NGO Complementary Notes on The Implementation of The UN Convention On The Rights Of The Child

Sierra Leone

To The NGO Committee On The Rights Of The Child.
Geneva

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INTRODUCTION

Of the 4.8 million (most recent) people in Sierra Leone 527,907 are children aged fourteen and below. Most of these children live in deplorable conditions because their parents lack the means to provide their basic needs. Even before the beginning of the rebel war, child beggers had already started appearing in the streets of the cities of Sierra Leone. The rebel war has even worsened the situation, because many children have been orphaned as a result of the war. The future of children still looks bleak because basic services for children are still far from enough in the country. The new Minister of Gender and Children's Affairs is however working hard to put certain things into place for our leaders of tomorrow.

Despite the various legal provisions in the constitution aimed at safeguarding the welfare of children, the condition of most children has remained deplorable. The various legal provisions have a lot of "intentions" which might not necessarily have been translated to actions.

This report which is written in conformity with Article 45 (a) of the Convention and which follows the general guidelines laid down for state reports is complementary to the one that the Sierra Leone government has prepared.

It has comments on the government report in section A and then recommendations that can enhance the implementation of the Convention in the section B.

Section A

I. GENERAL OBSERVATIONS

The Government must be commended for putting together a fairly true picture of the situation of children in the country. However such report should have highlighted measures taken and those future ones that can improve this distressed and deplorable condition of children.

Government's strives in the area of control of communicable diseases through the EPI programme is also commended. However the need for access to safe drinking water for all Sierra Leoneans is re-emphasized. Most of the diseases that are responsible for the high rate of infant mortality are water-borne. Government should therefore put premium on the availability and accessibility of safe drinking water.
II GENERAL MEASURES OF IMPLEMENTATION

The government report cites among others the on-going rebel war as one factor among others militating against the implementation of the National Programme of Action that is in line with the Convention. This point is well taken. While lasting plans for the development of children might be difficult in war situation, their rights to life, good health, education, family and violent-free environment should be seen to be maintained.

The internal conflict has indeed affected every activity in the country. While we appreciate the government's move to bring the war to an end, we also do hope that the root causes of the war are also going to be identified and dealt with so that it does not occur again. Children and women are the ones who suffer most in conflicts. Children therefore need to be assured of a conflict-free environment even as they grow up.

Harmonization of National Law and Policies

The government report states that a New Comprehensive Bill on the Rights and Welfare of the children is currently being drafted. This review according to the report started since 1991. NGOs would want to know how soon this New Bill will ever come into law. This section of the report seems to have a lot of "intensions" which might not necessarily have been translated into action. Some of the provisions dealing with child welfare in the National Constitution are quite incompatible with the CRC and therefore the need for immediate necessary review which needs not to have dragged on for this length of time.

While commending the government for preparing the report, there is need to stress the importance of strengthening the Child related Ministries, eg, Gender and Children's Affairs; Education; Health; Labour, Youth and Sports; Social Welfare, etc in order to be able to enhance the implementation of the Convention.

III DEFINITION OF THE CHILD

Age of Maturity

There is no consistency in the definition of a child. Some sections of the constitution quote 21 years while others 16 as the age of maturity whereas voting age is 18.
Employment

The minimum age for a child to be employed is not also consistent. There is mention of twelve, eighteen and fifteen. Apart from light domestic duties within the same family of the child, girls in particular are exposed to child labour as early as twelve years when they are employed as domestic servants by some ethnic groups in the country. At other times such girls are exported as domestic servants, where they suffer humiliating treatments and at the sametime receive incredibly low salaries.

IV MILITARIZATION

The government report states that the Military Forces Act does not allow any child under the age of seventeen and half years to be conscripted into the army, the same report further states that there is no minimum age requirement for conscription into the armed forces. This has been clearly demonstrated by both the Army and the Revolutionary United Front (RUF) in the six-year-old war. Children aged between nine and fourteen years have been conscripted into both forces against their wish.

While we commend the government for attempts made to demobilize and rehabilitate these child soldiers, we need to re-emphasize the urgent need to make a law about the minimum age for conscription into the army.

Age of Marriage and Sexual Consent

The government report has given the true marriage customs practised in the country. In the rural areas, it is no secret that girls given into marriage as early as the age thirteen by which time they are physically unfit for child bearing. The results have sometimes been fatal. The report further states that sections 6 and 7 of cap 31 of the Laws of Sierra Leone protect children below fourteen from sexual abuse. The government should make it a criminal offence for any one to have sexual relationship with a child under sixteen years.

V CRIMINAL RESPONSIBILITY AND LIABILITY

Government Laws forbid the association of child offenders with adult prisoners. With the speedy degeneration of our economy the old practice of Remand Home for juveniles is almost dying out. Most of the child offenders are now locked up with seasoned criminals. The result of such act is obvious.
Alcohol/Drug Consumption

Although it is an offence to sell alcohol to children, this law has not been enforced. Both parents and dealers in alcohol are guilty of this offence.

VI GENERAL PRINCIPLES

Non-Discrimination

Although there is no evidence of parents destroying foetus or killing children because of their sex, most parents feel discouraged and disappointed when they do not have boys. In the case of educational opportunities, parents in the rural areas especially prefer keeping their boy child in school to keeping the girl.

Right to Life, Survival and Development

The socio-economic situation in the country does not allow parents to give the desired attention and support to their children. Parents work far too hard and yet earn far below their required expenditure for each month.

The government should give more attention to the training of more social workers who can help in the supervision of the children.

