benefit from increased sub-regional trade and investment flows and a stable regional economy.
1095. **Good Development Plans:** The Government has instituted a number of good development plans which have the capacity to address some of the changes. It implemented its first post-conflict development plan, entitled Sierra Leone Vision 2025, in 2003. This Plan provided a long-term framework for post-

conflict development planning and management. This was followed by the first Poverty Reduction Strategy Paper (PRSP I), which outlined the development planning for the period 2003-2007. The PRSP I focused on good governance, peace and security; food security and employment creation; and growth and human development. The second Poverty Reduction Strategy Paper (PRSP II), known as *An Agenda for Change*, covers the period 2008-2012. *An Agenda for Change* aims at a complete transformation of the Sierra Leonean society through broad-based growth, which is seen as the primary route out of poverty. As mentioned earlier, four key priority areas have been identified: (i) provision of reliable power supply; (ii) raising value-added productivity in agriculture and fisheries; (iii) development of a national transportation network; and (iv) sustainable human development through the provision of improved social services. Effectively implementing these programmes would help ameliorate the constraints enumerated in this Report.

1096. Sierra Leone, through its leaders, should build on these assets to overcome the country's political, economic and socio-economic development constraints and risks. This calls for determined, unyielding and enlightened leadership at all levels of society. There is every indication that such leadership exists in Sierra Leone and the Panel is confident that the country will employ it both judiciously and effectively in the march towards resolving the constraints and challenges.

ANNEXURE I

AFRICAN PEER REVIEW MECHANISM



COMMENTS OF THE GOVERNMENT OF SIERRA LEONE TO THE COUNTRY REVIEW REPORT (APRM-CRR)



REPUBLIC OF SIERRA LEONE

DECEMBER 2011

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ACKNOWLEDGEMENTS

The Government of Sierra Leone appreciates the efforts of the African Peer Review Panel of Eminent Persons (APR-Panel) in producing the Country Review Report of the Republic of Sierra Leone (CRR) covering a wide range of governance issues. The report is timely and necessary in assessing the gains made by Government in its developmental pursuits, as well as in shedding light on the challenges it has encountered, in the post-conflict era. The recommendations proffered by the APR Panel would certainly provide the basis for an improved governance landscape in the country, which is now a major preoccupation of the Government.

Government notes with satisfaction the thoroughness, frankness and clarity of the observations, comments and recommendations of the APR Panel. As a Government, we have no intention to adopt a defensive posture but rather to look at the observations and recommendations critically and craft an appropriate roadmap for the implementation of the APRM National Programme of Action (NPOA). In that regard, we are encouraged by the observation of the APR Panel that the Country Self-Assessment Report (CSAR) was completed within the shortest possible time and with the highest quality standards.

The Government of Sierra Leone would therefore like to register its profound gratitude to the entire APR Panel for their helpful insights which we believe would go a long way in moving our country forward. We are particularly grateful to the Chair of the APR Panel, Professor Mohammed-Saghir Babe and the Lead Panellist for the Sierra Leone Review Process, Barrister Akere Tabeng Muna. Our final appreciation goes to the entire Sierra Leone Country Review Mission Team and Members of the APRM Secretariat for their dedication and commitment to the APRM process in Sierra Leone in particular and Africa in general.

INTRODUCTION AND BACKGROUND

A cursory look at the content of the Country Review Report on its receipt by the Government of Sierra Leone revealed that the observations, the issues and the recommendations were of a wide ranging nature. Against this background, an instant decision was made to engage in a similarly wide ranging consultative process with stakeholders with a view to preparing a comprehensive and representative government response.

The APRM National Focal Point, in collaboration with the APRM National Governing Council of Sierra Leone, developed a distribution strategy to ensure that the report was sent to every member of the National Governing Council (NGC), Ministries, Departments and Agencies (MDAs), Parliament, the Judiciary and Civil Society Organizations. Immediate steps were also taken to present the report to His Excellency the President and his Ministers. Accordingly, the report was presented at a pre-Cabinet briefing on Wednesday 23rd November 2011 in the presence of the President, Vice President and all Cabinet Ministers. At the end of the presentation, Ministers, Heads of MDAs, the Judiciary and Parliament were requested to submit their comments to the Sierra Leone APRM Secretariat against a certain deadline for integration into a single response document.

The APRM National Focal Point and the APRM NGC thereafter went on to establish a High Level Coordinating and Drafting Committee (HLCDC) with the mandate to produce a consolidated Government response to the Country Review Report (CRR). It included the APRM National Focal Point, the Honourable Minister of Political and Public Affairs, Alhaji Alpha Bakarr Sahid Kanu as Chairman. Other members included the APRM NGC Chairman, Dr. Osman Gbla and Dr. Max Sesay, an APRM Sector Expert, who were both tasked with the integration and editing of the final report. Each of the APRM thematic areas was assigned to a lead member of the Committee as follows: Mr. Karamoh Kabba (Democracy and Good Political Governance); Mrs. Jamesina King (Economic Governance and Management); Mr. Mohamed S. Jalloh (Corporate Governance) and Mr. Ahmed A. Sannoh (Socio-Economic Development). Mr. Fodie U.K. Daboh was specifically assigned the responsibility to effect corrections to factual errors through track changes. Similarly, Mr. Warritay in the Ministry of Finance and Economic Development (MOFED) was requested to update the APRM National Programme of Action (NPOA) taking into consideration the recommendations from the APR Panel of Eminent Persons.

It would be useful to point out at the outset that a number of the developments that have taken place in Sierra Leone since the departure of the mission have actually addressed a lot of the concerns raised by the mission. In this sense, the Government is encouraged to consolidate this development secure in the conviction that they are consistent with the ideals of the APRM process.

Finally, factual errors identified in the report have been corrected through track changes and the document is hereby attached.

CHAPTER THREE: DEMOCRACY AND GOOD POLITICAL GOVERNANCE

OBJECTIVE ONE: Prevention and reduction of intra- and inter-state conflicts

The CRM suggests that ‘despite significant progress made by Sierra Leone at consolidating the peace, the CSAR highlight the following three potential threats to peace and view them as the most probable sources of conflict in post conflict Sierra Leone: (a) Youth unemployment; (b) Tyranny of traditional chiefs; and (c) Perennial political division along ethnic lines

The institution of paramount chieftaincy must be viewed within a historical context for a better appreciation of the challenges of the institution. The colonial policy of divide and rule gave enormous political power to traditional rulers, fostering a culture of impunity. The state of the institution was reflected in the Truth and Reconciliation Commission Report as one of the underlying causes of the 10 year civil conflict.

Today with an increasingly enlightened citizenry, traditional rulers are more circumspect in the exercise of authority in their localities. Traditional Chiefs now regard themselves as partners in governance and are more inclined to engage their constituents on this level.

The recently enacted Local Courts Act, 2011, confirmed the role of Paramount Chiefs as arbitrators or mediators in the settlement of disputes. Further, Local Courts are now firmly under the supervision of the Judiciary as provided by the Constitution. There is ongoing training for all stakeholders in the administration of justice at the local court level to provide those stakeholders with a better understanding of the Local Courts Act, 2011.

The CRM notes that the years between 1968 and 1992 were marked by a systematic erosion of state institutions characterized by the plundering of the country’s resources to service patron-client relationships and rent-seeking activities .The state machinery was highly centralized, reaching its zenith in 1978 with the declaration of a one party system by the then ruling APC party.

While it may be accurate to suggest that the period 1968-1992 was characterized by poor governance, it was certainly not the genesis of the problem. The emergence of poor governance in Sierra Leone should be traced as far back as 1964. In 1965, the Sierra Leone Peoples Party (SLPP–led) regime of Sir Albert Margai passed the now infamous Public Order Act 1965 which is currently the subject of intense criticisms by the media for muzzling press freedom. It was also in this period that the idea of the

introduction of the one party state into the body politic of Sierra Leone was first mooted. Furthermore, it was in this period that the entrenchment of politics under Sir Albert Margai, who succeeded his half-brother as leader of the SLPP and Prime Minister of Sierra Leone in 1964 became blatant. In addition, the politicization of the security forces and the subsequent intervention of the military in national politics for the first time can also be traced to this period. Moreover, impropriety in public office through corruption and embezzlement of public funds, proven by commissions of enquiry was rampant.

The CRM states that Access to Justice in Sierra Leone, according to the CSAR, improved significantly since the end of the war.

Indeed the judiciary of Sierra Leone is committed to fulfilling its vision of bringing quality justice to the people of Sierra Leone, without which there will be no lasting peace and the maintenance of the Rule of Law.

The Judiciary is also in line with the government's agenda of improving the investment climate in Sierra Leone, attract investment and improve the socio-economic infrastructure of the country. In response to this, the judiciary has set up the Fast Track Commercial Court which became fully operational in May 2011. The court has three judges tasked with fast tracking commercial cases and clearing outstanding backlogs.

The Judiciary's Training Institute is also fully functional and various training activities are on-going regularly. The itinerant courts have been increased, and all areas of the country are covered by itinerant courts, both Magistrates' Courts and High Courts.

OBJECTIVE THREE: Promotion and Protection of Economic, Social and Cultural Rights, Civil and Political Rights as enshrined in African and International human rights instruments

The CRM states that 'excessive pre-trial detention, long delays before trials, unjust sentencing laws, and a near absence of legal representation for the indigent' is a cause for concern.

The judiciary had been constrained with acute staff shortage. Happily this has greatly improved over the last few months.

Since the visit of the APRM Country Review Mission (APRM-CRM) in June 2011, the judiciary has recruited six additional judges, taking the strength of the bench from 18

then to 24, similarly five new magistrates have been recruited and the magisterial strength is now 23. This will improve the delays in trials and help clear the backlog of cases. In this regard, the judiciary is to set-up special backlog courts to clear the backlog cases, as it did in 2007 when almost 1,000 backlog cases were cleared.

The Legal Aid Bill has been finalized, and should be passed by Parliament soon. This will greatly improve accessibility of Legal Aid for the Indigent, countrywide.

On sentencing, the new Criminal Procurement Bill has now been finalized and should be presented to Parliament soon. The Bill has a whole section on sentencing, which is in line with international standards, including alternative sentencing other than incarceration. The judiciary is also preparing a sentencing policy and Sentencing Guidelines, to be followed by more training in sentencing for judicial officers at the National Judicial and Legal Training Institute. In this regard, a very senior Supreme Court Judge was sent to England in August 2011, for an intensive training in sentencing and international trends on sentencing.

The CRM recommends the need to “re-integrate traditional courts’ and customary laws into the legal system in ways that will protect and promote human rights and enhance rights enforcement in rural areas by encouraging oversight over traditional justice mechanisms by the Civil Law Courts”

The Local Courts Act 2011; Act No 10 of 2011, has been passed and was published on the 27th October 2011. The Act now reintegrates the Local Courts into the Legal System, bringing it under the Office of the Chief Justice from the Ministry of Local Government where it was before.

The Act makes provision for structures that will promote and protect human rights and enhance rights enforcement in rural areas, including provision for more research on customary law by customary law officers with a view of restating the customary laws and making them accessible and consistent in application. Provision is also made under that Act for oversight and supervision of the courts, including a committee, The Legal Courts Service Committee, to advise the Chief Justice on appointments, discipline, promotion and dismissal of Customary Court officials.

OBJECTIVE FOUR: Uphold the Separation of Powers, including the Protection of the Independence of the Judiciary and of an Effective Legislature

The CRM states that the CSAR also points out that the fusion of functions of the Attorney-General and the Ministry of Justice further undermines confidence in the judicial system, as it unduly politicizes prosecutions within the country. It highlights the anomalous position of the Director of Public Prosecutions, who is supposed to function as an independent figure but whose office comes under the oversight of the Attorney-General. The CSAR also points out how weak local courts are; only minimally insulated from executive influence.

Plans are afoot to strengthen the Judicial and Legal Service Commission and make it more independent and robust, as part of the Public Sector Reform. It is envisaged to enhance separation of powers by building the institutional capacity of the judiciary and the Judicial and Legal Service Commission. This will include making the judiciary self-accounting and therefore less reliant on the government for funding on a quarterly basis. This will greatly improve the smooth administration of justice. The Justice Sector Reform Strategy and Investment Plan (JSRSIP 11) will also greatly assist in making the Judiciary more resourceful and efficient.

Contract judges are judges who have passed the age of retirement. They are however still strong, healthy, and keen to continue giving their time and expertise to the country. They are therefore appointed on contract basis, pursuant to section 136 of the constitution of Sierra Leone 1991, since quite clearly, they are no longer permanent and pensionable. They are appointed by the president only upon recommendation by the Judicial and Legal Service Commission, and after the Chief Justice has advised the president that the state or business of the courts so requires. For Sierra Leone, this is very important due to the acute shortage of judges, although this is now improving.

It is respectfully submitted that this in no way makes the judiciary subservient to the Executive. The other issues regarding appointment of judges, is being addressed, especially with the strengthening of the Judicial and Legal Service Commission.

OBJECTIVE FIVE: Ensure Accountable, Efficient and Effective Public Office Holders and Civil Servants

The CRM states that The Public Service Commission (PSC) is assigned the role of macro-level policy direction, control and advice in public sector human resources management. Established under Section 151 of the 1991 Constitution, it is empowered to appoint people into the public service and maintain disciplinary

control over them, except for senior judges and other specific high-ranking government officials.

In February 2008, Government of Sierra Leone initiated a range of reform measures to transform the Public Service of Sierra Leone into a modern and efficient organization. As part of this transformation, a case was made for the Public Service Commission (PSC) to adopt a more strategic role.

While concentrating on its core responsibility of advising on senior government appointments as set out in the Constitution the PSC will also actively engage in the strategic development of the Civil Service of Sierra Leone as a whole and seek to become a stronger regulatory body overseeing the institution and maintenance of ethical standards across the Public Sector. A review of the Public Sector Reform Framework for 2008-2012 revealed that the functions of the PSC in the ensuing years were envisaged to consist of *'the development and application of policy frameworks as well as the monitoring and evaluation of the implementation of these policies in the public sector in ICT, Recruitment and Selection, Training Policy, Public Sector Pay and Performance Appraisal'*.

To effectively exercise these strategic roles, the PSC undertook an internal review of its functions and mandates so as to first of all reorganize and strengthen itself. Outcome from the above was the preparation of a Management and Functional Review followed by the preparation of a 3-year strategic Plan 2011-2013 which is now in progress.

The Commission at the same time has put in place a system of competency based recruitment which involves written entrance examination at sub graduate and graduate entry levels, followed by some elements of in-tray exercises. The process of reform continues.

CHAPTER FOUR: ECONOMIC GOVERNANCE AND MANAGEMENT

OBJECTIVE ONE: Promote macroeconomic policies that support sustainable development

The CRM recommends that “given the fragile status of the economy despite some laudable macroeconomic progress made, the Government may consider focusing on the key reforms to accelerate growth in order to address poverty”. (MoFED)

The Government of Sierra Leone acknowledges the need for reforms that will boost economic growth and thus reduce poverty. Accordingly, Government continues to implement a number of structural and institutional reforms designed to improve the efficient functioning of the economy. Thus, in addition to macroeconomic stability, Government is implementing Public Financial Management Reforms, including budget formulation, expenditure management, revenue administration, public sector accounting, recording and reporting, prompt internal and external audit. In the area of Financial Sector Reforms, a Financial Sector Development Plan has been developed and is being implemented to improve the efficiency of the financial system. Other ongoing reforms include reforms to improve the business environment to enhance private sector development. Regarding Public Sector Reforms and Public Enterprise Reforms, Government intends to undertake in the coming years reforms aimed at improving transparency and accountability in the management of mineral and petroleum revenues through the establishment of the National Minerals Agency (2012), complying with EITI requirements and preparing a Consolidated Extractive Revenues Act.

CRM notes that while prudent macroeconomic policies in the run-up to the global financial and economic crisis softened the initial impact, the macroeconomic policy framework, coupled with the structure of the economy, does not have the policy space and capacity to implement counter-cyclical policy measures to curb the negative impact of external shocks. CRM recommended that policy makers, and particularly the Bank of Sierra Leone in conjunction with the Ministry of Finance and Economic Development, in future pay attention to implementing counter-cyclical policy measures to curb the negative effect of external shocks.

The global economic and financial crisis definitely had some impact on the economy in the form of reduced export performance and inward remittances inflow, accelerated depreciation of the exchange rate and ultimately slower economic growth. However, Government in collaboration with development partners designed a macro response that was implemented in the third quarter of 2009. The short term counter-cyclical

response consisted of a fiscal response and an accommodating monetary policy. Government expenditure increased to 23 per cent of GDP and 27.3 per cent of GDP in 2009 and 2010 respectively compared to 20.7 per cent of GDP in 2008. In particular, capital expenditures increased from 6.2 per cent of GDP in 2008 to 10.4 per cent of GDP in 2010.

Accordingly, the economy grew by 3.2 per cent in 2009, greater than the average for Sub-Saharan Africa. Economic growth rebounded in 2010 to 5.0 per cent, also above the average for Sub-Saharan Africa of 4.9 per cent reflecting in part the huge investment in infrastructure and agriculture.

The higher than average growth, to a large extent reflected Government's counter-cyclical policies during the period [see John Weeks (March 2011): 'Why did Fiscal Stimulus Work in Sierra Leone during the Crisis?'].

Inflation at the end of 2010 reached 17.8 per cent; it went up sharply over 2009 end period rate of 10 per cent due to an accumulation of factors. Early in 2010, it increased by 7 percentage points due to the introduction of the GST and continued effects of the sharp currency depreciation of the previous year. The increase in government spending which commenced in the second half of 2010 added further pressure to these one-off effects.

Domestic inflation during 2011 remained high during the year, driven largely by the spike in the international prices of food and fuel. However, following prudent fiscal and proactive monetary policies during the first half of the year, inflationary pressures subsided since June. The year-on-year inflation declined to 15.7 in September from 17.8 per cent in May 2011.

CRM recommends that the Government of Sierra Leone encourage relevant line departments to strengthen and enhance their capacity to ensure effective implementation of fiscal planning processes in support of the broader development goals of the country. In particular, the mining sector to be transparently managed for the benefit of all Sierra Leoneans.

As outlined in the Budget and Statement of Economic and Financial Policies for 2012, a key focus of Government will be on improving transparency and accountability in the management of mineral and petroleum revenues to ensure that Sierra Leoneans realize the full benefits of the mining sector. Government will establish the National Minerals Agency in 2012 in order to improve governance in the mining sector. Sierra Leone is a member of the EITI and in this regard, Government is taking measures to increase

transparency in the mining sector. Government will also establish an online repository located on the website of the Ministry of Mines and Mineral Resources that will contain details of all mining revenues to Government. The aim is to allow Sierra Leoneans to gain access to mining revenues information at all times. The PFM and proposed Public Sector Reforms will strengthen capacity of line ministries, departments and agencies for effective fiscal planning.

CRM recommends that the Government of Sierra Leone establish the right balance between spending on basic infrastructure and social services. CRM noted that while the Government of Sierra Leone's current effort to accelerate infrastructure investments by encouraging donors to expand their support is laudable, investment in social services needs to be adequately expanded.

Government allocation to the social sectors has been growing significantly during the past four years despite the significant increase in capital expenditure to accommodate the infrastructure investment. However, Government agrees with the Country Review Mission (CRM) regarding the adequate expansion of investment in social services. One of the key objectives of the 2012 budget is to continue to expand basic services in health, education and water. Total allocation to health and education in 2012 amounted to 6.8 per cent and 8.5 per cent of total budget respectively.

CRM recommendation that the Government expand and enhance the country's capacity of collecting and disseminating economic statistics, particularly labour statistics, to enable the country support and improve employment policy.

There are currently several development partners providing support to build the capacity of staff at Statistics Sierra Leone. These development partners include the International Monetary Fund, African Development Bank and Economic Community of West African States. The Economic Commission for Africa is expected to start providing support for SSL in January 2012. The ongoing support aims to build the capacity of SSL staff to enable them effectively carry out their tasks including collecting and disseminating vital statistics on a timely basis. A labour market survey is planned for 2012. In this respect, Government agrees with the Country Review Mission.

OBJECTIVE TWO: Implement sound, transparent and predictable government economic policies

In response to CRM recommendation to strengthen the capacity to implement the various policies at the MDA level to support the country's well developed and structured public financial management framework through an enlarged role and the active participation of the Public Sector Reform Unit.

In response, additional to more recent initiatives instituted by the Government to coordinate, improve and reform public financial management to be observed by the CRM are the following:

- The integration of the operations of the Income Tax Department and Good and Services Tax Administration Unit into a Domestic Tax Department, which has made functional activities such as taxpayer services, audits, enforcement and debt management being carried out jointly;
- The development for enactment into law of a small and medium taxpayer regime so as to capture the 'hard-to-tax';
- The introduction of the Automated Systems for Customs Data (ASYCUDA++), which is a system of international codification and single administrative documentation replacing multiple documentations that were previously used. Now the system is being rolled out to all custom posts across the country, which will continue to foster the free and faster movement of goods and individuals across borders and an increase in trade and commerce.
- Over 95% of payment for taxes is now done directly through banks, as opposed to having tax administration officials directly collecting them: The Authority established an agreement with all commercial banks to serve as revenue collection agents. So far, more than 95 per cent of revenue collected in the 2011 was paid through banks. The move is to achieve a 100 per cent tax and non-tax revenue payment through banks by the first half of 2012.