Respect for the Views of the Child

It is not just enough for the children to air their views. The need to have the voice of the children on National issues is re-emphasized. At an important National Conference at Bintumani I and II of 1995 and 96 respectively, where the whole nation decided whether or not to continue with the military rule, the views of the Youth and children were not sought.

VII CIVIL RIGHTS AND FREEDOM

Access to Appropriate Information/Education

The government report stressed government's responsibility for the provision of equal rights and adequate education for all citizens. The government is commended for its recent programmes aimed at improving upon its inputs interms of equipment for schools. As at present education is so expensive in the country that only the privilege few can afford it. Although the government had declared primary education free since the eighties, the schools had not been equipped enough to cater for the large number of children. As a result some schools continue to levy fees in
different terminologies to enable them provide some teaching aids. Schools that do not ask for these fees are unable to provide the basic educational needs of the children.

VIII FAMILY ENVIRONMENT AND ALTERNATIVE CARE

Recovery of Maintenance for the Child

Although this law exists, most women do not know about it. There has not been enough education of the public to know about their rights and obligations with regard to child maintenance. In instances where the women are aware this right, the monthly allowance is so small that it hardly has any effect.

VIII BASIC HEALTH AND WELFARE

Nutrition

Although the government has agreed on a policy of iodized salt, the local population still patronizes non-iodized salt which is still being sold openly in the markets. This is because this salt is more affordable.

Health Service

While we commend government in its strive to treat communicable diseases, there should also be an improvement in the preventive measures. The area of safe drinking water and sanitation must be improved.

Although the government report states an increase of 36% in the 1994/95 budget allocation to Health, there was no actual figure stated. The 1995/96 budget allocation to Health was six billion and fifty million Leones (Le 6,050m) as against the total budget of one hundred and fifteen billion, seven hundred and eight million Leones (Le 115,708m). Forty-eight billion, two hundred and Sixty-nine million (Le 48,269m) was allocated to Defence in that same fiscal year.

VIII EDUCATION, LEISURE, CULTURE AND ACTIVITIES

National Education Policy

The formal age for starting school is 6 but most children start later than this because of the cost of education.

A lot of children are also denied the opportunity of predisposition at nursery because most parents cannot afford the cost.
Basic Education (The 6-3-3-4)

The system is a good one but we feel it was ill-prepared for. The schools are not equipped enough to cater for the new system. This might be partly due to the small allocation of the national budget to this all-important Ministry. Government budget allocation for 1995/96 was eleven billion, three hundred and forty-one million Leones (Le 11,341m) as against the total budget stated above.

Out of 11,942 candidates that took the first Basic Education Certificate Examination (BECE) only 4,872 were able to meet the criteria to enter Senior Secondary School. The other 7070 have the option of either repeating or proceeding to Technical/Vocational Centres.

As at present the country has 100 technical/Vocational Centres offering 32 courses/skills. However these centres can hardly cater for all these children especially when most of them are either in the urban or rural urban areas.

The group of NGOs that looked at this report has therefore come out with a few recommendations for the facilitation of the implementation of the Convention.

Section B

Recommendations

Trauma Healing
The need for trauma healing - Parents should be counselled to handle their children more carefully especially those in difficult circumstances. A lot of children have seen ghastly sights during the war. Such children show every sign of trauma through bed wetting, aggression, withdrawal syndrome, distrust for the adult, etc. A lot of NGOs are at present engaged in trauma healing programmes to help such children. The government should train more social workers to help parents when these children are finally reunited with them.

Harmonization of National Laws
The government should remove all those clauses in our constitution that are incompatible with the Convention with immediate effect. The government should further strengthen all child related Ministries for the implementation of the Convention.
Education
There should be real Free and compulsory education up to Junior Secondary School and the government should open more Vocational/Technical Institutes for early school leavers. These schools should be accessible and affordable.

Government should equip the schools as well as the technical Vocational/Technical Institutes to make the 6-3-3-4 workable.

The government should also provide the appropriate training in terms of the teachers for the new system. A step is already being taken in this direction.

Age of Maturity
There is the need for a unified definition of a child. This will take care of marriage laws, military service, child labour etc.

Militarization
Government should state the minimum age for military service. We suggest 18 years.

Child Offenders
Government should rehabilitate the Remand Homes and build others in the provinces for child offenders and provide the necessary training for managers of such homes.

Sale of Alcohol
Government should enforce the law about the sale of alcohol to children not only on the sellers but even the one who sends the child.

The Right to Life, Survival and Development
Salary structures should be reviewed to match the rise in the living standard. This will enable parents to provide the basic needs of their children.

The Views of the Child
Children's views need to be sought on national and community issues.

Child Maintenance
The law about this should be publicized so that parents will know about their obligation. The amount agreed upon should also be looked into.
Public Health
There is need for more public toilets and wash rooms especially around the city centres. The government should make sure that every community has access to safe drinking water.

Cultural Practices

Children should be given an opportunity to decide at age 18 whether or not to be involved in these practices. They should be given an option to decide for themselves.

Government should put mechanisms into place to enforce laws to be in line with the Convention.

Ngos that contributed to this report are:

Methodist Association of Youth Fellowship (MAYF)
Children Associated with the War (CAW)
James P. Grant Dropping Centre
Christian Evangelical Fellowship (CEF)
Young Women Christian Association (YWCA)
Women's Movement for Peace (WMP)
Women's Network Methodist Church Sierra Leone (WNMCSL)
L.A.W.Y.E.R.S
Mothers Union (MU)
Women in Action for National Development (WAND)