CRM recommends further strengthening of the private sector involvement in the economy through the fast tracking of the implementation of the various measures announced in support of private sector participation

Government continues to implement reforms to increase the role of the private sector in the economy. As a result, Sierra Leone is ranked among the top ten global reformers in the 2012 Doing Business Report published by the World Bank. Government Budget and Statement of Economic and Financial Policies for 2012 clearly indicates that the National Commission for Privatisation has completed the preparatory phase of reforms and divestiture of public enterprises and is now moving to the implementation phase. So far, the Container Terminal and Break Bulk at the Sea Port have been privatised. The NCP will conclude divestiture and reform of 12 state enterprises including the Rokel Commercial Bank and National Insurance Company in 2012.

CRM recommendation to continue instituting measures to broaden the tax base

Government agrees with the observation of the CRM. Broadening the tax base is an integral part of the NRA modernization plans. Government introduced the Goods and Services Tax in 2010 (a form of Value Added Tax), which has proven to be a resounding success and has contributed towards the creation of fiscal space for Government spending. A significant challenge though remains, bringing the large informal sector into the tax bracket. In this regard, Government now developed a fiscal regime for small and micro-businesses in an effort to bring them into the tax net. The existing tax legislations are being strictly enforced.

While we recognise that the CRR acknowledges the strides made by the NRA, such as the introduction of GST to broaden the tax base and increase domestic revenue, we also wish to state that strategic but mutually reinforcing initiatives have been taken to ensure broader participation and compliance. Compliance by taxpayers has increased drastically, this is shown by the amount of revenue generated by the NRA in recent years. The NRA is currently being supported by DFID-UK with training of staff on specialised audit skills for auditing entities like mining and telecommunications companies and financial institutions, and by the IMF and the World Bank on reviewing the implementation of GST to ensure broader participation and compliance.

As already indicated the Government critically recognises how important it is for Sierra Leone to undertake adequate measures to mobilise domestic revenue and gradually reduce donor dependency. Thus serious efforts have been made by the Government and some development partners to enable the National Revenue Authority make tremendous strides to improve its effectiveness in collecting revenue to meet government fiscal target. The Authority's revenue collection accounts for about 60 per cent of government spending since 2009. This is the outcome of several reform measures on strengthening institutional capacity, integrating and expanding processes and operations and gradually shifting reliance to domestic revenue.

The NRA takes cognizance of the need to continuously improve its tax administration, minimize revenue leakages, expand revenue base and diversify operations to increase uptake. This is why the GoSL together with some development partners are strongly supporting and revisiting the modernization programme at the NRA.

Part of this plan has to do with capacity building of the human resources capacity of the Authority, which has culminated in the review of the Authority's existing human resources policies and procedures in line with domestic and international best practice. The recommendations from this exercise are now being implemented for overall improvement in human resources administration in a tax authority.

Similarly, the enactment of the Customs Act 2011, which is considered as one of the most modern and forward-looking pieces of Customs legislation in the world is a demonstration of the Government's strong commitment to continue to institute and implement reform measures geared toward broadening of the tax base and augmenting of domestic revenue.

Like in many other sub-Saharan African countries, domestic revenue mobilization is a major challenge and the Government of Sierra Leone recognizes that the current tax levels are significantly low to adequately meet government spending; which was why this issue clearly features in the Agenda for Change. Hence the need for further efforts to modernize the National Revenue Authority to continuously improve tax and customs administration, minimize revenue leakages, expand revenue base and diversify operations to increase uptake.

Accordingly, GoSL together with NRA has made considerable progress in rationalizing and integrating our tax laws and administration business procedures so as to reduce compliance and enforcement costs, increase efficiency and augment the tax base. For instance, recent reforms of the NRA include the creation of a one-stop-shop at the Office of the Administrator and Registrar General, introduction of the Taxpayer Identification Number (TIN) and the Good and Services Taxes (GST), launching of the ASYCUDA++ that assembles all clearing processes. This has succeeded in establishing a one-stop-shop for customs clearing and considerably reducing clearing time to an average of 2 days at the Customs House at Cline Town. Now the NRA is also integrating the operations of the Income Tax Department and Goods and Services Tax Administration unit into a Domestic Tax Department

All of these reforms are paying off, as domestic revenue mobilization improved significantly by more than 30% in the past two years. Domestic revenue projection for 2011 is 14.7%, and so far it is close to realization by NRA.

CRM recommendation to implement the proposed reforms outlined in the Second Public Financial Management Performance Assessment Report commissioned in 2010 to promote fiscal discipline, strategic allocation of resources, and service delivery.

A Public Financial Management Reform Strategy for 2012-2015 is being prepared with support from the World Bank based on the recommendations of the 2010 PEFA.

OBJECTIVE THREE: Promote sound public financial management

CRM recommendation that Sierra Leone ensures that the enforcement of measures to enhance tax compliance goes hand in hand with measures to fight corruption.

Government agrees with this recommendation. The Anti-Corruption Commission is collaborating with the NRA in this respect. Recently, the top management of the Customs and Excise Department was dismissed while the Head of the NRA was suspended on allegations of corrupt practices.

CRM recommendation that the Government fast-track the Decentralisation Policy by ensuring that ministries have more effective service delivery, adequate resources and capacity at the Local level.

Government's commitment to the decentralisation process has been clearly manifested by the increase in the amount of resources transferred to the local councils and the timely transfer of resources. Moreover, Government developed a second generation grant system which links finance and functions through a system of client-based expenditure norm and affordable service delivery standards. This framework has been prepared and will come into effect in 2012. Unconditional block grant system has been introduced for certain sectors and the concept of Rapid Result Initiative will be strengthened in 2012.

Table 4.2: Macroeconomic Indicators (2005-2013)

Indicator	2005	2006	2007	2008	2009	2010	2011 (proj.)	2012 (proj.)	2013 (proj.)
Real GDP growth	7.3	7.4	6.4	5.5	3.2	5.0	5.3	51.4	10.2
Real GDP growth (excluding future iron ore projects)	-	-	-	-	-	-	-	6.0	6.0
Inflation rate	12.1	9.5	11.7	14.8	9.2	17.8	13.2	9.0	-
Debt service as percentage of exports	27.5	76.3	144.2	3.2	4.7	4.0	4.4	3.5	-
Stock of total external debt to GDP ratio	144.4	109.9	31.8	31.1	43.4	41.1	39.4	20.2	21.0
Fiscal balance to GDP, excluding grants and MDRI	-12.8	-11.0	-6.8	-9.2	-11.1	-14.0	-11.8	-7.4	-6.2
Fiscal balance to GDP, including grants and MDRI	-2.7	9.3	25.2	-4.7	-3.2	-6.9	-3.9	-3.1	-2.6
Growth in domestic credit extension to private sector	17.8	18.5	39.4	56.8	45.4	31.5	25.8	22.4	27.5
Growth in domestic credit extension to public sector	-2.2	-63.9	17.6	71.9	26.7	23.4	-0.4	-1.2	-
Growth in exports values (USD)	15.4	28.3	2.9	-3.0	-1.0	32.5	15.0	299.3	5.7
Growth in imports values (USD)	31.8	1.9	2.2	24.8	-2.6	49.0	91.9	-18.5	18.1
Real effective exchange rate	20.8	-7.4	-1.0	-11.6	-0.7	2.2	-	-	-
Gross domestic investment / GDP	17.4	15.5	13.2	14.8	14.9	35.1	55.9	18.2	19.0
Gross national savings / GDP	10.3	12.0	9.6	-	6.6	7.1	1.0	8.1	9.0
Current account balance / GDP (including official transfers)	-7.1	-3.5	-3.4	-11.5	-8.4	-27.9	-54.9	-10.1	-9.9
Current account balance / GDP (excluding official transfers)	-14.2	-8.8	-7.0	-15.4	-12.8	-31.3	-58.2	-11.3	-11.0
Terms of trade	-2.3	-6.4	-1.9	-2.3	-3.3	6.8	-2.8	-0.3	-9.6

CHAPTER FIVE: CORPORATE GOVERNANCE

Codes and Standards

Sierra Leone has ratified the following listed ILO Conventions.

NO.	CONVENTIONS	STATUS OF RATIFICATION	DOMESTICATION	ENFORCEMENT
1	Convention on the Right to organize and Collective Bargaining (1961)	Done	Done	In progress
2	Freedom of Association and Protection of the Rights to Organize (1961)	Done	Done	In progress
3	Equal Remuneration Convention (1968)	Done	Done	In progress
4	Convention against Discrimination (1961)	Done	Done	In progress
5	Convention Against Forced Labour (1961)	Done	Done	In Progress
6	Convention of the Minimum Wage (Convention 138)	Done	In progress	Not yet
7	Convention on the Elimination of all Forms of Child Labour (Convention 182)	Done	In Progress	Not Yet

In addition, Sierra Leone has adopted the ILO Code of Conduct and Practice on HIV/AIDS in the world of work and the Decent Work Country Programme.

In compliance with the code on Industrial and Environmental Safety and Hygiene of the WHO, Sierra Leone has enacted the “Factory Act of 1974” which aims at protecting health and safety in factories and the work place in general.

In September 2010, the Government of Sierra Leone and its social partners concluded the development and signing of the Decent Work Country Programme (DWCP) for Sierra Leone, now awaiting implementation. Also, Sierra Leone through the Ministry of Labour and Social Security has launched the formulation of a National employment Policy with support from the German International cooperation (GTZ), ILO and other development partners.

OBJECTIVE THREE: Promote adoption of codes of good business ethics in achieving the objectives of the corporations

The CRM recommends that Sierra Leone should expedite the process of attaining EITI Compliant Status in order to ensure proper management and transparency in the sharing of revenue from mining and other resources.

Sierra Leone has made significant progress towards attaining EITI Compliant Status. The SLEITI Communication Strategy has been developed and with support from GIZ, ADB and the World Bank, its implementation process is at an advanced stage. Awareness on EITI process and its benefits has considerably increased. EITI platforms have been established in some areas with the aim of intensifying information dissemination at the grassroots level. An independent SLEITI Secretariat has been established and a clearly defined and agreed workplan for achieving compliant status has been developed.

The CRM highlights the following challenges associated with the Diamond Area Community Development Fund (DACDF): (i) Lack of transparency; (ii) Lack of community participation in decision making concerning the use of the fund; and (iii) Failure to monitor and account for the use of funds

The Ministry of Mines and Mineral Resources is putting in place modalities to ameliorate the problems highlighted through:

- The establishment of District and Chiefdom Committees to oversee DACDF
- Sensitization of stakeholders with a view to divert their thinking and attitudes from cash payment to project development and implementation
- Investigation by the ACC of the operations of DACDF
- The setting up of a monitoring wing charged with the responsibility of monitoring the utilization of DACDF funds within the National Minerals Agency of the Ministry of Mines

CHAPTER SIX: SOCIO-ECONOMIC DEVELOPMENT

OBJECTIVE TWO: Accelerate socio-economic development to achieve sustainable development and poverty eradication

The CRM notes that Youth unemployment, underemployment, and employment ... remain a social, economic and security challenge in the country.

Government has over the years been making serious efforts to address the youth problem. In November 2009, Parliament enacted the “National Youth Commission Act” which laid the foundation for the establishment and operationalization of the National Youth Commission which major policy objective is to provide an enabling environment for:

- creation of employment opportunities for the youth and develop medium and long term strategies
- initiate youth development programmes in collaboration with relevant governmental and non-governmental bodies.

The National Youth Commission was formally launched on the 25th November 2011 with the special mandate to address Skills Training, Capacity Building and Empowerment for Sustainable Development. Accordingly, Skills Training and Capacity Building Centres are being supported by Government to ensure that youths are enrolled at these institutions to enable them acquire skills which will make them self-reliant.

Also, for the first time since Sierra Leone got independence in 1961, a separate Ministry called the Ministry of Youth Employment and Sports has been established to exclusively address youth problems.

It is also worth mentioning that the Youth Division of the Ministry of Youth and Sports is about to embark on the review of the *National Youth Policy* and to address another important policy which is *National Youth Service* from the age 18 – 35 years.

The Minister of Youth and Sports is also in the process of proposing a Youth Tax, a levy on Liquor Tax, Petroleum Products, Lottery, Mobile Phones Tax etc. and youth involvement in procurement office supply activities. This would be a strong support force to youth empowerment, skills training and capacity building. Similarly, note should

be taken of His Excellency, the President's avowed reaffirmation of his commitment to making a percentage of revenue collected go to the operation of the National Youth Commission and ensuring that Government gives the necessary financial support to the Youth Commission for programme implementation relative to youth activities.

OBJECTIVE THREE: Strengthen the policies, distribution mechanisms and results in key areas of education, health and the fight against HIV/AIDS and other transmissible diseases

The CRM observes that there were 19,316 primary school and 5,580 secondary school teachers from 2004-2005, and that about 30% of the teaching staff at primary level was female. Further, the CRM notes that about 40% of primary school teachers may be unqualified and that programmes are underway to lift the standard of these teachers. As a result, close to 40% of these teachers had received in-service training and over 2000 teachers were attending distance education programmes during the same period 2004-2005. In 2010, over 1000 teachers were enrolled in Distance Education Programmes. Since most qualified teachers prefer to work in urban areas, rural school resort to less qualified or unqualified teachers putting the children at a disadvantage. Teacher absenteeism and shrinking on the job is not uncommon.

Government has put measures in place to address the problem raised. Members of School Management Committees (SMCs) (voluntary community based organization) assist head teachers in managing schools. Whilst the Ministry did not have adequate staff to fill key positions immediately after the war, action was taken in post conflict reconstruction phase to fill existing vacancies. Importantly, not only are teachers now paid on time but their salaries have been substantially increased by at least 50%. Also, modalities are being put in place by the Local Government Finance Department to pay school fee subsidies on time.

OBJECTIVE FOUR: Ensure affordable access to water, sanitation, energy, finance (including micro-finance), markets, ICT, shelter and land to all citizens, especially the rural poor.

The CRM found out that access to land by the poor for cultivation, commerce and shelter is achieved principally through inheritance, gift lease, and, to a lesser extent, through purchase. Therefore the functioning of these land delivery systems, particularly in terms of mitigating inequality in land ownership and increasing access to land by the poor, is critical for poverty reduction and economic growth.

Given the complexities of managing land resources, decisions to create a socially and economically rewarding life for all Sierra Leoneans through a practical approach is viewed as imperative by government. That was why government thought all stakeholders

including traditional leaders, ordinary citizens and the investor community should come together and show commitment to developing the National Land Policy Document for Sierra Leone which now awaits national validation.

The CRM observes that the multiplicity of interested parties when dealing with large tracts of land in the provinces is also a particularly thorny issue frequently encountered by mining companies. Even the government is sometimes frustrated in its attempt to acquire large tracts of land for development purposes. This is compounded by the lack of proper ownership documentation when dealing with family-owned property. Land reform in Sierra Leone is a necessity as it will promote efficiency and equity.

Steps have already been taken to address the problem mentioned above. Currently, there are on-going efforts to revise Sierra Leone's land legislation. In particular, the Provinces Land Act, Cap 122 has been reviewed under the auspices of the Law Reform Commission (LRC). The work of the LRC is being carried out in-tandem with the formulation of a new National Land Policy Document mentioned earlier.

CHAPTER SEVEN: CROSS-CUTTING ISSUES

Corruption

CRM notes that the stakeholders suggested that the effective prosecution of corruption cases is limited in Sierra Leone because of tribal sentiments and political affiliations and interference.

There is need to put the records straight that there has been no political interference in the work of the commission. This is evident in the high profile cases sent to court recently and the success achieved in the fight against corruption.

Gender and Women Empowerment

The CRM notes that Sierra Leone has not adopted the recommendations of the Truth and Reconciliation Commission (TRC) that 30% affirmative action be implemented to increase women's representation in public office at decision making levels.

The Government has indicated very strong political will to adopt the recommendation of the Truth and Reconciliation Commission (TRC) that 30% affirmative action be implemented to increase women's participation in public affairs. Government for the first time appointed a female as Chief Justice of the Country. Additionally, Parliament has passed the three gender bills popularly known as the liberation bills.

ANNEXURE II

AFRICAN PEER REVIEW MECHANISM



NATIONAL PROGRAMME OF ACTION (NPOA) SIERRA LEONE



APRM NATIONAL GOVERNING COUNCIL (APRM-NGC) SIERRA LEONE

DECEMBER 2011

ACRONYMS

ACC	Anti-Corruption Commission
APRM	African Peer Review Mechanism
BSL	Bank of Sierra Leone
CEO	Chief Executive Officers
CSOs	Civil Society Organisations
DBOCs	District Budget Oversight Committees
DC	District Councils
EIF	Enhanced Integrated Framework
EPRU	Economic Policy and Research Unit
FAO	Food and Agriculture Organisation
FBC	Fourah Bay College
FIU	Financial Intelligence Unit
FOI	Freedom of Information
GBAA	Government Budgeting and Accountability Act
GDP	Gross Domestic Product
GoSL	Government of Sierra Leone
GST	Goods and Services Tax
HRMO	Human Resource Management Office
IFMIS	Integrated Financial Management Information System
IMC	Independent Media Commission
IPAM	Institute for Public Administration and Management
IPFMRP	Integrated Public Financial Management Reform Programme
JSS	Junior Secondary School
MAFFS	Ministry of Agriculture Food Security and Forestry
MDA	Ministry, Department and Agency
MDGs	Millennium Development Goals
MERM	Ministry of Energy and Water Resources
MEST	Ministry of Education Science and Technology
MFAIC	Ministry of Foreign Affairs and International Cooperation
MIC	Ministry of Information and Communication
MIS	Management Information System
MOFED	Ministry of Finance and Economic Development
MOHS	Ministry of Health and Sanitation
MRU	Mano River Union
MSWGCA	Ministry of Social Welfare Gender and Children's Affairs
MTI	Ministry of Trade and Industry
NCD	National Commission for Democracy
NEC	National Electoral Commission
NFP	National Focal Persons
NGC	National Governing Council
NPOA	National Programme of Action
NRA	National Revenue Authority
OGI	Open Government Initiative
ONS	Office of National Security
PHU	Peripheral Health Unit
PPRC	Political Parties Registration Commission
PSRU	Public Service Reform Unit
SLAJ	Sierra Association of Journalists
SLEPA	Sierra Leone Environmental Protection Agency
SLIBA	Sierra Leone
SLP	Sierra Leone Police
SLTU	Sierra Leone Teachers Union
SMEs	Small and Medium Scale Enterprises
SOEs	State Owned Enterprises
TRC	Truth and Reconciliation Commission
USL	Ward Committees

Overview

The ultimate end product of the country self-assessment is a comprehensive plan of action developed to address the governance challenges identified in Sierra Leone. The NPOA embodies clearly articulated and costed priority actions needed to accelerate the effective delivery of development results in the country. It is focused more specifically on:

- Providing the framework for the mobilization of the required resources to implement planned activities to improve the state of governance and socio economic development.
- To ensure a harmonized and coherent approach amongst all stakeholders in the promotion of good governance in the country.
- Guiding the development of a clearly defined institutional framework for the implementation, monitoring and evaluation of planned activities.
- Preparation of budget estimates for the implementation of planned activities for each thematic area.
- Describing the national consultations that have taken place in developing the national programme of action.
- Outlining the feedback mechanism established to keep local stakeholders involved in the process, including efforts to disseminate information in an easily accessible and understandable manner.
- Describing the capacity building needs to ensure the effective implementation, monitoring and evaluation of the NPOA.

The NPOA reinforces existing development frameworks that GoSL had embarked upon to bail the country out of the bottom rank of the Human Development Index. It is strongly aligned to the Sierra Leone Second Poverty Reduction Strategy Paper—the Agenda for Change—and sectoral development plans and strategies.

Costing of the NPOA

The costing of the action plan draws from the strategic plans of MDAs, sectoral budget estimates submitted towards the preparing of the national budgets, medium and long term sectoral plans, the MDGs needs based assessment, and the SL-PSRP. The costing process involved critical review of estimate to reflect the current macroeconomic realities facing the country. A total amount of US\$ 2.31billion has been estimated for the implementation of the NPOA. This amount is distributed as follows:

- Democracy and Political Governance: US\$ 782,563,000
- Economic Governance and Management: US\$ 511,896,000
- Corporate Governance: US\$ 84,808,000
- Socio-Economic Development: US\$ 931,265,000
- Coordination of Implementation, Monitoring and Evaluation of NPOA: US\$ 2,000,000

The Funding Gap: Most of the activities in the NPOA have been captured in the national budget (within the medium term expenditure framework) for 2011-2013, and some for 2011-2014, for which periods the NPOA has also been costed. Therefore, after accounting for the contribution of the current budget/MTEF framework of GoSL to the NPOA financing, the remaining gap is US\$ 305, 815,000. This gap is distributed across the sub components as follows:

- Democracy and Political Governance: US\$ 41,925,000
- Economic Governance and Management: US\$ 56,692,000
- Corporate Governance: US\$ 52,482,000
- Socio-Economic Development: US\$ 152,716,000
- Coordination of Implementation, Monitoring and Evaluation of NPOA: US\$ 2,000,000

Some of the actions are cross-cutting, thus are only costed once to prevent double counting. The estimates in the NPOA were subjected to a national validation exercise where major stakeholders were given the opportunity to have a second look on the NPOA and to make further input.

Implementation, Monitoring and Evaluation Arrangement

The institutional framework

The framework for the implementation, monitoring and evaluation of the NPOA attempts to define roles and responsibilities of relevant actors and institutions involved in the process including the central government, APRM National Governing Council, local government, Civil Society, Private Sector, the Academia, and Donor Community. The institutional arrangement constitutes a National APRM Steering Committee, APRM National Governing Council, APRM Secretariat, technical working groups on the four thematic areas and aprm district committees. Below is a description of the roles and responsibilities of the aforementioned institutional arrangement. Figure 1 illustrates the aprm institutional framework.

National APRM Steering Committee (NASC)

This body comprises members drawn from the executive, legislature, judiciary, civil society and private sector. The NASC will be chaired by the APRM national focal point and will be responsible for providing strategic policy guidance to the APRM implementation. This Committee will be meeting quarterly to review progress in the implementation process.

APRM National Governing Council/Commission

This will be responsible for providing governance and oversight of the APRM implementation. The current membership of the Council will be reviewed to ensure the required capacity for effective programme implementation. The Council will have an executive Chairman.

APRM Secretariat

This will be responsible to coordinate, support, monitor and evaluate programme implementation. Its specific functions include:

- Serves as the national technical coordinating institution for the implementation, monitoring and evaluation of the NPOA at central and local level
- Facilitates the work of the thematic TWGs
- Supervises the district focal points on the implementation of the NPOA
- Facilitate the establishment of an effective M&E system for the implementation of the NPOA
- Provides secretariat support to the NGC and IMC
- Follows up on all national actions relating to the implementation of the NPOA
- Coordinates the preparation of annual progress report on the implementation of the NPOA
- Facilitates the alignment of the NPOA to other national and sectoral programmes
- Facilitates the development of resource mobilization strategies for the implementation of the NPOA
- Ensures effective collaboration with line MDAs, CSO and donor community as pertains to the implementation of the NPOA
- Facilitates the organization of IMC meetings
- Provides supporting role towards building the capacity of relevant institutions

Thematic Technical Working Groups

At the central level, the TWGs will be organized around the four thematic areas of the APRM as follow:

- TWG on Democracy and Political Governance
- TWG on Corporate Governance
- TWG on Economic Governance and Management
- TWG on Socio-Economic Development

Each TWG shall constitute membership from all relevant government MDAs, civil society organizations/NGOs, the academia, the private sector and donor community. The focal points already established in the various institutions shall be maintained as the APRM process evolves into the implementation phase. There shall be chairpersons and secretaries for all technical working groups; secretaries could be drawn from the existing focal points.

Where necessary, the TWGs can be sub-divided into sector working group to facilitate the functioning of the TWGs as follows:

- Collect and collate sectoral data on governance issues
- Ensure the efficient storage of data collected
- Provide regular update on thematic issues for discussion at TWG meetings
- Prepare briefing note for the attention of the national governing councils and the IMC
- Facilitate the review of relevant project proposals relating to the achievement of thematic objectives as contained in the NPOA
- Participate in the dissemination of and discussion on M&E findings

- Support capacity building efforts towards institutions involved in the implementation of the NPOA
- Analyse and discuss DWG reports and provide feedback to enhance programme implementation
- Inform the need for and facilitate studies and surveys with a view to determining impact of programme actions on the governance situation of the country.

APRM District Committees

The current aprm district committees will be retained as already constituted. Their specific functions are:

- Collect and collate governance related data at the district level
- Carry out basic analysis of data collection and ensure regular reporting of district outcome to APRM Secretariat/National Coordinating Body on a regular basis for the attention of the central TWGs and the NGC
- Ensuring the efficient storage of M&E data
- Holding monthly or regular meetings on the implementation of NPOA at the district level
- Follow up on agreed actions at DWG meeting and as directed by the APRM Secretariat or the NGC
- Facilitate the dissemination of M&E information using various media

The NPOA is presented below.

Figure 1: Institutional Framework for the Implementation, Monitoring and Evaluation of the NPOA

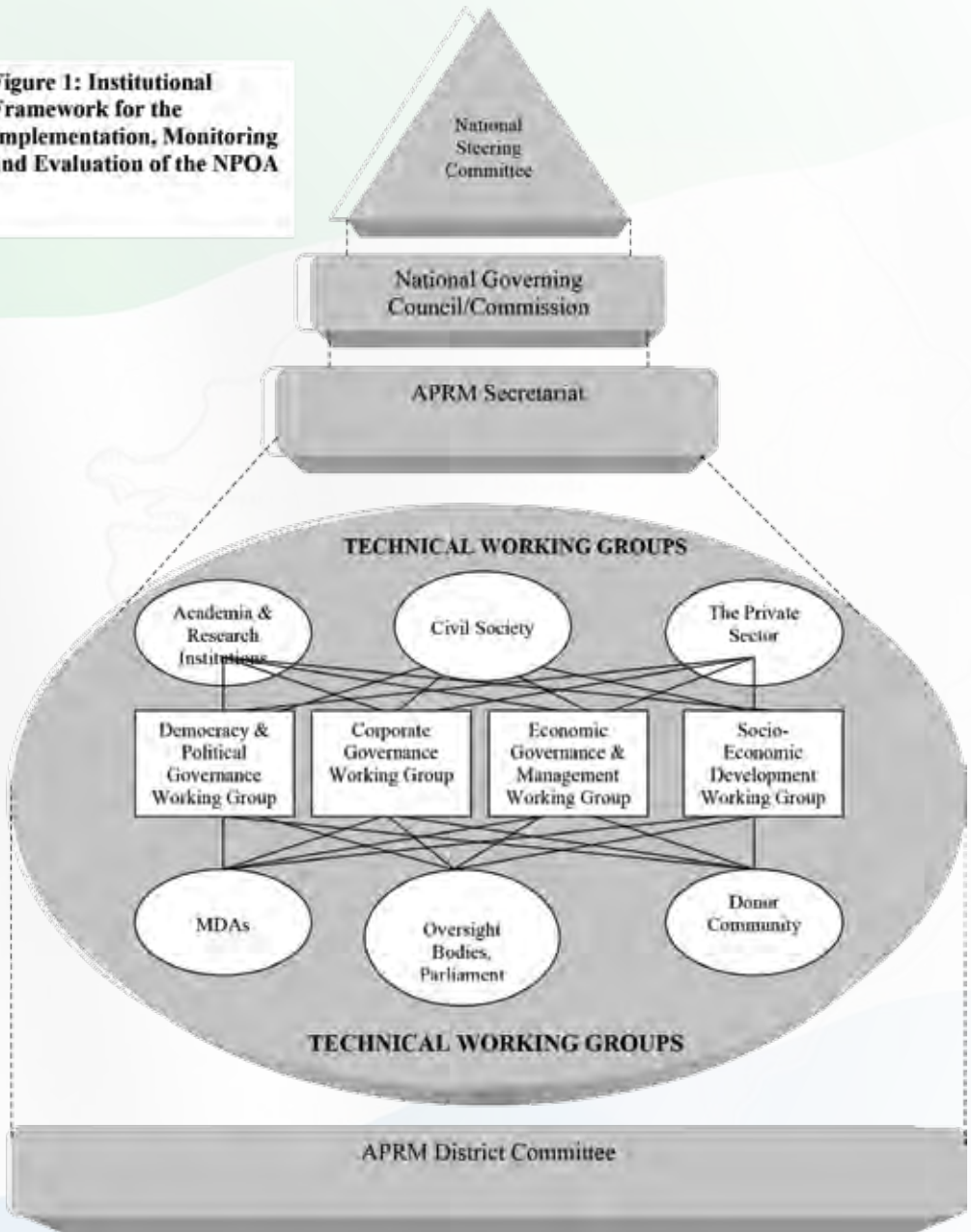


Figure 1: Institutional Framework for the Implementation, Monitoring and Evaluation of the NPOA

DEMOCRACY AND POLITICAL GOVERNANCE

Issue	Expected Output	Indicator	Proposed Action	On-going work	Estimated Cost	Time Frame	Responsible Institution	Stakeholders	M & E agency
Standards and Codes									
A number of Conventions acceded to not ratified	All relevant Conventions acceded to ratified	Number of relevant Conventions acceded to ratified	Mapping of all accession and ratification obligations Adoption of plan for delivering on all accession and ratification obligations	Law reform work by the Ministry of Justice and the Law Reform Commission	1,299,000	2011-2013	MFAIC; Parliament; Law Reform Commission; Ministry of Justice	CSOs; Human Rights Commission; National Commission for Democracy; Donors	APRM-NGC APRM-Secretariat; Research Institutions
Objective 1: Prevent and Reduce inter- and intra-State conflicts									
Transform customary rule in line with human rights protection	Customary rule holds human rights guarantees	Adopted policies	Map short-comings and make reform recommendations Cabinet approves reforms recommended	Civil Society Coalition on Chieftaincy reform	820,000	2011-2013	Law Reform Commission Ministry of Justice	CSOs Local Councils Paramount Chiefs; Donors	APRM-NGC APRM-Secretariat; Research Institutions
Implementation of the recommendations of the Security Sector Review	Security sector review recommendations fully implemented	Number of planned security related projects implemented	Strengthen ONS security sector coordinating role	There a security sector review implementation plan	1,390,000	2011-2013	Ministry of Defence, Parliament, ONS	CSOs; Donors	APRM-NGC APRM-Secretariat
Implementation of TRC recommendations pertaining to human rights and security	TRC recommendations on human rights and security implemented	Number of planned TRC projects implemented	Map TRC implementation so far and capture remaining issues; articulate policy and legislation around remaining issues; step-up campaign on TRC implementation	Ongoing implementation of the reparations programme for war victims.	800,000	2011-2013	Parliament; Relevant Ministries; Law Reform Commission	CSOs; Local Councils; Parliament; Human Rights Commission; Donors	APRM-NGC APRM-Secretariat; CSO

Issue	Expected Output	Indicator	Proposed Action	On-going work	Estimated Cost	Time Frame	Responsible Institution	Stakeholders	M & E agency
Limited MRU capacity for peace and security work	Enhanced Sierra Leonean Contribution to MRU capacity	Regular honouring of financial and technical obligation	Pay all subscriptions and meet all other MRU commitments	Ongoing re-invigoration of the MRU	2,000,000	2011-2013	MFAIC	Ministry of Defence Parliament ONS; CSOs; Donors	APRM-NGC APRM-Secretariat; CSOs
Accelerating consolidation and implementation of youth empowerment programmes of economic, social and political nature	Youth employment programmes increased	Rate of increase in youth employment programmes	Design and provide funding for job creation priority projects and training programmes within the framework of the Agenda for Change	Ongoing youth empowerment programmes, job creation in agriculture, mining industry, road network and city road rehabilitation projects, education feeding programmes, etc.	2,000,000	2011-2013	GoSL, Youth Commission, CSOs, NGOs, Political Parties & development partners	Youth Commission, CSOs, Political Parties	APRM-NGC APRM-Secretariat; Research Institutions
Implementing and monitoring Joint Communiqué between SLPP & APC on April 9, 2009 to be, with special focus on striving to maintain regional and state institutional balance in party membership and representation	Fair share of opportunities for political activism nationwide between political parties and appointments in state institutions	Number of membership and key positions held per political party in state institutions	Political parties and State House to sign and implement and monitor Joint Communiqué	PPRC dialogue and consultations	50,000	2011-2013	GoSL, SLPP, APC	SLPP, APC, local communities	APRM-NGC APRM-Secretariat; Research Institutions
Youth Task Force groups disbanded, well before 2012 presidential and general elections, and discipline instilled in Youth Associations without regard to political, ethnic or regional affiliations	Eradication of political intimidation and violence, and ethnic tension		Restrictions imposed by IG SLP on and sensitization of politicians and youth organizations		50,000	2011-2013	GoSL, Sierra Leone Police, Political Parties, Youth Commission, private sector, Youth Associations, traditional & religious rulers	Political Parties, Youth Commission, Youth Associations, traditional & religious rulers	APRM-NGC APRM-Secretariat; Research Institutions

Issue	Expected Output	Indicator	Proposed Action	On-going work	Estimated Cost	Time Frame	Responsible Institution	Stakeholders	M & E agency
Speeding up implementation of reparations and compensation programmes under the recommendations of the TRC	Reparations and compensation made	Number of reparations and compensations	Address and settle outstanding reparations and compensation	NaCSA's reparation programme	250,000	2011-2013	GoSL, NaCSA, CSOs, Human Rights Commission	Ex-Combatants, rape and war victims	APRM-NGC APRM-Secretariat; Research Institutions
Investigating and punishing all those culpable for political-ethnic violence and human rights violations to end impunity	Complaints of affected persons and family members treated	Number of persons/families and cases addressed	Setting up of a commission of enquiry to investigate and make recommendation	NaCSA's reparation programme	200,000	2011-2013	Ministry of Social Welfare, gender and children's Affairs, Political Parties, CSOs, and Youth Commission	Ex-combatants, political prisoners and victims political intimidation	APRM-NGC APRM-Secretariat; Research Institutions
Channelling youth efforts towards national growth	Integrated and peaceful youth engagement in nation building	Number of youth associations and group affiliations involved in nation building	Consolidation of youth activities and consolidated youth activities	Youth Service Commission programmes launched by H.E. the President	800,000	2011-2013	GoSL, Youth Commission, traditional and religious rulers	Youth Commission, youth associations, CSOs	APRM-NGC APRM-Secretariat; Research Institutions
Ensuring transparency and public screening of mining and oil investment agreements	Disclosure of revenue proceeds and landowners compensation and well-being programmes	Number of regular and timely information disseminated to the public	Support civil society and stakeholders' participation in documenting mining and oil investment contracts	Activism of mining-related CSOs	500,000	2011-2013	GoSL, Parliament, Judiciary, CSOs, Traditional Leaders and Media	Parliament, Judiciary, local communities, Traditional Leaders	
Establishing a Standing Committee to review and investigate all investment agreements granted to investors that violate Sierra Leone investment codes and laws	Maximize revenue uptake from mining and oil exploration	Rate of increase in developmental project and government resources emanating from mining and oil exploration activities	Review all mining and oil exploration contract and agreements	A contract review committee at State House meeting regularly to review London Mining, Sierra Mining, AML, etc.	359,000	2011-2013	Parliament, Judiciary, CSOs, Private Sector and GOSL	Parliament, Judiciary, CSOs, Private Sector and GOSL	

Issue	Expected Output	Indicator	Proposed Action	On-going work	Estimated Cost	Time Frame	Responsible Institution	Stakeholders	M & E agency
Objective 2: Constitutional Democracy and Supremacy of the Constitution, periodic competitive elections, the Rule of Law and Citizens' rights									
Capacitating the justice sector	Enhanced capacity of the justice system	Number of backlog cases handled; effectiveness and efficiency in justice service delivery	Step-up the implementation of the justice sector reform programme	Ongoing donor support to the Justice Sector Development Programme	7,898,000	2011-2013	Attorney General's Office and Ministry of Justice	MOFED, Parliament; Local and chiefdom councils; CSOs; Donors	APRM-NGC APRM-Secretariat; CSOs
Strengthening the Political Parties Registration Commission (PPRC)	The PPRC fully capacitated	Effectiveness in delivering the mandate of the PPRC	Provide sustainable financial and technical support to the PPRC	The PPRC presently receives support from a UN controlled basket fund	2,000,000	2011-2013	PPRC	CSOs NCD Political parties NEC; Donors	APRM-NGC APRM-Secretariat; CSOs
Strengthening national electoral commission	Well capacitated NEC	Effective conduct of elections	Increase support to NEC	Ongoing government and donor support	47,231,000	2011-2013	NEC	CSOs NCD Political parties; PPRC; Donors	APRM-NGC APRM-Secretariat
Strengthening political parties	Sustainable funding for political parties ensured	Amount of funding available for the operations of political parties	Provide support to political parties	Limited donor support	1,000,000	2011-2013	Political parties;	CSOs NCD; PPRC; Parliament; Donors	APRM-NGC APRM-Secretariat
Release of White Paper on the Report of the Commission to Review the 1991 Constitution of Sierra Leone, and thereafter initiating necessary national dialogue and legislation to amend Constitution accordingly.	Strengthen constitutional government and the rule of law in the country	White paper realized on Constitutional Review Report and 1991 Constitution amended by Parliament and signed by President	Parliament and Presidency to work towards amendment of 1991 constitution	Legislative Committee of Parliament considering revised constitution	150,000	2011-2012	Presidency, Parliament	GOSL, public and private citizens, Parliament, Media	APRM-NGC APRM-Secretariat

Issue	Expected Output	Indicator	Proposed Action	On-going work	Estimated Cost	Time Frame	Responsible Institution	Stakeholders	M & E agency
Fund political parties as an investment in democracy	Create a more open space for competitive party and electoral politics	Number/frequency of national consultation on political and parliamentary activities	Open governance dialogue with, and regular visitation to people of all shades of political opinion by multi-political cadre and legislative class	Open Governance Initiative (OGI)	500,000	2011-2013	Parliament; Presidency, PPC, NCD	CSOs, local communities, traditional and opinion leaders, youths	APRM-NGC APRM-Secretariat
Reviewing electoral laws in the country	Clarify and/or remove ambiguities in electoral laws while giving NEC and PPC greater and more meaningful independence, and adequate powers to carry out their mandates	Harmonized electoral laws	Law Reform Commission review of NEC and PPC mandates	NEC mandate and electoral law reform	150,000	2011-2013	Law Reform Commission, Parliament, NEC, PPC, NCD	GoSL, Electorate	APRM-NGC APRM-Secretariat
Revitalizing and re-energizing the NCD	An effective democracy-promoting institution, specializing in voter education and citizenship training	Increased voter and citizenry awareness of electoral process	Massive sensitization and training in voting and electioneering	Biometric registration of voters and training in electronic voting, etc. ongoing	2,000,000	2011-2013	NCD	President, Parliament, NEC, PPC and electorate	APRM-NGC APRM-Secretariat
Improving the general cultural, economic and political environment through appropriate socio-economic policies	To reduce unemployment and poverty, so as to strengthen constitutional government and the rule of law	Rate of drop in unemployment figures, and increase in quantity and quality of manpower and capital formation	Increase revenue mobilization in order to increase goods and services and capital expenditures	Stepping up action to scale up revenue uptake from mining oil exploration while boosting agricultural productivity and job creation	Cross-cutting	2011-2013	GoSL, NRA, MoFED	Mining and oil exploration companies, NRA, MoFED	APRM-NGC APRM-Secretariat

Issue	Expected Output	Indicator	Proposed Action	On-going work	Estimated Cost	Time Frame	Responsible Institution	Stakeholders	M & E agency
Objective 3: Promotion and Protection of economic, social and cultural rights									
Addressing human rights challenges in the education sector	Access to education improved in the country	Rate of school enrollment; teacher training facilities; attendance ratio for girls in school	Increase capacity for effective implementation of policies and programmes on education ; improve educational training facilities	Government is implementing various education programmes within the Education Sector Plan	65,921,000	2011-2013	Ministry of Education	MoFED, Parliament; CSOs ; Human Rights Commission; Donors	APRM-NGC APRM-Secretariat; Ministry of Education; CSOs
Addressing human rights challenges in the health sector	Access to health facilities improved in the country	The distribution of Peripheral Health Units in the country; doctor/nurse population ratio; availability of health professionals and drugs at PHUs.	Increase capacity for effective implementation of policies and programmes in the health sector.	Government is implementing various health programmes including a comprehensive Free Healthcare Policy.	72,597,000	2011-2013	Ministry of Health and Sanitation (MOHS)	MoFED, Parliament; CSOs; Donors	APRM-NGC APRM-Secretariat; MOHS; CSOs
Ensuring freedom of speech	Freedom of speech environment enhanced	Passage of freedom of information (FOI) bill; public perception on freedom of speech	Fast track the passage of the FOI ; promote public campaigns and education on freedom of speech	The government is implementing a robust national communication strategy; a freedom of information bill is being discussed in parliament	3,012,000	2011-2013	IMC, Ministry of Information and Communication (MIC)	Parliament; SLAJ; CSOs; Human Rights Commission; Donors	APRM-NGC APRM-Secretariat; MIC; CSO; Human Rights Commission
Strengthening Human Rights enforcement mechanisms	Human and peoples' rights strengthened	Number of actions taken to address human right abuses	Taken necessary actions to address citizens complains and incidence of human right abuses ; organize public sensitization on rights and responsibilities of a citizen	Human Rights Commission and Office of the Ombudsman are regularly pursuing government and other agencies and institutions in all cases brought to their attention; provincial offices conduct sensitization activities in collaboration with HQ.	2,000,000	2011-2013	GOSL; Parliament, Human Rights Commission; Office of the Ombudsman	Sierra Leone Human Rights Commission; Office of the Ombudsman	APRM-NGC APRM-Secretariat; MIC; CSO; Human Rights Commission

Issue	Expected Output	Indicator	Proposed Action	On-going work	Estimated Cost	Time Frame	Responsible Institution	Stakeholders	M & E agency
Considering the problems faced by the media in Sierra Leone – strongly support the Independent Media Commission's efforts	A sense of professionalism and responsibility among the media fostered	Public perception of professional media reporting	Training and awarding journalists for professional reporting	IIMC and international agencies are capacitating journalists in reporting, especially in reporting on elections	37,000,000	2011-2014	Government; Independent Media Commission; Parliament; NJS; civil society	Media houses, Independent media commission	APRM-NGC Secretariat; MIC; CSO; Human Rights Commission
Re-integrating traditional courts and customary laws into the legal system in ways that will protect and promote human rights and enhance rights enforcement in rural areas by encouraging oversight over traditional justice mechanisms by the civil law courts	Human rights protected, promoted, enforced and enhanced	People's rights addressed and respected	Increase number of court sittings with presence of trained magistrates and justices of peace	Ministry of Justice is now responsible for the implementation of programmes supported under JSDP, such as to appoint court chairmen and court clerks, and capacitate traditional and customary law officers in the dispensation of justice	250,000	2011-2013	GoSL, Attorney General and Ministry of Justice, Judicial System	Ministry of Justice, Traditional rulers, local councils	APRM-NGC Secretariat; MIC; CSO; Human Rights Commission, Ministry of Justice
Objective 4: Separation of powers, independence of the Judiciary and an effective legislature									
Ensuring the separation of the offices of Attorney General and Minister of Justice	The two offices are separated	Steps taken to ensure separation of the two offices	Amendment to the Constitution	Ongoing constitutional review	760,000	2012	The Executive; Parliament	Attorney General and Minister of Justice; Parliament; Human Rights Commission; Law Reform Commission; CSOs; Donors	APRM-NGC Secretariat; MIC; CSO; Human Rights Commission; Parliament
Addressing obstacles in the passage of bills	Passage of bills with less hindrance	number of bills passed with less hindrance	Improve parliamentary capacity for passage of bills as well as the executive for the formulation and presentation of bills	Ongoing donor parliamentary capacity building support	1,500,000	2011-2013	Parliament	Executive, Law Officers' Department, Parliament, CSOs; Donors	APRM-NGC Secretariat; MIC; CSO

Issue	Expected Output	Indicator	Proposed Action	On-going work	Estimated Cost	Time Frame	Responsible Institution	Stakeholders	M & E agency
Undertaking constitutional review	Reduction of executive dominance over the state – particularly in the area of presidential appointments	Revised Constitution promulgated	Law Reform Commission and other stakeholders to re-engage in reviewing 1991 constitution		250,000	2011-2013			
Improving ongoing efforts to address capacity constraints faced by Parliament	A conducive working environment	New structures and facilities erected/installed	Provide additional offices and equipment	The Chinese have constructed and furnished office blocks for Parliament within the precincts of Parliament building	1,000,000	2011-2013	Government and Parliament	Parliament	APRM-NGC APRM-Secretariat
Taking steps to further insulate the judiciary from executive influence	An independent judicial oversight body with substantial input in the appointment and promotion of judges	Steps taken to ensure effective functioning of Commission.	Set up and fund JLSC	Judicial and Legislative Service Commission set up	130,000	2011-2013	Government and Judiciary	Judiciary	
Objective 5: Ensuring accountable, efficient and effective public office holders and Civil Servants									
Strengthening the Civil Service	A well-resourced and efficient civil service	Effectiveness and efficiency in public service delivery	Implement priority Public Sector Reform Programmes	Ongoing Donor support to reform sector reforms	3,000,000	2011-2013	PSRU: HRMO; Office of the President	All MDAs; Cabinet Secretariat; MoFED; Donors	APRM-NGC APRM-Secretariat; CSOs
Establishing a Change Management Team in every MDA to drive reforms, as envisaged in the Reform Strategy	A well-resourced and efficient civil service	Highly skilled Permanent Secretaries and Deputies	Implement priority Public Sector Reform Programmes	Ongoing Donor support to reform sector reforms	3,000,000	2011-2014	Public Service Commission	All MDAs; Cabinet Secretariat; MoFED; Donors	APRM-NGC APRM-Secretariat;
Review public sector salaries and conditions of service	Attracting best and brightest into the public sector	Effectiveness and efficiency in public service delivery	Implementation of pay package reforms	Salaries of civil servants enhanced and grading extended from 14 to 17	453,000,000	2011-2013	MoFED; PSRU, HRMO	All MDAs; Cabinet Secretariat; MoFED; Donors	APRM-NGC APRM-Secretariat; CSOs

Issue	Expected Output	Indicator	Proposed Action	On-going work	Estimated Cost	Time Frame	Responsible Institution	Stakeholders	M & E agency
Objective 6: Fighting Corruption and promoting accountability									
Sustaining ACC support	An independent and robust ACC	Effectiveness in delivering ACC's mandate	Increase budgetary allocation to the ACC; establish ACC fast track court	Political will and ongoing donor support to the fight against corruption	2,964,000	2011-2013	ACC	The Judiciary; Parliament; CSOs; Donors	APRM-NGC APRM-Secretariat; CSO
Strengthening Auditor General's Office	Enhanced Auditor General's Office with capacity to produce and present timely annual reports	Timely presentation of audited reports	Provide financial and technical support to the Auditor General's Office	Government has been providing capacity building support to Audit Service with donor assistance	4,226,000	2011-2012	Audit Services	ACC CSOs Ministry of Finance Parliament; Donors	APRM-NGC APRM-Secretariat; CSO
Increasing the budget allocation to the ACC	Required staff, logistics support and capacity acquired to perform more effectively	Reduction in cases of corruption	Allocate budget on annual incremental basis	MoFED has made significant budget allocation to ACC	1,200,000	2011-2014	MoFED, Parliament	ACC CSOs MoFED, Parliament; Donors	APRM-NGC APRM-Secretariat; CSO
Ensuring that the ACC focuses more on securing sentences that could deter corruption rather than on revenue recovery	More trust on ACC by civil society about its effectiveness	Cases investigated and charged to court					ACC CSOs	ACC CSOs Parliament; Donors	APRM-NGC APRM-Secretariat; CSO
Engaging and training more procurement officers for all spending agencies	Mastery and compliance with procurement processes	Increase in number of procurement transactions conducted through open competitive bidding	Compliance by MDAs with procurement procedures	Enhanced training of procurement officers ongoing	600,000	2011-2014	GoSL, NPPA	GoSL, NPPA, MDAs	APRM-NGC APRM-Secretariat; CSO
More professional staff employed by ASSL and appropriate accommodation provided to bring all headquarters staff under one roof	Enhanced operational coordination and effectiveness of ASSL	Number of professional staff employed and construction of HQ building	Complete recruitment and construction of building	Work is ongoing on construction of ASSL building at Tower Hill	2,700,000	2011-2014	Government, ASSL	Government, ASSL	APRM-NGC APRM-Secretariat; CSOs

Issue	Expected Output	Indicator	Proposed Action	On-going work	Estimated Cost	Time Frame	Responsible Institution	Stakeholders	M & E agency
Reinvigorating the ABC through the appointment of more credible leadership	Effective advocacy work on attitudinal and behavioural change	A committed people to nation building and peaceful co-existence	Appointment of a new team at ABC secretariat	New leadership put in place and targeted sensitization ongoing	500,000	2011-2013	GoSL, ABC Secretariat, CSOs	ABC Secretariat, CSOs	APRM-NGC APRM-Secretariat; CSOs
Ensuring orders of PAC are enforced and obeyed and Parliament to invoke power to withhold appropriation to culpable MDAs as penalty where necessary	Accountability instilled in MDAs	Level of compliance increased	PAC to forge close cooperation with Parliament in enforcing actions in recommendations of PAC		200,000	2011-2013	Government, Parliament, PAC	Government, Parliament, PAC	APRM-NGC APRM-Secretariat; CSOs
Strengthening District Budget Oversight Committees (DBOCs)	Enhanced DBOCs with capacity to discharge functions	Development of policy frameworks; provision of training, financial and logistical support to DBOCs	Strengthen institutional framework and increase capacity building support to the DBOCs	The DBOCs are currently supported within the ongoing PFM reform programme	226,000	2011-2013	Ministry of Finance; DBOCs	Local Councils; CSOs; ACC; Donors	APRM-NGC APRM-Secretariat; CSOs;
Objective 7: Promotion and protection of the rights of women									
Enhancing women's rights and empowerment	Enhanced women empowerment and participation	Legislative and policy reforms in place for the empowerment of women; number of women in public office	Implement TRC recommendations on removing cultural barriers to women's rights; Institute mass State campaigns and legal aid for women's rights	CSO coalition empowerment; strong political will towards women empowerment	1,160,000	2011-2013	Ministry of Gender and Children's Affairs; Law Reform Commission;	Women's Groups; Local and Chiefdom Councils; CSOs; Donors	APRM-NGC APRM-Secretariat; CSOs

Issue	Expected Output	Indicator	Proposed Action	On-going work	Estimated Cost	Time Frame	Responsible Institution	Stakeholders	M & E agency
Strengthening the capacity of all institutions of governance focusing on professionalism, tools and skills for gender responsive budgeting, and the establishment of accountability mechanisms for gender equality and women empowerment	Senior govt officials to embark on designing gender sensitive budget for MDAs to sustain commitment to gender sensitive planning, implementation and budgeting	Efficiency in public service delivery with gender equality in govt and donor funded programmes	MDAs and MoFED (Budget Bureau) to review MTEF with a view to disaggregating budget accounting for gender responsiveness	Chief of Staff has ensured signing of performance contracts by permanent secretaries and their deputies		2011-2013	COS, Ministry of Social Welfare, Gender and Children's Affairs, MoFED, Civil Society Organisations	MDAs, Parliament, Donors, Government, Ministry of Social Welfare, Gender and Children's Affairs, Civil Society Organisations	APRM-NGC APRM-Secretariat; CSOs
Extend the Local Council Ward requirement for equal gender representation to all governance levels of regions and districts	A fully and fairly enfranchised electorate for representative elections	Ratio of male to female representation	Local Councils/Ministry of Local Govt/PPRC/NEC to deliberate and implement recommendation	Deliberations and consultations ongoing	200,000	2011-2013			APRM-NGC APRM-Secretariat; CSOs
Explore opportunities provided by the Public Expenditure Tracking Survey (PETS) and the District Budget Oversight Committees (DBOCs) to provide opportunities for the promotion of gender equality and women empowerment, and to integrate gender responsive and sensitive budgeting into the budgetary process at all levels	Senior govt officials to embark on designing gender sensitive budget for MDAs to sustain commitment to gender sensitive planning, implementation and budgeting	Efficiency in public service delivery with gender equality in govt and donor funded programmes	MDAs and MoFED (Budget Bureau) to review MTEF with a view to disaggregating budget accounting for gender sensitivity	Chief of Staff has ensured signing of performance contracts by permanent secretaries and their deputies in seven pilot MDAs	500,000	2011-2013	COS, Ministry of Social Welfare, Gender and Children's Affairs, MoFED, Civil Society Organisations	COS, Ministry of Social Welfare, Gender and Children's Affairs, MoFED, Civil Society Organisations	APRM-NGC APRM-Secretariat; CSOs

Issue	Expected Output	Indicator	Proposed Action	On-going work	Estimated Cost	Time Frame	Responsible Institution	Stakeholders	M & E agency
Increasing the number of trained staff and also expand logistical support and financial resources for strengthening responses and accessibility of FSU throughout the country	Enhanced capacity of FSU to provide services to needful families	Number of incidence of families being serviced by FSUs across the country	Provision of adequate financial resources from SLP budget to support FSUs	Management and functional reviews being planned to improve on capacity and incentives provided	2,000,000	2011-2013	Government, SLP, Civil Society Organisations, Media, Traditional Authorities, Private Sector	Government, Civil Society Organisations, Media, Traditional Authorities, Private Sector	APRM-NGC APRM-Secretariat; CSOs
Objective 8: Protecting the Right of Children and Young People									
Strengthening institution for the enhancement of Children and Young People's development	Strengthened institutions for Children and youth development	Functioning National Youth Commission and National Commission for Children; Available training opportunities and facilities; rate of youth employment	Promote national campaigns on the need for the empowerment of children and young people; support the operations of the Youth Commission and the establishment of the National Commission for Children	Establishment of the National Youth Commission in active progress; Establishment of separate ministry for Youths and Sport; there is the Ministry of Social Welfare, Gender and Children's Affairs	25,000,000	2011-2013	Ministry of Youths and Sports; MSWGCA	National Youth Commission; CSOs; National Commission for War Affected Children; Donors	APRM-NGC APRM-Secretariat; CSOs
Intensifying awareness creation efforts for the promotion of the rights of the child	The rights of children protected	Cases and incidences of child abuse	Increase public awareness through print and electronic media, including workshops on the rights of the child	Electronic and print media sensitization, including town hall meetings to create awareness	270,000	2011-2013	Government, Human Rights Commission of Sierra Leone, Civil Society Organizations, Media, Traditional Leaders, Private Sector, National Commission of Democracy	Human Rights Commission of Sierra Leone, Civil Society Organizations, Media, Traditional Leaders, Private Sector, Commission of Democracy	APRM-NGC APRM-Secretariat; CSOs

Issue	Expected Output	Indicator	Proposed Action	On-going work	Estimated Cost	Time Frame	Responsible Institution	Stakeholders	M & E agency
Increasing the number of trained staff and also expand logistical support and financial resources for strengthening responses and accessibility of FSU throughout the country	Enhanced capacity of FSU to provide services to needy families	Number of incidence of families being serviced by FSUs across the country	Provision of adequate financial resources from SLP budget to support FSUs	Management and functional reviews being planned to improve on capacity and incentives provided	2,000,000	2011-2013	Government, SLP, Civil Society Organisations, Media, Traditional Authorities, Private Sector	Government, Civil Society Organisations, Media, Traditional Authorities, Private Sector	APRM-NGC Secretariat; CSOs
Youth involvement in ongoing security reforms – especially at decentralized levels	Youth participation as stakeholders in the peace and security of their communities	Number of community-based youths recruited in security sector	Diversity recruitment by regions in ongoing security sector reforms	Regionally sensitive recruitment process ongoing	500,000	2011-2013	Government, Media, Human Rights Commission of Sierra Leone, Civil Society Organisations	Youth Commission, Human Rights Commission of Sierra Leone, Civil Society Organisations	APRM-NGC Secretariat; CSOs
Establish the National Children's Commission in order to provide a focused institutional setting for pursuing and implementing the child policy framework	Implementation of Child Policy within an efficient institutional setting	Child rights protected	Set up national Children's Commission	Plans are underway to set up Commission	150,000	2011-2013	Government, Media, Human Rights Commission of Sierra Leone, Civil Society Organisations	Government, Media, Human Rights Commission of Sierra Leone, Civil Society Organisations	APRM-NGC Secretariat; CSOs
Speed up National Youth Commission activities for the operationalisation and implementation of the National Youth Policy	Devolution of Children and Youth Commissions to local councils	Number of local councils with devolved Children and Youth Commission responsibilities	Set up and operationalize Commissions	Youth Commission launched, while plans to set child commission underway		2011-2013	Government, Media, Human Rights Commission of Sierra Leone, Civil Society Organisations	Government, Media, Human Rights Commission of Sierra Leone, Civil Society Organisations	
Expediting full devolution of Children and Youth Commissions to local governments and communities while ensuring their institutional capacity to respond, promote, protect, and monitor the rights of children and youth.									

Issue	Expected Output	Indicator	Proposed Action	On-going work	Estimated Cost	Time Frame	Responsible Institution	Stakeholders	M & E agency
Objective 9: Promotion and protection of the rights of vulnerable groups including internally displaced persons and refugees									
Strengthening institutions for the promotion of the welfare of vulnerable groups including the internally displaced and refugee.	Strengthened institutions for the advancement of the welfare of the vulnerable groups	Availability of opportunities and facilities for vulnerable groups; number of disabled persons catered for; effectiveness in the implementation of special programmes for the vulnerable	Increase budgetary allocation towards the welfare of the vulnerable groups; promote public education and awareness on the need to improve the welfare of the vulnerable groups; put in place programmes for the welfare of the vulnerable groups	Establishment of relevant national institutions including the refugee Secretariat at the MFAIC; existence of policies for the advancement of the vulnerable	25,000,000	2011	MFAIC	Law Reform Commission; Ministry of Justice; Donors	APRM-NGC APRM- Secretariat; CSOs
Strengthen the social and economic reintegration of people with disabilities, with the provision of appropriate policies and mechanism to facilitate their reintegration and to enhance opportunities available to them	A well-catered for people with disability	Disability Commission set up	Government to make provision for the creation of a People with Disability Commission	Plans are underway to source funds to set up Commission	150,000	2011-2013	Government, Ministry of Social Welfare, Gender and Children's Affairs, Civil Society Organisations	Government, Ministry of Social Welfare, Gender and Children's Affairs, Civil Society Organisations	APRM-NGC APRM- Secretariat; CSOs

ECONOMIC GOVERNANCE AND MANAGEMENT

Issues	Expected Output	Monitorable Indicator	Action/Input	Ongoing Initiative	Estimated Cost	Time frame	Key Stakeholders	M&E Agency
Standards and Codes								
Ratification and domestication of all signed regional and international treaties related to economic governance and management	All outstanding conventions are ratified and domesticated.	Number of remaining conventions and treaties ratified and domesticated.	Ratify and domesticate all outstanding conventions and codes	Ongoing efforts by the MFAIC to ratify and domesticate outstanding standards and codes	1,299,000	2011-2013	Relevant CSOs, MDAS	APRM-NFP APRM-NGC & APRM Secretariat CSOs
Regular reporting to the public about the status of signed and ratified conventions	The public fully informed about signed and ratified treaties	Level of awareness by the public about signed and ratified conventions and treaties	Organise workshops for MDAs, Civil Society, private sector and other stakeholders, on all ratified and signed treaties and conventions. Establish an archive of standards and codes	Ongoing strides to ensure access to public information including steps to pass the passing of freedom of information bill	866,000	2011-2013	National Commission for Democracy CSOs,	APRM-NFP, APRM-NGC APRM Secretariat CSOs
Objective 1: To promote macroeconomic policy measures that support sustainable development								
Ensuring sound economic growth and performance	Economic growth increase to 6.5% by 2013	Growth rate of GDP	Improve macroeconomic stability and economic performance	Ongoing positive government efforts in steps implementing sound macroeconomic policies within the PRGF arrangement with IMF	500,000.00	2011-2012	All relevant MDAs, Parliament, CSOs, Local councils	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs
Stabilising prices of basic commodities	Cost of basic commodities reduced drastically	Price level of basic commodities and inflation rate	Continuing review of macroeconomic policies	Ongoing impressive efforts of MOFED in developing and implementing policies within the medium term macroeconomic framework to address inflationary and other macroeconomic issues affecting the welfare of the people. The Budget Speech for FY011 has cogent policies in this direction.	200,000	2011-2012	MOFED	APRM-NFP, APRM-NGC APRM Secretariat CSOs

Issues	Expected Output	Monitorable Indicator	Action/Input	Ongoing Initiative	Estimated Cost	Time frame	Key Stakeholders	M&E Agency
Developing the Private Sector	Empowered private sector Increased domestic and foreign direct investment	Available opportunities for private sector development and number of private sector initiatives	Step -up ongoing government efforts in private sector development Encourage local processing of raw materials	Ongoing government private sector development strategy; and the Enhanced Integrated Framework (EIF) donor-supported trade development programme	8,307,000	2011-2013	Ministry of Trade and Industry, MOFED	APRM-NFP, APRM- NGC APRM Secretariat CSOs Local councils
Consider focusing on the key reforms to accelerate growth in order to address poverty	Growth rate of annual GDP to exceed 6.5%	Sustained and diversified economic growth including poverty rate	Improve macroeconomic stability and economic performance	Ongoing positive government efforts in steps implementing sound macroeconomic policies within the PRGF arrangement with IMF		2011-2013	MoFED	APRM-NFP, APRM- NGC, CSOs
Paying attention to implementing counter-cyclical policy measures to curb the negative effect of external shocks	Cushion impact of external shocks on the economy	Inflation rate, exchange rate volatility	Use fiscal policy measures including subsidizing key sectors to sustain growth	Providing incentives to attract FDI, increase investment in job creation activities, such as road construction, agriculture productivity and in other growth drivers	600,000	2011-2013	MoFED	APRM-NFP, APRM- NGC, CSOs
Strengthening and enhancing capacity in line ministries to ensure effective implementation of fiscal planning processes in support of the broader development goals of the country. In particular, the mining sector to be transparently managed for the benefit of all Sierra Leoneans	Efficiency enhanced in MDAs in formulating strategic and procurement plans and implementing development goals	Number of plans executed in the context of development priorities	Deployment of trained officers in budgeting	MoFED has embedded trained and qualified Budget Officers in key MDAs	200,000	2011-2013	MoFED, MDAs	APRM-NFP, APRM- NGC, CSOs

Issues	Expected Output	Monitorable Indicator	Action/Input	Ongoing Initiative	Estimated Cost	Time frame	Key Stakeholders	M&E Agency
Establishing the right balance between spending on basic infrastructure and social services. While the government of Sierra Leone's current effort to accelerate infrastructure investments by encouraging donors to expand their support is laudable, investment in social services needs to be adequately expanded	Translating macroeconomic growth rate into improved service delivery and poverty reduction	Level of reduction in poverty rate	Increase domestic revenue to make adequate provision for basic infrastructure development while maximizing donor support in social sector of the economy	Reviewing fiscal policy and using the DEPAC framework with donors to augment donor assistance	300,000,000	2011-2013	MoFED, MEST, MOH, NaCSA	APRM-NFP, APRM-NGC, CSOs
Expanding and enhancing the country's capacity of collecting and disseminating economic statistics, particularly labour statistics, to enable the country support and improve employment policy	Reliable and comprehensive labour statistics	Figures on employment and unemployment data	Conduct labour statistics survey	Ongoing effort to sources funding by SSL under the framework of NSDS	1,000,000	2011-2013	Government, Ministry of Labour, Statistics Sierra Leone	APRM-NFP, APRM-NGC, CSOs
Objective 2: To implement sound, transparent and predictable economic policy								
Strengthening the tax revenue generation capacity	Tax revenue generated by NRA at least equals budgeted target	Amount of tax revenue collected by the government	Step up the implementation of the existing tax reforms programme Continuing transparency in tax collection	Ongoing laudable tax reforms initiatives including a computerized system (ASYCUDA++) for the customs and excise tax department; a goods and services tax (GST); and putting modalities in place to incorporate informal sector in the tax net.	75,000,000	2011-2013	NRA, MOFED BSL	APRM-NFP, APRM-NGC, NGC & APRM Secretariat, CSOs, Local councils

Issues	Expected Output	Monitorable Indicator	Action/Input	Ongoing Initiative	Estimated Cost	Time frame	Key Stakeholders	M&E Agency
Strengthening the revenue generation capacity of the mining sector	Increased state revenue generated from the mining sector	Amount of revenue generated from the mining sector	Strengthen government mining policies and regulation	The government has revised the Core Mineral Policy and is being incorporated into the mining laws of the country	8,166,000	2011-2013	Ministry of Mineral Resources ACC CSOs Mining communities Parliament	APRM –NFP, APRM NGC & APRM Secretariat CSOs Mining communities and Local councils
Enhancing the revenue generation capacity of the Fisheries and Marine sector	Increased state revenue from the fisheries and marine sector	Amount of revenue generated from fishery and marine sector	Strengthen the implementation of plans and policies Ensure surveillance measures to avoid leakages Awareness raising campaigns on the potential of the sector	Government is embarking on various reforms to improve efficiency within the sector including stepping up the monitoring and surveillance mechanism for the Sierra Leone waters; working on the lifting on fish export ban to Europe, and training operators within the industry	11,303,000	2011-2013	Ministry of Fisheries and Marine Resources ACC Security forces and CSOs	APRM –NFP, APRM-NGC, APRM Secretariat, CSOs
Strengthening the Financial Sector	Strengthened Banking supervision and improved access to finance	Customer satisfaction with banking operations and private sector access to credits—loan to deposit ratio	Strengthen banking supervision; create banking competition; create enabling environment for increased bank lending and microfinance operations	A Financial Sector Plan is in its implementation process with a focus on addressing financial sector related risks; frantic efforts are being made to discourage money laundry activities and terrorist financing; there is an Anti-Money Laundry Act (2005)	2,500,000	2011-2013	MOFED, BSL, Financial Institutions CSOs	APRM –NFP, APRM – NGC, APRM Secretariat and CSOs
Strengthening the capacity to implement the various policies at the MDA level to support the country's well developed and structured public financial management framework through an enlarged role and the active participation of the Public Sector Reform Unit	Enhanced PFM framework in place in MDAs	Level of efficiency in managing public financial resources	Increased internal audit unit presence and staffing in all MDAs; and review GBBA 2005 and NPPA 2004 and supporting regulations	An independent assessment of the public financial management systems in central Government and local councils, utilizing the Public Expenditure and Financial Accountability (PEFA) methodology undertaken	100,000	2011-2012	Public Financial Management Reform Unit, Government	APRM –NFP, APRM – NGC, APRM Secretariat and CSOs

Issues	Expected Output	Monitorable Indicator	Action/Input	Ongoing Initiative	Estimated Cost	Time frame	Key Stakeholders	M&E Agency
Further strengthening of private sector involvement in the economy through the fast tracking of the implementation of the various measures announced in support of private sector participation	Robust presence of private sector involvement in economic development	Number of public-private partnership investments	Set up PPP Unit	PPP Bill ratified by Parliament	100,000	2011-2012	Government	APRM –NFP, APRM – NGC, APRM Secretariat and CSOs
Institute a long-term planning framework for the privatisation process to ensure its effective and efficient implementation	NCP moved from preparatory phase to implementation phase on the reform and divestiture of public enterprises	Number of parastatals divested or reformed	A key milestone in 2011 is the concessioning and licensing of the Container Terminal and Break Bulk to Freetown Terminal (Bollere Group)	Planned divestiture and reform envisaged for Rokel Commercial Bank, NIC, SLAA, MAGS and extension of SLPA berth through private initiative, sail of minority shares in SLCB, management contract for Sierratel and resuscitation of National Development Bank	1,000,000	2011-2013	Government	APRM –NFP, APRM – NGC, APRM Secretariat and CSOs
Implement the proposed reforms outlined in the Second Public Financial Management Performance Assessment Report commissioned in 2010 to promote fiscal discipline, strategic allocation of resources, and service delivery	Effective public financial management	Level of performance in PFM by MDAs and local councils	Assessment Report deliberated upon by all stakeholders	Implementation of recommendations ongoing and to be included in 2012 AWP	1,000,000	2011-2013	Government, Ministry of Finance and Economic Developments	APRM –NFP, APRM – NGC, APRM Secretariat and CSOs
Objective 3: To promote sound Public Financial Management								
Strengthening Macro-fiscal coordination and budget management	Improved budget credibility; Appropriately managed fiscal position	Establishment of structures for better coordinated macro-fiscal issues	Put in place modalities for the establishment of macro-fiscal coordinating system	A macro-fiscal sub-unit has been established with the EPRU of MoFED; the budget process has been strengthened in MDAs and Local Councils	2,150,000	2011-2013	MOFED, BSL ACC Parliament	APRM –NFP, APRM – NGC, APRM Secretariat CSOs, Local councils

Issues	Expected Output	Monitorable Indicator	Action/Input	Ongoing Initiative	Estimated Cost	Time frame	Key Stakeholders	M&E Agency
Enhancing control systems for improved service delivery	Improved control systems in place by the end of 2011	Availability of an improved control system by 2011	Review the Government Budgeting and Accountability Act (GBAA) in line with the Integrated Public Financial Management Reform Programme (IPFMRP)	Review of the GBAA at an advanced stage	500,000	2011-2013	MOFED, Accountant Generals Office, CSOs, ACC, Local councils	APRM –NFP, APRM-NGC, APRM Secretariat, CSOs, Local councils
Strengthening financial information system	Financial management information system (IFMIS) strengthened	Number of MDAs linked to IFMIS	Enhance the roll-out of IFMIS to the remaining Government Institutions	IFMIS has been rolled out to 11 MDAs	3,000,000	2011-2013	MOFED, all MDAs, ACC, CSOs, local councils	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs, Local councils
In order to strengthen the Public Accounts Committee (PAC), Parliament may seriously reconsider the appointment of a Chairperson who is not a member of the ruling party	A more effective and robust PAC	Number of PAC recommendations implemented	Appointment of chairperson of PAC from the Opposition	Parliament is considering recommendation		2011-2013	Parliament	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs
Ensuring that the enforcement of measures to enhance tax compliance goes hand in hand with measures to fight corruption	Enhanced revenue generation	Level of tax collection and efficiency gains	Modernization of tax collection mechanism	Implementation of tax collection reforms ongoing	10,000,000	2011-2013	NRA	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs

Issues	Expected Output	Monitorable Indicator	Action/Input	Ongoing Initiative	Estimated Cost	Time frame	Key Stakeholders	M&E Agency
Fast-tracking the Decentralisation Policy by ensuring that ministries have more effective service delivery, adequate resources and capacity at the local level	Efficiency in service delivery at local levels	Increase in the amount of resources and timely transfer to local councils	Increase budgetary allocations	Ministry of Finance and Economic Development developed a second generation grant system which has linked finance and functions through a system of client-based expenditure norms and affordable service delivery standards, as well as an unconditional block grant system introduced for certain sectors.	77,000,000	2011-2014	Government, Local Councils	APRM-NGC, APRM Secretariat, CSOs
Objective 4: To fight corruption and money laundering								
Strengthening institutions for combating money laundering and terrorist financing	Strengthened Financial Intelligence Unit (FIU) at BSL to effectively coordinate implementation of Anti-money Laundering and Anti-terrorist financing policies and plans	The effectiveness of the FIU in coordinating the implementation of Anti Money Laundry and terrorist financing policies and plans	Strengthen FIU capacity to coordinate the implementation of Anti-money Laundering and terrorist financing measures	Ongoing government efforts in sensitizing stakeholders on Anti-Money Laundry issues	1,750,000	2011 - 2013	BSL, MOFED, ACC, SLP, Attorney General Office of National Security Commercial Banks	APRM –NFP, APRM-NGC, APRM Secretariat, CSOs and Local councils
Strengthening and expanding the role of the ACC to be more efficient and aggressive in its anti-corruption activities	Strengthened ACC to fight corruption	Number of cases investigated or prosecuted	Increase financial support to ACC	Improved salary conditions for Commissioner and Deputy of ACC	1,555,000	2011-2013	GoSL, ACC	APRM –NFP, APRM-NGC, APRM Secretariat, CSOs

Issues	Expected Output	Monitorable Indicator	Action/Input	Ongoing Initiative	Estimated Cost	Time frame	Key Stakeholders	M&E Agency
Proactive steps need to be taken by Government to address the root causes of poverty and low remuneration levels, and their linkages with corruption within the context of the Agenda for Change	A well-motivated public sector workforce	Level of increase in salaries and conditions of service of public sector workers	Increase salaries and conditions of service of public sector employees	Public Sector Pay Reform for 5 years period commenced		2011-2013	GoSL	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs
The Anti-Corruption Strategy needs to be progressively implemented to manage the negative perceptions of corruption in Sierra Leone, particularly within the international community	An effective ACC	Level of implementation of ACS	Implement Anti-Corruption Strategy	ACC continuously sensitizing the public, conducting diagnostic studies on management processes and proffering recommendation including follow-up actions; Focal points in all MDAs		2011-2013	ACC	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs
The Anti-Money Laundering and Countering the Financing of Terrorism Bill needs to be implemented as soon as possible to allow the restructured FIU to commence its activities	Effective enabling instruments to make Financial Intelligence Unit (FIU) at BSL carry out its functions	Enabling legislation passed by Parliament	Ratification of Anti-Money Laundering and Countering the Financing of Terrorism Bill	Bill has been ratified by Parliament		2011-2012	BSL, Parliament	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs

Issues	Expected Output	Monitorable Indicator	Action/Input	Ongoing Initiative	Estimated Cost	Time frame	Key Stakeholders	M&E Agency
Objective 5: To accelerate Regional integration through harmonization of monetary, trade and investment policies								
Enhancing Participation in regional economic integration initiatives	Enhanced Government of Sierra Leone participation in regional integration programmes (being part of the EPA signatories and meeting the WAMZ convergence criteria by end of 2011)	Monetary convergence criteria met and EPA signed by end of 2013	Effectively implement regional convergence recommendations of the ECOWAS negotiating Team and WAMZ deadlines and improve on public awareness relating to regional integration	Sierra Leone is currently reviewing the EPA	1,000,000	2011	MOFED, Ministry of Foreign Affairs and International Cooperation	APRM –NFP, APRM-NGC, APRM Secretariat, CSOs
Continue to explore opportunities to expand investment and regional trade, and address all constraints in the area of regional trade	A Common market and customs union with free movement of goods and persons	Level of implementation regional trade protocols	Allow unhindered regional trade under the CET and ETLS	Sierra Leone is full compliance with CET and ETLS	200,000	2011-2013	GoSL, Ministry of Trade	APRM –NFP, APRM-NGC, APRM Secretariat, CSOs, ECOWAS
Promote entrepreneurship and access to regional and international markets, as well as enhance the private sector's ability to meet required standards	Implementation of ETLS	Level of check points and non-trade barriers at border crossings	Allow unhindered regional trade under the CET and ETLS	Efforts underway to create joint border and customs posts among member states	200,000	2011-2013	GoSL, Ministry of Trade, NRA, private sector	APRM –NFP, APRM-NGC, APRM Secretariat, CSOs, ECOWAS
Control the informal border trade and facilitate formal trade instead, and continue to implement unification of customs and duties at the sub-regional level	Established joint border and custom posts along national corridors	Level of infringement by neighbouring states of agreed protocols under ETLS	Allow unfettered regional trade under the CET and ETLS	Efforts underway to create joint border and customs posts among member states and sensitization of drivers, customs, immigration and police officers	250,000	2011-2013	GoSL, Ministry of Trade, NRA, private sector	APRM –NFP, APRM-NGC, APRM Secretariat, CSOs, ECOWAS

Issues	Expected Output	Monitorable Indicator	Action/Input	Ongoing Initiative	Estimated Cost	Time frame	Key Stakeholders	M&E Agency
Continue strengthening and enhancing the participation of business associations in policy making and regional integration strategies	Effective regional trade to promote economic activities, job creation and poverty reduction in sub region				150,000		GoSL, Ministry of Trade, NRA, Private sector	APRM –NFP, APRM-NGC, APRM Secretariat, CSOs, ECOWAS
Consolidate successes and continue to improve the business environment, particularly through measures to reduce the cost of starting and doing business	Further improve our ranking in the Doing Business Survey	Ranking in Doing Business Index	Continue reform measures to remove administrative barriers and providing enabling infrastructure and services	establishment of the Credit Reference Bureau and other Reforms undertaken during 2011, including making cross-border trading faster, implementing the Automated System for Customs Administration (ASYCUDA++) and establishment of fast track commercial courts, Sierra Leone's ranking for improving the business environment has ranked Sierra Leone among the top ten global reformers in the 2012 Doing Business report		2011-2013	GoSL,	APRM –NFP, APRM-NGC, APRM Secretariat, CSOs
Objective 6: To mainstream gender into the development agenda of Sierra Leone and to reduce poverty								
Stepping up the fight against poverty	Poverty reduced below 60% by 2013	Strengthen the implementation of the strategic priority areas in the Government's Agenda for Change—PRSP II	Government ensures the inclusion of gender equity in the Agenda for Change and to accomplish the Agenda for Change by 2012	Sierra Leone is currently implementing the Agenda for Change	2,000,000	2012-2013	MOFED, all MDAS, local councils, CSOs	APRM-NFP, APRM – NGC, APRM Secretariat, CSOs, local councils

Economic Governance and Management Estimated Cost (\$) = 511,896,000

CORPORATE GOVERNANCE

Issue	Expected output	Indicators	Required action	Ongoing initiatives	Budget \$	Time frame	Implementing Agency	Key stakeholder	M & E
Standards and Codes									
Initiate programmes to raise awareness about corporate governance in all sectors of the economy	Enhanced awareness among entities to adhere to the rules of corporate governance	Level of awareness	Sensitization of corporate bodies	Sensitization activities	100,000	2011-2013	Private Sector, Chamber of Commerce, Government	Private Sector, Chamber of Commerce, Government	APRM-NFP, APRM –NGC, APRM Secretariat, CSOs
Develop corporate governance standards appropriate for the various sectors of the economy, including SMEs, SOEs, regulatory agencies and the not-for-profit sector, and simplified procedures for small informal sector businesses	A revised Companies Act and OFS Act and simplified procedures for SMEs	Level of compliance of entities	Initiate action to formulation of supporting on regulations	Old Companies Act revised and Parliament adopts revised Act; BSL has issued guidelines for financial services agencies	100,000	2011-2013	Private Sector, Chamber of Commerce, Government	Private Sector, Chamber of Commerce, Government	APRM-NFP, APRM –NGC, APRM Secretariat, CSOs, local councils
Put in place mechanisms to improve the quality of financial reporting and auditing including training and capacity building programmes for the accounting profession	Enhanced probity and accountability in govt operations	Increase in number of trained accounting and internal audit staff and units across public sector	Recruit and capacitate audit and accounting personnel	Deployment of personnel in MDAs ongoing and in local councils	300,000	2011-2013	Private Sector, Chamber of Commerce, Government	Private Sector, Chamber of Commerce, Government	

Issue	Expected output	Indicators	Required action	Ongoing initiatives	Budget \$	Time frame	Implementing Agency	Key stakeholder	M & E
Ensure that regulatory agencies adopt and implement best practice standards in insurance, banking and capital markets. In addition, there is need to ensure that regulatory agencies have adequate resources and technical capacity to enforce standards	Efficient and capacitated regulatory agencies	Rate of compliance with standards	Formulation of supporting regulations, enforcing implementation and monitoring	Under FSDP, BSL has established and operationalised a Credit Reference Bureau in 2011 in an effort to minimize credit risks in the banking system to support private investment activities	500,000	2011-2013	Private Sector; Chamber of Commerce; Government	Private Sector; Chamber of Commerce; Government	
Objective 1: Promoting an Enabling Environment and Effective Regulatory Framework for Economic Activities									
Enforcing laws governing economic activities	Economic regulations effectively enforced	Number of economic regulations effectively enforced	Enforce business compliance with guidelines for conducting economic activities Promote public education on regulations and policies	Enactment of the Companies Act 2009 and various reforms in the public financial management sphere	350,000	2011-2012	Attorney General and Minister of Justice, Law Reform Commission, MOFED	Business Community Government, CSOs Parliament	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs
Ensuring the Effective implementation of the Goods and Services Tax (GST)	Compliance with GST enforced and revenue from the tax increased	Amount of revenue collected from GST	Step up the implementation strategy of the GST	Introducing modern techniques of tax collection with help of international development partners	75,000,000	2011-2012	National Revenue Authority, MOFED	CSOs, Chamber of Commerce, ACC, international development partners, SLIBA	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs, local councils

Issue	Expected output	Indicators	Required action	Ongoing initiatives	Budget \$	Time frame	Implementing Agency	Key stakeholder	M & E
Align regulatory frameworks with international codes and standards, and best practices by particularly focusing on developing corporate governance standards for the different categories of enterprises, including SOEs, Multinational Companies, SMEs and simplified guidelines for informal sector businesses	A revised Companies Act and OFS Act and simplified procedures for SMEs	Level of compliance of entities	Initiate action to formulation of supporting regulations	Old Companies Act revised and passed into law by Parliament; BSL has issued guidelines for operation of financial service agencies (FSAs)		2011-2013	Government; Parliament; Private Sector; SLIBA, Chamber of Commerce	Government, Parliament, Private Sector, SLIBA, Chamber of Commerce	APRM-NFP, APRM – NGC, APRM Secretariat, CSOs
Strengthen the capacity of regulatory agencies to enforce laws and standards as well as monitor enterprises within their regulatory oversight	Strengthened regulatory agencies responsible for oversight activities	Level compliance of agencies	Provide necessary logistical and financial support to regulatory agencies	Parliament to increase appropriation substantially resources to regulatory agencies	500,000	2011-2013	Government	Regulatory Agencies, Government	APRM-NFP, APRM-NGC, APRM Secretariat

Issue	Expected output	Indicators	Required action	Ongoing initiatives	Budget \$	Time frame	Implementing Agency	Key stakeholder	M & E
Encourage regulatory agencies to develop collaborative framework amongst themselves in order to generate synergies conducive to heightened standards enforcement capacity as well as improved investigation and effective supervision	A proactive and efficient group of regulatory agencies	Level of synergy among regulatory agencies	Collaborative action on investigations and supervision	Establishment of Credit Reference Bureau		2011-2013		Regulatory Agencies, Government	APRM-NFP, APRM-NGC, APRM Secretariat
Harmonise laws and regulatory standards within a regional perspective to facilitate Sierra Leone's effective participation within regional arrangements	An integrated fiscal, monetary and financial sub region within the ECOWAS Monetary Cooperation Programme	Number of protocols and laws legislated and domesticated	Parliament to rectify statutes and agreement of ECOWAS and WAMZ	Outstanding statutes and agreements are being prepared for Parliamentary ratification	20,000	2011-2013	Government, Parliament	Government, Parliament	APRM-NFP, APRM-NGC, APRM Secretariat

Issue	Expected output	Indicators	Required action	Ongoing initiatives	Budget \$	Time frame	Implementing Agency	Key stakeholder	M & E
Continue to address critical constraints to doing business particularly through prioritising infrastructure, energy and financial sector development, and other business support programmes	Further improve our ranking in the Doing Business Survey	Ranking in Doing Business Index	Continue reform measures to remove administrative barriers and providing enabling infrastructure and services	Establishment of the Credit Reference Bureau and other Reforms undertaken during 2011, including making cross-border trading faster, implementing the Automated System for Customs Administration (ASYCUDA++) and establishment of fast track commercial courts, Sierra Leone's ranking for improving the business environment has ranked Sierra Leone among the top ten global reformers in the 2012 Doing Business report		2011-2013	GoSL	GoSL	APRM –NFP, APRM-NGC, APRM Secretariat, CSOs

Issue	Expected output	Indicators	Required action	Ongoing initiatives	Budget \$	Time frame	Implementing Agency	Key stakeholder	M & E
Continue streamlining the tax system to ensure that businesses are not burdened with multiple taxes. In addition, the NRA needs to clarify the distinction between taxes and other statutory payments	A rationalized tax structure	Level of tax payment compliance among large and small tax payers	Rationalize taxes	Financial Bill 2012 to reflect rationalize taxation policy	500,000	2011-2013	GoSL, NRA, Parliament	NRA, public and private sectors	APRM-NFP, APRM-NGC, APRM Secretariat
Objectives 2: Ensure That Corporations act as Good Corporate Citizens with Regard to Human Rights, Social Responsibility and Environmental Stability									
Promoting labour and human rights protection as well as environmental protection	All outstanding international labour laws ratified and implemented	Number of outstanding labour international laws and instruments signed and ratified	Ratify and implement outstanding laws.	On-going steps to sign and ratify outstanding international instruments	350,000	2011-2013	Ministry of Labour, Attorney General and Minister of Justice	Employers, employees, law reform commission, CSOs, Human Rights Commission	APRM-NFP, APRM-NGC, APRM Secretariat, Human Rights Commission, CSOS
Ensuring the honouring of corporate social responsibility	Compliance of organizations with their corporate social responsibility enforced	Performance of businesses and companies regarding their corporate social responsibility	Enforce corporate social responsibility regulations; put in place a robust negotiating and contracting team to ensure effective negotiations with companies and investors	On-going impressive strides of government to ensure a conducive business environment	150,000	2011-2012	Ministry of Trade and Industry, Attorney General and Minister of Justice	Investors, business community, National Privatisation Commission, CSOs, SLIBA, Chamber of Commerce	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs, local councils, parliament

Issue	Expected output	Indicators	Required action	Ongoing initiatives	Budget \$	Time frame	Implementing Agency	Key stakeholder	M & E
Ensuring Environmental Protection as well as value added to natural resources	Participation of communities in the planning of development projects increased. Implementation of environmental protection policies and laws strengthened.	Status of implementation of environmental protection laws, policies and plans. Level of community participation in environmental protection issues. Level of awareness on environmental protection	Strengthen the implementation of environmental protection regulations. Ensure community participation in the elaboration of project plans and environment-related decision making, promote environmental awareness campaigns. Initiate efforts to start processing of raw materials, continuing efforts to ensure electricity	Establishment of the Sierra Leone Environmental Protection Agency (SLEPA), on-going advocacy work of some CSOs on environmental protection	450,000	2011-2013	SLEPA	Community people, Ministry of Mineral Resources, CSOs, local councils and chiefdom authorities, international development partners	APRM-NFP, APRM – NGC, APRM Secretariat, CSOs, Parliament, local council and chiefdom authorities
Review the labour laws with the objective of domesticating ILO conventions and aligning labour standards with international best practice	All outstanding international labour laws aligned, ratified and domesticated	Number of outstanding labour international laws and instruments signed and ratified	Ratify and implement outstanding laws.	On-going steps to sign and ratify outstanding international instruments		2011-2013	Ministry of Labour, Attorney General and Minister of Justice	Employers, employees, law reform commission, CSOs, Human Rights Commission	APRM-NFP, APRM-NGC, APRM Secretariat, Human Rights Commission, CSOS
Put in place the legal framework to prevent the possibility of retributive action against workers who legally go on strike	Respect for labour laws and conventions	Number of unfettered industrial actions	Labour organizations to adhere to laid down procedures for industrial action	Ongoing steps to fulfill trade group agreements		2011-2012	Ministry of Labour, Attorney General and Minister of Justice	Employers, employees, law reform commission, CSOs, Human Rights Commission	APRM-NFP, APRM-NGC, APRM Secretariat, Human Rights Commission, CSOS

Issue	Expected output	Indicators	Required action	Ongoing initiatives	Budget \$	Time frame	Implementing Agency	Key stakeholder	M & E
Strengthen and enhance the capacity of labour institutions to monitor and enforce labour codes	Effective labour institutions	Status of implementation of labour codes	Labour organizations to adhere to laid down procedures for industrial action	Ongoing steps to fulfil trade group agreements	200,000	2011-2012	Ministry of Labour, Attorney General and Minister of Justice	Employers, law reform commission, CSOs, Human Rights Commission	APRM-NFP, APRM-NGC, APRM Secretariat, Human Rights Commission, CSOS
Ensure licensing requirements and agreements reached with multinational companies contain clauses requiring them to comply with environmental standards	Participation of communities in the planning of development projects increased. Implementation of environmental protection policies and laws strengthened.	Status of implementation of environmental protection laws, policies and plans. Level of community participation in environmental protection issues. Level of awareness on environmental protection	Strengthen the implementation of environmental protection regulations. Ensure community participation in the elaboration of project plans and environment-related decision making. promote environmental awareness campaigns. Initiate efforts to start processing of raw materials, continuing efforts to ensure electricity	Establishment of the Sierra Leone Environmental Protection Agency (SLEPA), ongoing advocacy work of some CSOs on environmental protection	450,000	2011-2013	SLEPA	Community people, Ministry of Mineral Resources, CSOs, local councils and chiefdom authorities, international development partners	APRM-NFP, APRM – NGC, APRM Secretariat, CSOs, Parliament, local council and chiefdom authorities

Issue	Expected output	Indicators	Required action	Ongoing initiatives	Budget \$	Time frame	Implementing Agency	Key stakeholder	M & E
Ensure corporations broaden their CSR beyond philanthropic activities to embrace more relevant and dynamic CSR activity programmes premised on sustainable and integrated business models that address critical societal needs in areas such as education, health, community development with particular emphasis to the underserved segments of society	Participation of communities in the planning of development projects increased. Implementation of development policies and plans in communities	Status of implementation of plans and policies. Level of community participation in identifying development priorities	Strengthen the implementation of environmental protection regulations. Ensure community participation in the elaboration of project plans and environment-related decision making. promote environmental awareness campaigns. Initiate efforts to start processing of raw materials, continuing efforts to ensure electricity	SLEPA to embark on on-going advocacy work with corporations	100,000	2011-2013	SLEPA	Community people, Ministry of Mineral Resources, CSOs, local councils and chiefdom authorities, international development partners	APRM-NFP, APRM – NGC, APRM Secretariat, CSOs, Parliament, local council and chiefdom authorities

Issue	Expected output	Indicators	Required action	Ongoing initiatives	Budget \$	Time frame	Implementing Agency	Key stakeholder	M & E
Objective 3: Promoting the Adoption of Codes of Good Business Ethics in Achieving the Objectives of the Corporation									
<i>Ensuring Effective financial 2. Investigative Journalism</i>	Investigative financial journalism institutions established	Effectiveness of media reporting on financial activities and corporate governance issues	Recruit and train Journalists in Financial investigative Journalism and reporting on Corporate Governance issues.	Advocacy programmes by the Sierra Leone Association of Journalists; Freedom of Information Bill being discussed in Parliament; Ongoing media and mass communication academic programme in the USL. Existence of Independent Media Commission	520,000	2011 - 2012	Ministry of Information & Communication (MIC), SLAJ, Guild of Editors; Media Practitioners	SLAJ, Guild of Editors, Media Commission, Private Sector, IPAM, FBC etc.	APRM-NFP, APRM – NGC, APRM Secretariat, CSOs, parliament, SLAJ, IMC
3. Capacity Building Ensuring qualified and competent work force in both the private and public sectors	Qualified and competent workers in place in both the private and public sectors	Percentage of qualified and competent workforce. Level of professionalism and performance of the work force	Improve staff skills and incentives in SOEs and Private Organizations. Encourage more private participation in tertiary educational system.	On-going efforts to reform the private and public sectors, emerging partnerships between the private sector and tertiary educational institutions	700,000	2011 -2012	Public Service Reform Unit (PSRU), National Privatisation Commission	Office of the President, Parliament, MEST, tertiary institutions, CSOs international development partners	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs

Issue	Expected output	Indicators	Required action	Ongoing initiatives	Budget \$	Time frame	Implementing Agency	Key stakeholder	M & E
4. <i>Succession Plan</i> New Chief Executive Officer (CEO) or Director General (DG)	Improved performance of SOEs and SMEs in relation to Codes of Good Business Ethics; Effective handling of Corporate Governance issues	Recruitment of competent DGs' for SOEs and CEOs' for SMEs reflect positively on Corporate Governance.	Implement effective recruitment procedures; give preference to internal workforce with good performance records and experience; staff appraisal system tied to promotion.	Training on succession plan by SOEs and SMEs; Effective training programs for work force; Cross functional training for staff.	350,000	2011-2013	Public Service Commission; Parliament; Private Sectors;	Public and Private Sectors; Public Service Commission; HR Consultants Professional Firms.	APRM-NFP, APRM-NGC, APRM Secretariat, PSRU, Parliament, CSOs
Expedite the process of attaining EITI compliant status in order to ensure proper management and transparency in the sharing of revenue from mining and other resources	Obtaining EITI status	Status of EITI membership	Setting up EITI secretariat	Membership of EITI confirmed	150,000	2011-2012	Ministry of presidential and Public Affairs	Government, Mining Communities, CSOs	APRM-NFP, APRM-NGC, APRM Secretariat, Parliament, CSOs
Objective 4: Ensure that Corporations Treat all their Stakeholders (shareholders, employees, communities & consumers) in a Just Manner									
1. <i>Ensuring effective Stock Exchange Activities with regard to improved institutional guidelines on relationship with stakeholders</i>	Effective stock exchange activities ensured, well – informed corporations on guidelines dealing with relationship with stakeholders	Effectiveness of stock exchange activities, level of awareness of corporations on policies dealing with relationship with stakeholders	Review the policy and legislative environment on corporate behaviour; Strengthen the Sierra Leone Stock Exchange; Establish Sierra Leone Security & Exchange Commission.	On-going efforts of the BSL in ensuring effective supervision of the operations of the stock exchange, hiring of other West African consultants to train staff	800,000	2011-2013	Bank of Sierra Leone, Parliament	Chamber of Commerce, Association of Importers and Exporters, SMES, CSOs, Stock Brokerage Houses, Discount Houses	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs

Issue	Expected output	Indicators	Required action	Ongoing initiatives	Budget \$	Time frame	Implementing Agency	Key stakeholder	M & E
2. Promoting and Protecting Consumers' Rights	Independent and Effective Consumer Protection Agency established	The effective ness of the consumer protection agency Enactment of the Law on Consumer Protection	Establish an independent consumer protection agency Expedite the enactment of law on Consumer Protection. Set up a Consumer protection commission	There is an available consumer protection agency requiring capacity	500,000	2011-2012	Ministry of Trade and Industry (MTI);	SLIBA, Chamber of Commerce, international development partners	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs, Consumers
3. Reviewing the Companies Act (No.5 of 2009)	Companies Act reviewed and harmonized with Security & Exchange Commission laws, rules and regulations.	Comprehensiveness of Companies Act Implementation of CAC	Review the Companies Act (No.5 of 2009)	On-going efforts to review laws	300,000	2011 - 2012	MTI; Division; and Law Reform Commission	Law Officers Department, Attorney General and Minister of Justice, private sector, CSOs, international development partners	APRM-NFP, APRM-NGC, APRM Secretariat, parliament, CSOs
4. Ensuring Employee Rights	Sierra Leone Labour Laws reviewed. Enlightened citizens on employee rights.	Effectiveness of the litigation system for employees and Compliance with Labour Laws	Review labour laws, step up education of the citizens on labour laws	Government's Agenda for Change puts emphasis on protection of the employees	450,000	2011-2012	Ministry of Labour	Human Rights Commission, Office of the Ombudsman, the Judiciary, Sierra Leone Labour Congress, employees and associations	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs, parliament, international development partners
5. Ensuring access to Corporate Information	Access to basic corporate information by all stakeholders ensured	Annual publication of Returns by Corporations Effectiveness of institutions and policies for access to information	Enforce obligation under the Companies Act for companies to file annual returns, to post such information on CAC website. Promote the creation of easily accessible credit rating for organizations and Individuals		485,000	2011 - 2013	Registrar – General's Office	Ministry of Information and Communication, Ministry of Trade and Industry, Consumers, private sector, international development partners	APRM-NFP, APRM-NGC, APRM Secretariat, parliament, CSOs

Issue	Expected output	Indicators	Required action	Ongoing initiatives	Budget \$	Time frame	Implementing Agency	Key stakeholder	M & E
6. Protecting Shareholders' Rights	Shareholders rights well protected Well informed shareholders on rights	Level of enjoyment of rights, level of awareness of rights	Support the creation and promotion of Shareholder Associations. Educate shareholders on their rights and obligations	On-going government and international development partners efforts in protecting rights of citizens	300,000	2011-2013	Ministry of Labour, Ministry of Trade	Attorney General and Minister of Justice, Human Rights Commission, private sector actors, CSOs, international development partners	APRM-NFP, APRM-NGC, APRM Secretariat, parliament, CSOs,
Institute mechanisms to ensure effective stakeholder protection	Independent and Effective Consumer Protection Agency established	The effective ness of the consumer protection agency Enactment of the Law on Consumer Protection	Establish an independent consumer protection agency Expedite the enactment of law on Consumer Protection. Set up a Consumer protection commission	There is an available consumer protection agency requiring capacity	100,000	2011-2012	Ministry of Trade and Industry (MTI);	SLIBA, Chamber of Commerce, international development partners	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs, Consumers
Encourage business organisations to promote awareness about stakeholder rights and the importance of treating stakeholders fairly	Access to basic corporate information by all stakeholders ensured	Annual publication of Returns by Corporations Effectiveness of institutions and policies for access to information	Enforce obligation under the Companies Act for companies to file annual returns, to post such information on CAC website. Promote the creation of easily accessible credit rating for organizations and Individuals			2011 - 2013	Registrar – General's Office	Ministry of Information and Communication, Ministry of Trade and Industry, Consumers, private sector, international development partners	APRM-NFP, APRM-NGC, APRM Secretariat, parliament, CSOs
Pass the Access to Information Act in order to enhance the capacity of the media to obtain information so as to enhance accountability	Right to access information by the media	Promulgation of Access to Information Bill	Parliament to pass the Access to Information Bill	Access to Information Bill is currently before Parliament	50,000	2011-2013	Ministry of Information, Parliament, Presidency	Media	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs, parliament, international development partners

Issue	Expected output	Indicators	Required action	Ongoing initiatives	Budget \$	Time frame	Implementing Agency	Key stakeholder	M & E
Objective 5: Provide for Accountability of Corporations, Directors and Officers									
1. Improving Corporate Governance policies and guidelines	Policies and regulations developed and improved on corporate Governance issues	Number of developed and improved policies and guidelines, Level of compliance with guidelines and policies	Develop and improve the guidelines, ensure compliance with the policies and guidelines	On-going government and international development partners efforts to develop and review guidelines	655,000	2011-2013	Ministry of Trade and Industry, Attorney General and Minister of Justice State Enterprises, SMEs Stock Exchange;	Private and public enterprises, law enforcement agencies, CSOs	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs, parliament, international development partners
3. Capacitating Directors and Managers	Well capacitated Directors and Managers	Level of performance of Directors and Managers, Number and quality of capacity building initiatives	Organize training programmes for all level of directors and managers on principles and application of good corporate governance.	Association of Businessmen; Professional Associations;	228,000	2011-2013	Min. of Labour, Chamber of Commerce, SLIBA	Public and private sector actors, CSOs, international development partners	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs
Ensure that the Companies Act is effectively enforced to implement its key provisions on appointment and accountability of directors	Adhering to corporate governance principles and practices	Level of compliance with guidelines and policies	Develop and improve the guidelines, ensure compliance with the policies and guidelines	On-going government and international development partners efforts to develop and review guidelines		2011-2013	Ministry of Trade and Industry, Attorney General and Minister of Justice	Private and public enterprises, law enforcement agencies, CSOs	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs
Adopt and effectively implement the International Financial Reporting Standards (IFRS) for SMEs that was issued in 2009 to ensure a uniform standard of financial reporting in the SME sector	Financial Reporting Standards (IFRS) for SMEs implemented	Level of compliance with standards	Adoption and implementation of IFRS	Ongoing efforts to adopt and implement IFRS		2011-2013	Ministry of Trade and Industry, Attorney General and Minister of Justice	Private and public enterprises, law enforcement agencies, CSOs	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs

Issue	Expected output	Indicators	Required action	Ongoing initiatives	Budget \$	Time frame	Implementing Agency	Key stakeholder	M & E
Build and enhance the capacity of the accounting profession	Enhanced reputation of accountancy profession	Number of professional accountants	Association of Certified Accountants in Sierra Leone to ensure adherence to standards	ACCASL is working to ensure standards in the accounting profession	150,000	2011-2013	Government, ACCASL, Corporate bodies	ACCASL, Corporate bodies	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs
Encourage business associations to develop programmes to train informal sector operators in basic record keeping and accounting	Informal sector operators trained in record keeping	Number of informal operators keeping accounting records	Train informal sector operators	Ongoing training of informal sector under NaCSA microfinance scheme and MITAF 2		2011-2013	Government, NaCSA, donors	Government, NaCSA, donors	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs

Corporate Governance Estimated Cost (\$) = 84,808,000

SOCIO-ECONOMIC DEVELOPMENT

Issue	Expected Output	Indicator	Activity	Ongoing Work	Budget	Time Frame	Implementing Agency	Stakeholder	M&E
Standards and Codes									
Ratification and domestication of outstanding treaties and conventions	All outstanding treaties and conventions are ratified and domesticated	Number of outstanding treaties and conventions ratified and domesticated	Ratify and domesticate all outstanding treaties and conventions	Ministry of Foreign Affairs and International cooperation is mapping out all outstanding treaties and conventions	866,000	2011-2013	Ministry of Foreign Affairs and International Cooperation	Research institutions, relevant CSOs, sub-regional and international organizations	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs
Increasing Public awareness on Standards & Codes	The public fully sensitized on treaties and conventions signed and domesticated by GoSL	Level of awareness of the codes by the citizens	Organize national workshops for stakeholders on the treaties and conventions; Ensure proper archiving of signed and domesticated treaties and conventions	On-going government efforts to pass the freedom of information bill, national sensitization on government activities by the Open Government initiative (OGI)	433,000	2011-2013	Ministries of Foreign Affairs and International Cooperation, Ministry of Information and Communication	National Commission for Democracy (NCD), CSOs	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs
Undertake a comprehensive review and identification of relevant standards and codes for signature, ratification or implementation	All outstanding treaties and conventions are ratified and domesticated	Number of outstanding treaties and conventions ratified and domesticated	Ratify and domesticate all outstanding treaties and conventions	Ministry of Foreign Affairs and International cooperation is mapping out all outstanding treaties and conventions		2011-2013	Ministry of Foreign Affairs and International Cooperation	Research institutions, relevant CSOs, sub-regional and international organizations	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs
Create an easily accessible database on signed, ratified or domesticated standards and codes for their close monitoring	Ratified or domesticated standards and codes placed on computerized database	Number of ratified and domesticated standards and code on database	Provide	Ministry of Foreign Affairs and International cooperation is mapping out all outstanding treaties and conventions	10,000	2011-2013	Ministry of Foreign Affairs and International Cooperation	Research institutions, relevant CSOs, sub-regional and international organizations	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs

Issue	Expected Output	Indicator	Activity	Ongoing Work	Budget	Time Frame	Implementing Agency	Stakeholder	M&E
Translate all important standards and codes into the major languages of the country	Standards and codes translated into major local languages				10,000	2011-2013	National and local governments	Research institutions, relevant CSOs, sub-regional and international organizations	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs
Design a programme for disseminating information on signed, ratified or domesticated standards and codes, and encourage its utilisation in policy formulation, and programme and project design	Signed, ratified or domesticated standards and codes disseminated	Number of signed, ratified or domesticated standards and codes	Sensitization programmes designed and implemented	Min of Foreign Affairs has designed dissemination strategy	50,000	2011-2013	Ministry of Foreign Affairs and International Cooperation		
Objective 1: Promote Self-reliance in Development and Build Capacity for Self-Sustaining Development									
Strengthening institutions and policies for the promotion of self-reliance and sustainable socio-economic development	Strengthened national institutions and policies for self-reliance and sustainable socio-economic development	Availability of institutions and policies	Formulate Sustainable livelihood policy	Government is currently implementing a sound a poverty reduction strategy- the agenda for change	7,107,000	2011 - 2012	MOFED .Ministry of Local Government and Rural Development	All relevant MDAs, CSOs, local councils, development partners	APRM –NFP, APRM-NGC, APRM Secretariat, CSOs, local councils, parliament
Enhancing the implementation of Decentralisation	Well resource decentralized structures for effective service delivery d.	Existence of well-articulated district development plans and fully functioning DCs and WCs. Efficiency of decentralized structures	Continuing capacity building programmes for local government structures	GoSL on-going implementation of decentralisation programme	48,063,000	2011-2012	Ministry of Local Government and Rural Development, Decentralisation Secretariat	All local government structures, CSOs, international development partners	APRM –NFP, APRM-NGC, APRM Secretariat, Decentralisation Secretariat, CSOs

Issue	Expected Output	Indicator	Activity	Ongoing Work	Budget	Time Frame	Implementing Agency	Stakeholder	M&E
Strengthening the monitoring and evaluation system	Robust M&E System in place & Implementation Manuals, MIS Database established	Efficiency of the M and E System Effectiveness of the implementation of the Agenda for change, MDGS and the APRM NPOA	Develop robust M&E System and Standard National Implementation Manual and management Information Systems (MIS) for SL-PRSP, MDGs, & APRM NPOA	GoSL introduction of results-based management system in public service; MoFED is embarking on sustained monitoring of development projects	2,141,000	2011 - 2013	MoFED, Office of the President	All MDAs., Local councils, CSOs, international development partners	APRM –NFP, APRM-NGC, APRM Secretariat, CSOs, local councils
Enhancing the coordination of Environmental Protection programmes	Strengthened Sierra Leone Environmental Protection Agency SLEPA with staff, resources and capacity	Effectiveness of SLEPA in carrying out its mandate	Strengthen the coordinating role of SLEPA	The SLEPA Act of 2008 was Amended in 2010 to accord the Agency semi-autonomous status—the Agency now reports directly to the Office of the President.	3,500,000	2011- 2013	Office of the President Parliament, Cabinet Secretariat and Ministry of Land Country Planning and the Environment	All Line MDAs, CSOs, Donors	APRM-NFP, APRM –NGC, APRM Secretariat, CSOs, local councils
Strengthening institutions and policies for empowering women, children and youth	Empowered women, children and youth for meaningful participation in development	Level of development of women, children and women Rate of youth unemployment Availability of opportunities for women, children and youth	Empower women, youths and children	GoSL Agenda for change puts premium on empowering women, children and youth a youth commission has been established and a separate ministry for youth and sports has been created	2,500,000	2011- 2013	Ministry of Social Welfare, Gender and Children's Ministry of Youths and Sports, National Youth Commission	National Women, youths and children	MSWGCA, Parliament,, NGC & APRM Secretariat APRM –NFP, APRM-NGC, APRM Secretariat, CSOs, local Councils

Issue	Expected Output	Indicator	Activity	Ongoing Work	Budget	Time Frame	Implementing Agency	Stakeholder	M&E
Boost electricity production to beyond the supply of the Bumbuna hydro-electric project to ensure sufficient supply of electricity for both industrialisation and domestic consumption to meet its energy needs for self-reliance in development	Enhanced supply of electricity from Bumbuna hydro provided	Amount of kilowatt hour of electricity supplied to entities and households per period	Implement Bumbuna Phase II while transmission and distribution lines are overhauled	T&D lines under overhaul in Freetown sponsored through domestic resources and donor funds	10,000,000	2011-2013	Min of Emery and Water Resources, NPA	Government, MEWR, NPA	MSWGCA, Parliament, NGC & APM Secretariat APM-NFP, APM-NGC, APM Secretariat, CSOs,
Strengthen the implementation of the smallholder farmers' commercialisation framework and private sector large-scale commercial farming approach to enhance the capacity of low income rural farmers in increasing food security in the country and contributing to self-reliance in development	Enhance agricultural productivity to ensure food security	Food security data over period	Monitor implementation of project to ensure inputs are effectively utilized	Project Implementation Unit in MAFFS is being fully staffed with qualified personnel to oversee project	35,000,000	2011-2013	MAFFS	MAFFS, Local councils, CSOs, international development partners	APM-NFP, APM-NGC, APM Secretariat, CSOs, local councils, MAFFS

Issue	Expected Output	Indicator	Activity	Ongoing Work	Budget	Time Frame	Implementing Agency	Stakeholder	M&E
As a matter of urgency, implement the government's domestic resource mobilisation schemes for attracting sustained capital inflows including remittances that are directed to sectors with high added-value and strong quality employment impact	Increased inflow of remittances	Number of diaspora-led investments in the country	Implementation of domestic resource mobilization scheme and continuously engage diaspora initiative on investing in the country	Office of Diaspora Affairs and the Presidency have made several visits in the diaspora and engaged Sierra Leoneans to take the challenge of investment in the country	350,000	2011-2013	NRA, Office of Diaspora Affairs, State House	Government, Office of Diaspora Affairs, State House	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs, MAFFS
Deepen the implementation of educational reforms, and provide more technical and vocational training to help address the serious issue of capacity development	Standard of education improved	Improvement in national capacity building	Implement recommendation on the Gbamanja Commission report on fall in standard of education	MEST is working to address the issues raised in the Commission report		2011-2013	MEST	MEST, Government, Local councils, CSOs	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs, local councils,

Issue	Expected Output	Indicator	Activity	Ongoing Work	Budget	Time Frame	Implementing Agency	Stakeholder	M&E
Objective 2: Accelerate Socio-Economic Development to Achieve Accelerated Sustainable Development and Poverty Reduction									
Promoting private sector participation in public service delivery and national development	Increased and quality participation of the private sector in national development Increased flow of foreign direct investment, increased GDP -- unemployment rate reduced.	GDP growth rate; rate of unemployment, & government tax revenue	Promote PPP, provide incentives and affirmative action for the development of indigenous entrepreneurship	GoSL private sector development strategy is focusing attention on re-branding the country, and is strengthening the institution for coordinating export and investment activities in the country.	10,000,000	2011-2014	MFED, BSL, Ministry of Trade and Industry	Ministry of Trade and Industry Chamber of Commerce, Industry and Agric, SLIBA, international development partners	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs, National Commission for Privatisation
Increasing agricultural productivity and food security	Food self-sufficiency and security increased	Reduction in importation of staple food, rice, level of food self-sufficiency, access to rural finance	Support agricultural intensification, diversification and value addition, and smallholder commercialization schemes	GoSL is implementing massive agricultural development programme within the There is determined GoSL implementation of the Agenda for Change with focus on agriculture	181,649,000	2011-2014	MAFFS, FAO Ministry of Agriculture and Food Security	President Office, Parliament, MAFFS, DC, NCG, Local councils, private sector, CSOs, local council and farming communities	President Office, Parliament, MAFFS, DC, NGC & APRM –NFP, APRM-NGC, APRM Secretariat, Local councils, CSOs
Promoting the meeting of the MDGs Targets	75% of the MDGs targets achieved	Percentage of MDGs achieved by 2015	Strengthen implementation frameworks of the Agenda for Change and sectoral plans	GoSL is implementing various development programmes with focus on the MDGs —and is making frantic efforts to strengthen implementation, monitoring and evaluation of all programme	50,000,000	2011-13	Office of the President, All Parliament, All relevant MDAs, local councils	The people of Sierra Leone, all MDAs, local councils, CSOs and international development partners	APRM-NFP, APRM-NGC, APRM Secretariat, local councils and CSOs

Issue	Expected Output	Indicator	Activity	Ongoing Work	Budget	Time Frame	Implementing Agency	Stakeholder	M&E
Accelerate the decentralisation process by completing the devolution of powers and responsibilities to the District Councils to enable them take more control of the socio-economic development agenda at the sub-national level	Efficiency in service delivery at local levels	Increase in the amount of resources and timely transfer to local councils	Increase budgetary allocations to local councils	A second generation grant system has been developed to link finance and functions through a system of client-based expenditure norms and affordable service delivery standards		2011-2013	MoFED, Min of Local Govt; Local Councils	MoFED, Min of Local Govt, Local Councils	APRM-NFP, APRM-NGC, APRM Secretariat, local councils and CSOs
Enforce a compulsory retirement policy by ensuring that retired workers are paid their retirement packages on time to enable them leave their employment to make room for youth employment.	Early payment of retirees ensured	Number of compulsory retirements	Retire personnel passed age limit of retirement	HRMO is implementing scheme	1,000,000	2011-2013	HRMO, Cabinet Secretariat, PSC, MoFED	HRMO, Cabinet Secretariat, PSC, MoFED	APRM-NFP, APRM-NGC, APRM Secretariat, local councils and CSOs
Strengthen safety net interventions and the institutional arrangements for their delivery and coordination	Enhanced safety net coverage	Number of beneficiaries under safety net scheme	Govt to make adequate provision in the budget for social safety net interventions	Ministry of Social Welfare has submitted a plan of action for govt and donor consideration	250,000		Min of Social Welfare	Min of Social welfare,	APRM-NFP, APRM-NGC, APRM Secretariat, local councils and CSOs

Issue	Expected Output	Indicator	Activity	Ongoing Work	Budget	Time Frame	Implementing Agency	Stakeholder	M&E
Objective 3: Strengthen Education—Issue 1: Ensuring Access to pre-school and Junior Secondary School (JSS)	Increased access to pre-school and JSS Policy for Pre-school developed and implemented Access to pre-education increased by 50%. Number of JSS schools increased and established in each chief	Number of Primary schools with pre-education programmes Number of pupils and JSS schools established	Develop and implement a policy for pre-education; improve access to pre-school and JSS	Serious efforts have been made by the government in increasing educational enrolment at all levels and is in the process of developing a compulsory education policy	17,343,000	2011-2013	Min. of Education Science and Technology	Local councils, CSOs, international development partners, parliament	APRM-NFP, APRM-NGC, APRM Secretariat, MEST, local councils, CSOs
Education—Issue 2: Promoting the girl-child education at both primary and junior secondary school levels	Increase rate of school completion for the girl child	Rate of primary and JSS school completion for girl pupils	Support the special needs of girl pupils in schools	GoSL has since the end of the war been promoting efforts to meet the special needs of the girl-child in schools	6,937,000	2011-2013	MEST, Min. of Social Welfare, Gender & Children's Affairs, (MSWGCA)	Local councils, CSOs, international development partners, parliament	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs, local councils
Education—Issue 3: Supporting the education of all categories of vulnerable groups	Improved access to education by all categories of the vulnerable groups	Percentage of the vulnerable in educational institutions, Available opportunities and facilities for the vulnerable groups Available policies	Construct and improve educational institutions, and provide facilities and opportunities for the education of all categories of the vulnerable groups	Government's Agenda for Change is putting high premium on enhancing the education of the vulnerable groups	24,280,000	2011-2013	MEST, MSWGCA, local councils	Local councils, CSOs, international development partners, parliament	APRM-NFP, APRM-NGC, APRM Secretariat, local councils, CSOs

Issue	Expected Output	Indicator	Activity	Ongoing Work	Budget	Time Frame	Implementing Agency	Stakeholder	M&E
Education—Issue 4: Promoting Science and Technology Education	Improved science and technology education in the country	Percentage of schools with well-equipped special training in S&T Available facilities for science and technology education Number of trained experts in science and technology	Support the provision of S&T facilities (technical, financial, logistical, scholarships, etc.) and incentives to related teachers in all schools	Government's Agenda for Change prioritizes science and technology education	13,000,000	2011-2013	MEST, local Council	Sierra Leone Teachers Union, (SLTU), local Council development Partners	APRM-NFP, APRM-NGC, APRM Secretariat, local councils, CSOs
Education—Issue 5: Promoting high teacher –pupil ration	Primary 1:25; JSS – 1:35 SSS 1:25	Percentage of qualified additional teachers employed	Improve conditions of service for teachers Step up efforts to increase fiscal revenue of the state	Strong government commitment to improving conditions of service for teachers	6,945,000	2011-2013	MEST, Polytechniques, Universities	MFED, Polytechniques, Universities Teacher training colleges	APRM-NFP, APRM-NGC, APRM Secretariat, local councils, parliament
Education – Issue 6: Consider the establishment of an inter-ministerial committee at the national, district and sub-district levels to review the education curriculum on regular bases to exploit the synergy and their complementarities for fostering a spirit of collective community development/action	A well-articulated education curricula to foster development in communities	Status of new curricula	MEST to engage all stakeholders in reviewing curricula	MEST has submitted recommendations for Cabinet approval		2011-2013	Ministry of Education, Science and Technology (MoEST), Ministry of Health and Sanitation (MoHS), Ministry of Local Government (MLG) and Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA)	Ministry of Education, Science and Technology (MoEST), Ministry of Health and Sanitation (MoHS), Ministry of Local Government (MLG) and Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA)	APRM-NFP, APRM-NGC, APRM Secretariat, local councils and CSOs

Issue	Expected Output	Indicator	Activity	Ongoing Work	Budget	Time Frame	Implementing Agency	Stakeholder	M&E
<p>Education – Issue 7 Introduce a conditional grant scheme to encourage parents to enrol their children, particularly the girl child, and successful completion of the requirements for a particular grade. MoEST may allocate a modest budget to be administered by SMTs</p>	Incentive for girl child education created	Number of passes of girl children in public exams	Provide budgetary funds to support girl child education	Govt is providing extended school fees subsidy to girl children all over the country	500,000	2011-2013	MEST, MoFED, Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA) Ministry of Local Government (MLG)	MEST, MoFED, Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA) Ministry of Local Government (MLG)	APRM-NFP, APRM-NGC, APRM Secretariat, local councils and CSOs
<p>Education – Issue 8: Strengthen and enhance Parent, Teacher, Student Associations (PTSA) or their equivalent to monitor child abuse and sexual harassment cases. At the same time, PTSAs could respond to challenges faced by schools, such as unavailability of latrines and drinking water.</p>	Parent, Teacher, Student Associations (PTSA) strengthened	Number of incidence of minor child abuse, sexual harassment and availability of facilities	Raise level of awareness among parents, teachers and students	Activation of PTSAs in schools ongoing		2011-2013	MEST	MEST	APRM-NFP, APRM-NGC, APRM Secretariat, local councils and CSOs

Issue	Expected Output	Indicator	Activity	Ongoing Work	Budget	Time Frame	Implementing Agency	Stakeholder	M&E
Education – Issue 9: Encourage a spirit of voluntarism among the youth and use them as change agents at the local level.	Youths inspired to become change agents	Level of involvement of youth in communal development	Small in-kind or monetary allowance and a Certificate(Medal) of Exemplary contribution to be granted by the President during some annual occasion to stimulate youths	President as well as politicians provide stimulus packages across the country to youth organizations and communal endeavours		2011-2013	Youth Commission, Presidency, Politicians	Youth Commission, local and traditional leaders	APRM-NFP, APRM-NGC, APRM Secretariat, parliament, local councils, CSOs
Health— Issue 1: Reducing Child and Maternal Mortalities	Considerable reduction in child and maternal mortalities Well sensitized citizenry on health issues	Number of lactating mothers, pregnant women, and under-five receiving free medical care. Level of Sensitization on health issues	Continuing implementation of the free health care programme; improve healthcare for common killer diseases	Impressive GoSL implementation of the free health care and health infrastructural development	71,488,000	2011-2013	Min of Health and Sanitation (MOHS)	All the citizens, local councils, international development partner, MEST, CSOs	APRM-NFP, APRM-NGC, APRM Secretariat, parliament, local councils, CSOs
Health— Issue 2: Promoting the fight against HIV/AIDS	Reduced HIV/AIDS prevalence Well educated citizenry on HIV/AIDS	Level of the incidence of HIV/AIDS, level of awareness on HIV/AIDS	Intensify Campaign on HIV/AIDS	Tremendous efforts On-going GoSL efforts through the HIV/AIDS National Secretariat	1,200,000	2011-2013	MOHS and National HIV/AIDS Secretariat	MSWGCA, CSOs including youth and women's, development partners groups, local councils	APRM-NFP, APRM-NGC, APRM Secretariat, parliament, CSOs, local councils

Issue	Expected Output	Indicator	Activity	Ongoing Work	Budget	Time Frame	Implementing Agency	Stakeholder	M&E
<p>Health – Issue 3: Establish greater collaboration between the education and health sectors so that health issues are integrated into the curriculum, and basic health services are provided at the school level. The school feeding and de-worming initiative should be expanded</p>	<p>Reduced HIV/AIDS prevalence Well educated citizenry on HIV/AIDS</p>	<p>Level of the incidence of HIV/AIDS, level of awareness on HIV/AIDS</p>	<p>Intensify Campaign on HIV/AIDS</p>	<p>Tremendous efforts On-going GoSL efforts through the HIV/AIDS National Secretariat</p>		<p>2011-2013</p>	<p>MOHS and National HIV/AIDS Secretariat</p>	<p>MSW/GCA, CSOs including youth and women's, development partners groups, local councils</p>	<p>APRM-NFP, APRM-NGC, APRM Secretariat, parliament, CSOs, local councils</p>

Issue	Expected Output	Indicator	Activity	Ongoing Work	Budget	Time Frame	Implementing Agency	Stakeholder	M&E
<p>Health – Issue 4: Transfer some tasks to less qualified health professionals and traditional birth attendants (TBA). With minimum training, support and on-site supervision, substantial gain could be obtained in reducing maternal and childhood mortality and morbidity. These services could be supplemented by mobile health attendants who visit villages every week or every other week</p>	<p>Reduced HIV/AIDS prevalence Well educated citizenry on HIV/AIDS</p>	<p>Level of the incidence of HIV/AIDS, level of awareness on HIV/AIDS</p>	<p>Intensify Campaign on HIV/AIDS</p>	<p>Tremendous efforts On-going GoSL efforts through the HIV/AIDS National Secretariat</p>		<p>2011-2013</p>	<p>MOHS and National HIV/AIDS Secretariat</p>	<p>MSWGCA, CSOs including youth and women's, development partners groups, local councils</p>	<p>APRM-NFP, APRM-NGC, APRM Secretariat, parliament, CSOs, local councils</p>

Issue	Expected Output	Indicator	Activity	Ongoing Work	Budget	Time Frame	Implementing Agency	Stakeholder	M&E
<p>Health – HIV/AIDS</p> <p>Issue 1: Focus more sharply on expanding prevention, education and information dissemination in schools and rural areas that are otherwise left out. The training of guidance counsellors in schools should include modules in HIV & AIDS management and should prepare them to an environment of OVCs</p>	<p>Reduced HIV/AIDS prevalence</p> <p>Well educated citizenry on HIV/AIDS</p>	<p>Level of the incidence of HIV/AIDS, level of awareness on HIV/AIDS</p>	<p>Intensify Campaign on HIV/AIDS</p>	<p>Tremendous efforts On-going GoSL efforts through the HIV/AIDS National Secretariat</p>	<p>1,200,000</p>	<p>2011-2013</p>	<p>MOHS and National HIV/AIDS Secretariat</p>	<p>MSWGCA, CSOs including youth and women's, development partners groups, local councils</p>	<p>APRM-NFP, APRM-NGC, APRM Secretariat, parliament, CSOs, local councils</p>

Issue	Expected Output	Indicator	Activity	Ongoing Work	Budget	Time Frame	Implementing Agency	Stakeholder	M&E
<p>Health – HIV/AIDS</p> <p>Issue 2: Formulate a clear strategy of establishing and/or strengthening district and sectoral M&E units so that they become effectively functional. In addition, NAS should continue monitoring sectoral responses to HIV/AIDS epidemic using results-oriented indicators and making use of the findings for vetting the continued operations of the various sectoral activities</p>	<p>Reduced HIV/AIDS prevalence</p> <p>Well educated citizenry on HIV/AIDS</p>	<p>Level of the incidence of HIV/AIDS, level of awareness on HIV/AIDS</p>	<p>Intensify Campaign on HIV/AIDS</p>	<p>Tremendous efforts On-going GoSL efforts through the HIV/AIDS National Secretariat</p>		<p>2011-2013</p>	<p>MOHS and National HIV/AIDS Secretariat</p>	<p>MSWGCA, CSOs including youth and women's, development partners groups, local councils</p>	<p>APRM-NFP, APRM-NGC, APRM Secretariat, parliament, CSOs, local councils</p>
<p>Health – HIV/AIDS</p> <p>Issue 3: 1. Train and deploy national volunteers until the national human resources constraints in health and other areas are addressed</p>	<p>Reduced HIV/AIDS prevalence</p> <p>Well educated citizenry on HIV/AIDS</p>	<p>Level of the incidence of HIV/AIDS, level of awareness on HIV/AIDS</p>	<p>Intensify Campaign on HIV/AIDS</p>	<p>Tremendous efforts On-going GoSL efforts through the HIV/AIDS National Secretariat</p>		<p>2011-2013</p>	<p>MOHS and National HIV/AIDS Secretariat</p>	<p>MSWGCA, CSOs including youth and women's, development partners groups, local councils</p>	<p>APRM-NFP, APRM-NGC, APRM Secretariat, parliament, CSOs, local councils</p>

Issue	Expected Output	Indicator	Activity	Ongoing Work	Budget	Time Frame	Implementing Agency	Stakeholder	M&E
Objective 4: Ensuring Affordable Access to Water, Sanitation, Energy, Finance (Including micro-finance), markets, ICT, shelter and land to all citizens, especially the rural poor Water & Sanitation Ensuring access to safe drinking water and adequate sanitary condition	Increased access to safe drinking water and improved sanitary conditions nationwide	Percentage of households with access to safe drinking water and adequate sanitary conditions	Rehabilitate and expand urban and rural water supply systems	On-going government efforts the development of water projects nationwide with assistance from development partners	51,531,000	2011-2013	Min. of Energy and Water Resources (MEWR)	General Public, CSOs, local councils, development partners	APRM-NFP, APRM-NGC, APRM Secretariat, local councils, CSOs
2. Mobilise financial resources for rehabilitation and development of infrastructure for a sustainable, affordable and efficient water supply, sewerage and waste water disposal systems	Increased access to safe drinking water and improved sanitary conditions nationwide	Percentage of households with access to safe drinking water and adequate sanitary conditions	Rehabilitate and expand urban and rural water supply systems	On-going government efforts the development of water projects nationwide with assistance from development partners		2011-2013	Min. of Energy and Water Resources (MEWR)	General Public, CSOs, local councils, development partners	APRM-NFP, APRM-NGC, APRM Secretariat, local councils, CSOs
Roads Continue implementing policies and strategies commenced for the development and maintenance of roads, ports and airports, particularly feeder roads connecting villages and farm areas to market centres	Increased funding and improvement road conditions nationwide	Percentage of increase in roads with paved surface and feeder roads	Rehabilitate and expand urban and rural road network	On-going government efforts in development road projects nationwide with assistance from development partners	100,000,000	2011-2013	Min. of Energy and Water Resources (MEWR)	General Public, CSOs, local councils, development partners	APRM-NFP, APRM-NGC, APRM Secretariat, local councils, CSOs

Issue	Expected Output	Indicator	Activity	Ongoing Work	Budget	Time Frame	Implementing Agency	Stakeholder	M&E
Energy 1. Increasing electricity supply nationwide	Sufficient electricity supply in all cities and major towns	Percentage of population with access to electricity and other improved energy supplies	Improved Access to Electricity and Natural Gas to all urban areas; continue to explore other sources of energy—solar power, biomass, etc.	Government's Agenda for Change has Energy as a top priority. Energy is one of the top priorities Bumbuna Hydropower Project Phase II; is in progress	125,701,000	2011-2013	MEWR	Private sector, local councils, CSOs, international development partners	APRM NFP, APRM-NGC, APRM Secretariat, local councils, parliament, CSOs
2. Consolidate, improve and expand the existing power supply infrastructure	Sufficient electricity supply in all cities and major towns	Percentage of population with access to electricity and other improved energy supplies	Improved Access to Electricity and Natural Gas to all urban areas; continue to explore other sources of energy—solar power, biomass, etc.	Government's Agenda for Change has Energy as a top priority. Energy is one of the top priorities Bumbuna Hydropower Project Phase II; is in progress	125,701,000	2011-2013	MEWR	Private sector, local councils, CSOs, international development partners	APRM NFP, APRM-NGC, APRM Secretariat, local councils, parliament, CSOs
Agribusiness Rural Finance 1. Ensuring access to financial services in rural areas	Financial Services and Community Banks established in all districts	Number of community banks per district	Expand access to financial services in rural areas	Ongoing government and donor efforts to provide financial services to the rural areas	15,000,000	2011-2013	MOFED, BSL	Women, Youths, Farmers, MAFS, local councils, international development partners	APRM –NFP, APRM –NGC, APRM Secretariat, local councils, CSOs
2. Developing frameworks and agencies for micro-financing activities	One Micro-Financial Regulatory Agency Established	Establishment of One Micro-Financial Agency to supervised by the BSL	Establish the Micro-Financial Agency	Ongoing support to micro-financing through the BSL	2,500,000	2012-2013	MoFED, MAFFS, BSL	GosL, local councils, parliament, CSOs	APRM –NFP, APRM –NGC, APRM Secretariat, local councils, CSOs, local council s

Issue	Expected Output	Indicator	Activity	Ongoing Work	Budget	Time Frame	Implementing Agency	Stakeholder	M&E
3. Establish, as a matter of urgency, a financing vehicle for long term lending to the agricultural sector such as the proposed agricultural finance bank which would provide subsidised lines of credit for farmers and smallholders	Agribusiness agency for onward lending established	Resuscitation Nation Development Bank as an agribusiness bank	Establish Nation Development Bank as an agribusiness bank	Ongoing institution arrangement far advanced with appointment of a new Managing Director	10,000,000	2011-2013	MoFED, MAFFS, BSL	GoSL, local councils, parliament, CSOs	APRM –NFP, APRM –NGC, APRM Secretariat, CSOs, local councils
ICT 1. Improving use of ICT in the country	Internet connectivity & other communication services improved nationwide; all villages covered by GSM communication system	Percentage of population with access to internet; number of internet and communication centres established per district and chiefdom	Facilitate the implementation of government's national communication strategy	GoSL has developed and is implementing a robust national communication strategy;	1,200,000	2011-2013	National Telecommunication Commission	MIC, local councils CSOs international development partners	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs, local councils
2. Establish coordination in ICT infrastructure development to achieve national backbone networks that can carry data, voice and video, as would be employed in effective management and operations of basic infrastructure	Achieve establishment of national backbone network in ICT infrastructure development	Percentage of population with access to internet; number of internet and communication centres established per district and chiefdom	Facilitate the implementation of government's national communication strategy	GoSL has developed and is implementing a robust national communication strategy		2011-2013	Min of Information, National Telecommunication Commission	MIC, local councils CSOs international development partners	APRM-NFP, APRM-NGC, APRM Secretariat, CSOs, local councils
Land reform Establish a land reform process	Establishment of land cadaster system	Number land plotted on cadaster system	Enhanced efficiency in the land tenure registration system	Min of Lands is implementing a land strategy approved by Government		2011-2013	Min of Lands		

Issue	Expected Output	Indicator	Activity	Ongoing Work	Budget	Time Frame	Implementing Agency	Stakeholder	M&E
Objective 5: Progress towards gender equality in all critical areas of concern, including equal access to education for girls at all levels									
Specific attention be made to girls' access to secondary education	Incentive for girl child education created	Number of passes of girl children in public exams	Provide resources for access of girl child to secondary education	Govt is providing extended school fees subsidy to girl children in secondary schools all over the country		2011-2013	MEST, MoFED, Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA) Ministry of Local Government (MLG)	MEST, MoFED, Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA) Ministry of Local Government (MLG)	APRM-NFP, APRM-NGC, APRM Secretariat, local councils and CSOs
Improvement of women's sexual and reproductive health education and rights	Introduction and sustaining Free Health Care Initiative (FHCI)	Number of beneficiaries under FHCI		Govt and donors are implementing strategy to improve women's sexual and reproductive health education and rights		2011-2013	MOH, Donors	MOH, Donors	APRM-NFP, APRM-NGC, APRM Secretariat, local councils and CSOs
Implementation of effective and equal property and inheritance rights for women	Enhanced women empowerment and participation	Legislative and policy reforms in place for the empowerment of women; number of women in public office	Implement TRC recommendations on removing cultural barriers to women's rights; Institute mass State campaigns and legal aid for women's rights	CSO coalition empowerment; strong political will towards women empowerment	1,160,000	2011-2013	Ministry of Gender and Children's Affairs; Law Reform Commission;	Women's Groups; Local and Chiefdom Councils; CSOs; Donors	APRM-NGC APRM-Secretariat; CSOs
Address gender-based violence and strongly support community based programmes for addressing women's health issues	Enhanced women empowerment and participation	Legislative and policy reforms in place for the empowerment of women; number of women in public office	Implement TRC recommendations on removing cultural barriers to women's rights; Institute mass State campaigns and legal aid for women's rights	CSO coalition empowerment; strong political will towards women empowerment		2011-2013	Ministry of Gender and Children's Affairs; Law Reform Commission;	Women's Groups; Local and Chiefdom Councils; CSOs; Donors	APRM-NGC APRM-Secretariat; CSOs

Issue	Expected Output	Indicator	Activity	Ongoing Work	Budget	Time Frame	Implementing Agency	Stakeholder	M&E
Effectively implement and monitor the Domestic Violence Act 2005 and the Interstate Succession Act of 2005	Domestic Violence Act implemented	Legislative and policy reforms in place to monitor the Domestic Violence Act 2005 and the Interstate Succession Act of 2005	Implement Acts to the letter	CSO coalition empowerment; strong political will towards women's rights					
Objective 6: Encourage broad-based participation in development by all stakeholders at all levels									
Strengthening institutional capacity for participatory development	Well trained MDAS, civil society and private sector in participatory development	Number of trained personnel in participatory development, level of efficiency in participatory development	Strengthen human and institutional capacities in participatory development	Government's Agenda for change identifies participatory development	2,500,000	2011-2013	MOFED, Ministry of Local Government and Rural Development	All MDAS, CSOs, local councils, international development partners	APRM –NFP, APRM –NGC, APRM Secretariat, local councils, CSOs
Develop training programmes for community members to take active part in the political and socio-economic activities (health care, education, civil society and private sector) of their regions	Capable community members in promoting socio-economic and political programmes in their localities	Level of involvement of community members in socio-economic developments	Massive social mobilization	Cash-for-work programmes conducted by NaCSA, MAFFS and Youth Commission ongoing		2011-2013	GoSL, NaCSA, Youth Commission, Local authorities, CSOs	Community Youth groups, Youth Commission, CSOs	APRM –NFP, APRM –NGC, APRM Secretariat, local councils, CSOs
Formulate an effective communication strategy for keeping citizens fully informed about challenges, development options, policy content and intended outcomes	A well-informed populace	Level of awareness about developmental strategy of the country	Holding of regular Barry and town hall meetings	Open Governance initiative ongoing	150,000	2011-2013	Government, CBOs	Government, CBOsw	APRM –NFP, APRM –NGC, APRM Secretariat, local councils, CSOs

Socio-Economic Development Estimated Cost (\$) = 931,265,000

Appendix III: The Peer Review of Sierra Leone at the 16th Summit of the APR Forum (As at 28 January 2012)

1. The 16th Summit of the Committee of Heads of State and Government Participating in the African Peer Review Mechanism [APR Forum] was held on 28 January 2012 at the African Union Commission Headquarters in Addis Ababa, Ethiopia. The Summit was chaired by H.E. Meles Zenawi, Prime Minister of the Federal Democratic Republic of Ethiopia and Chairperson of the APR Forum.
2. The following Heads of State and Government attended the Summit:
 - (i) H.E. Meles Zenawi, Prime Minister of the Federal Democratic Republic of Ethiopia, Chairperson of the APR Forum;
 - (ii) H.E. Ahmed Ouyahia, Prime Minister of the People's Democratic Republic of Algeria;
 - (iii) H.E. Boni Yayi, President of the Republic of Benin;
 - (iv) H.E. Denis Sassou Nguesso, President of the Republic of Congo;
 - (v) H.E. Armando Guebuza, President of the Republic of Mozambique;
 - (vi) H.E. Goodluck Jonathan, President of the Federal Republic of Nigeria;
 - (vii) H.E. Ernest Bai Koroma, President of the Republic of Sierra Leone; and
 - (viii) H.E. Jacob Zuma, President of the Republic of South Africa.
3. The following countries were represented at the Summit by Focal Points of the APRM, Ministers, Officials and Heads of Delegations: Burkina Faso, Cameroon, Egypt, Gabon, Ghana, Kenya, Lesotho, Mauritius, Rwanda, Senegal, Sudan, Tanzania, Uganda and Zambia.
4. The members of the African Peer Review Mechanism Panel of Eminent Persons (APR Panel) present were Professor Mohammed Séghir Babès (Chairperson), Professor Amos Sawyer, Barrister Akere Tabeng Muna and Barrister Julienne Ondziel Gnelenga.
5. The Chief Executive Officer a.i., Mr. Assefa Shifa, and other Officials from the APR Secretariat were also in attendance.
6. Barrister Akere Tabeng Muna, Lead Panel Member in charge of the Sierra Leone Review Process, presented the highlights of the Country Review Report.

7. Barrister Muna, the Lead APRM Panelist for Sierra Leone noted in presenting the Sierra Leone APRM Country Review that President Koroma should be highly commended on the Continent for his exemplary action in submitting his country for peer review in an election year especially before elections.
8. The Forum took note of the following commendable practices in Sierra Leone highlighted in Barrister Muna's presentation, as outlined in the Country Review Report:
 - The Ward Committees set up in each Local Council Area, to mobilize residents for self-help and community development projects;
 - The Anti-Corruption Commission (ACC) established in 2002 to prosecute corruption-related case;
 - Reforms in the public procurement process;
 - Policy hearings conducted at the broad sectoral level as part of the development of the Medium-Term Expenditure Framework (MTEF);
 - The Memorandum of Understanding between the Sierra Leone Indigenous Business Association and the Anti-Corruption Commission, allowing for consultation and collaboration in advocating for a business-friendly and corruption-free business environment; and
 - The key actions Sierra Leone has taken in promoting gender equity nationwide.
9. Barrister Muna also informed the Forum on some of the challenges as underlined during the Sierra Leone review process including:
 - An inadequate system of separation of powers between the three branches of government
 - That, in spite of the Gender Acts, and some high level appointments, women continue to face high levels of discrimination, as a result of cultural, particularly patriarchal-related obstacles and prejudices
 - That, despite the abundance of renewable and non-renewable resources, the Mining and Mineral Sector contributed less than 5 per cent to GDP, and the economy was dominated by agriculture which contributed close to 47 per cent to GDP
 - The challenges to improving Corporate Governance include:
 - lack of resources to boost implementation capacity;

- weak institutions;
 - a paucity of financial institutions to support agricultural credit;
 - the effects of corruption;
 - massive financial illiteracy in the sector;
 - lack of capacity to investigate financial crimes; and
 - inadequate financing through the capital markets; and that
- Inadequate and poorly maintained rural and feeder roads connect villages and farm areas to market centers, and pose serious challenges to economic development in the country.

Response by H.E. President Ernest Bai Koroma

10. H.E. President Ernest Bai Koroma, President of the Republic of Sierra Leone, commended the APR Panel, the Country Review Team and the APR Secretariat for their efforts in producing the APRM Country Review Report of Sierra Leone and acknowledged that the recommendations of the Report would provide a basis for further action by his Government.
11. President Koroma underlined his Government's commitment to the implementation of the APRM process in Sierra Leone. He noted that this support had been unwavering since his assumption of the reins of government in 2007. He disclosed that, following the launch of the APRM process in September 2008, he had inaugurated the APRM National Governing Council (NGC).
12. President Koroma observed that, to ensure the autonomy, integrity and professionalism of the Council, its structure and mandate were tailored to make it technically competent, credible, and free from political interference and an all-inclusive national exercise. The Government had further provided budgetary support to the work of the NGC and Secretariat, which saw the successful and timely execution of the APRM national self-assessment process as well as the APRM Country Review Mission that visited Sierra Leone from May-June 2011.
13. He assured the Forum that the Government of Sierra Leone would undertake a critical examination of the recommendations of the Report and develop a road map for the implementation of the accompanying National Programme of Action (NPOA).
14. President Koroma noted that between 1991 and 2002, the governance landscape of Sierra Leone was largely affected by a horrendous civil conflict that further undermined

the smooth functioning of state institutions, destroyed infrastructure, led to economic and social dislocation, displaced a large proportion of the population, affected the capacity and professionalism of state security institutions, and tasked Government with a huge burden of reconstruction and rehabilitation costs. In that decade-long conflict, as in all other violent conflicts around the world, a common lesson was learnt that war is a business of immense loss, that even those who have come out of it with perceived victory have counted great losses in its aftermath. He further observed that in addition to the foregoing, the People of Sierra Leone had also learned to never again allow their existence as a nation to be threatened by violence.

15. H.E President Koroma noted his appreciation for the effort of the APR Panel in refreshing the sub-conscious mind of Sierra Leoneans to their past which was characterized by poor governance as the basis of the decade-long war from 1991-2002. He observed that Sierra Leone have since undertaken major transformational initiatives to redress that past. These included conducting three free, fair and peaceful multi-party elections, with the country about to conduct a fourth election in 2012. He disclosed that the Government was working on passing the Freedom of Information Bill into an Act of Parliament. The debate on expunging the criminal libel aspect of the 1965 Public Order Act was also on course, and the Government had empowered the National Electoral Commission and the Political Parties Registration Commission to conduct free, fair and peaceful elections as well as to enforce the electoral codes of conduct.
16. President Koroma observed that, on the issue of political and electoral violence, the Government had taken a firm stance against perpetrators of violence irrespective of their political affiliation. Several mechanisms had been established to ensure political tolerance among the various political parties, including the All Political Parties Youth Association (APPYA), the All Political Parties Women's Association (APPWA), the All Political Parties Association (APPA) and the Political Parties Registration Commission.
17. The President of Sierra Leone recalled that in February 2008, the Government of Sierra Leone had initiated a range of reform measures to transform the Public Service of Sierra Leone into a modern and efficient organization. A review of the Public Sector Reform Framework for 2008-2012 revealed that the functions of the Public Service Commission (PSC) in the ensuing years were envisaged to consist of "the development and application of policy frameworks as well as the monitoring and evaluation of the implementation of these policies in the public sector in ICT, Recruitment and Selection, Training Policy, Public Sector Pay and Performance Appraisal". To effectively exercise these strategic roles, the PSC undertook an internal review of its functions and mandates so as to first of all reorganize and strengthen itself. The outcome was the preparation of a Management and Functional Review followed by the preparation of a 3-year strategic Plan for 2011-2013, which was in progress. The Commission had also put in place a system of competency based recruitment which involved written entrance examination at sub graduate and graduate entry levels.
18. President Koroma informed the APR Forum that mining in Sierra Leone is being guided by the new Minerals Act of 2009 and would be regulated by a robust set of Mining Regulations to be administered by the National Minerals Agency. As outlined in the Budget and Statement of Economic and Financial Policies for 2012, a key focus for the

Government would be in improving transparency and accountability in the management of mineral and petroleum revenues to ensure that Sierra Leoneans realized the full benefits of the mining sector. The National Minerals Agency, which would be established during 2012, is aimed at improving governance in the mining sector. President Koroma further noted that, as a member of the Extractive Industries Transparency Initiative, Government is taking measures to increase transparency in the mining sector. The Government had established an online repository located on the website of the Ministry of Mines and Mineral Resources that would note details of all mining revenues to Government, with the aim of allowing Sierra Leoneans to gain access to information on mining revenues at all times.

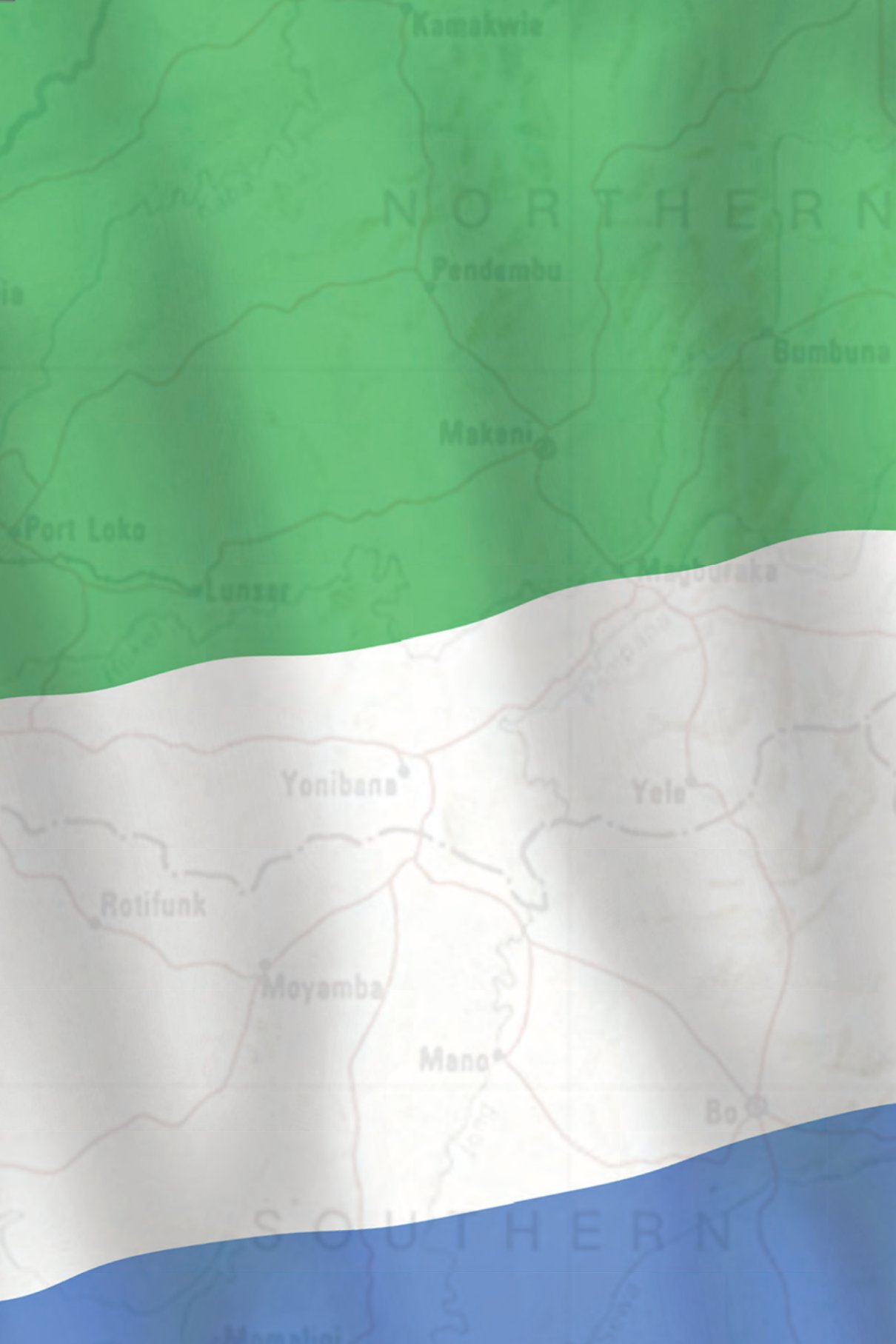
19. The President noted that the Government allocation to the social sectors had been growing significantly during the past four years despite the significant increase in capital expenditure to accommodate investment in infrastructure. He noted, however, the Government's agreement with the APRM Country Review on the need for adequate expansion of investment in social services, and disclosed that one of the key objectives of the 2012 budget is to continue to expand basic services in health, education and water. Total allocation to health and education in 2012 amounted to 6.8 percent and 8.5 percent of the total budget respectively.
20. President Koroma observed that Government has over the years been making serious efforts to address youth unemployment. In November 2009, Parliament enacted the "National Youth Commission Act" which laid the foundation for the establishment and operationalisation of the National Youth Commission with the major policy objective of providing an enabling environment for: (i) creation of employment opportunities for the youth and develop medium and long term strategies, and (ii) Initiate youth development programmes in collaboration with relevant governmental and non governmental bodies.
21. The National Youth Commission was formally launched on the 25th November 2011 with the special mandate to address Skills Training, Capacity Building and Empowerment for Sustainable Development. Accordingly, Skills Training and Capacity Building Centres were being supported by Government to ensure that youth are enrolled at these institutions to enable them acquire skills which will make youth self reliant. Also, for the first time since Sierra Leone's independence in 1961, a separate Ministry called the Ministry of Youth Employment and Sports had been established to exclusively address youth problems.
22. President Koroma acknowledged that the electricity supply was abysmal in the country before the commissioning of Bumbuna in 2009. Old thermal plants were broken down and had been out of use in all District headquarter towns. Electricity production continued to drop from an estimated 245 million kWh in 2005 to less than half this amount in 2007. President Koroma observed that Government had intervened to address the growing energy crisis upon assumption of the reins of power in 2007. This led to the implementation of a number of short, medium and long-term measures including (i) a one-year emergency power generation scheme for the Western Area; (ii) completion of the Bumbuna hydro project; (iii) the Moroccan intervention to strengthen the transmission/distribution network; (iv) a 22.68 mw BADEA project; (v) a 10 mw JICA project ; and (vi) the envisaged BEKONGOR project. Furthermore, a rural electrification sub-project has been created to improve the utilization of educational, health, water and sanitation

(WATSAN) facilities and community centres, and enhance the viability of small agro enterprises by linking them with renewable solar power.

23. President Koroma reiterated his Government's commitment to gender equity and disclosed that efforts are being made to ensure at least 30 per cent women participation in public office in Sierra Leone.

Forum Response and Conclusion

24. In responding to President Koroma's statement at the APRM Forum, President Dr. Thomas Yayi Boni of the Republic of Benin and Chairman of the African Union said that in spite of its emergence from an eleven year old war President Koroma and his Government were to be commended for the efforts made to reduce poverty and fight corruption in Sierra Leone.
25. President Boni Yayi stressed the importance of ensuring that the Anti-Corruption Commission (ACC) operates as an independent entity. He elaborated on the Mining Sector in Sierra Leone and emphasized the need to curb the prevailing unemployment among the Youth in Sierra Leone, as well as the high interest rates that impact negatively on the agricultural sector.
26. President Boni Yayi also commended Sierra Leone for the 30 per cent threshold set for women's participation in public office, which had been achieved in Benin, and encouraged Sierra Leone to implement its plans in this regard.



Karakwie

NORTHERN

Pendembu

Bombuna

Makani

Port Loko

Lunsar

Magburaka

Yonibana

Yele

Rotifunk

Moyamba

Mano

Bo

SOUTHERN

Mamali

River