



Health. Access. Rights.

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14th February 2014

Human Rights Committee
Office of the High Commissioner for Human Rights
Geneva, Switzerland

RE: Supplementary information on Sierra Leone scheduled for review by the Human Rights Committee during its 110th session, March 2014

Dear Committee Members:

This shadow letter is intended to complement the periodic report submitted by the State of Sierra Leone during the 110th session of the Human Rights Committee. Our aim is to provide information about Sierra Leone's violations of International Covenant on Civil and Political Rights that result from the State's antiquated and restrictive abortion law, enacted in 1861.

I write this letter on behalf of the Reproductive Health Partners Advocacy Network, a group of civil society organisations that has worked intensively with government to increase and implement the exercise of women's sexual and reproductive rights and to reduce maternal mortality due to the risks of unsafe abortions.

The Offenses against the Person Act, Sections 58 and 59 criminalizes abortion in all cases and penalizes both providers of abortion and women seeking abortion. The abortion law violates **Articles 3 and 6(f) of the Convention**. In General Comment 28 on the Equality of Rights between Men and Women, the Human Rights Committee has asked States to provide it with measures taken by the state to ensure that women do not have to undergo life-threatening clandestine abortion. The Committee has also linked lack of access to safe abortion to violations of the right to privacy, **Article 17(1)** of the Convention.¹

Due to the restrictive law, safe abortion is inaccessible in Sierra Leone. Without access to safe abortion, women in Sierra Leone risk their health and lives through unsafe abortion.

¹ Human Rights Committee. *K.L. v. Peru*, Communication no. 1153/2003, UN Doc. CCPR/C/85/D/1153/2003, 2005.

Sierra Leone has the fourth-highest maternal mortality in the world and unsafe abortion accounts for 10% of maternal death.²

We commend the government of Sierra Leone for initiating a process to review the restrictive law. The Sierra Leone Law Review Commission completed a drafted bill on abortion in 2012. We are concerned, however, that the draft bill has not moved forward from the Commission to Parliament.

We are further concerned that the revised law on abortion may include provisions that limit the type of provider that can legally provide abortion. If the law authorizes only medical doctors to provide abortion, the majority of women in Sierra Leone would still lack access to safe abortion and would continue to risk their lives, in violation of Articles 3 and 6(f). According to the World Health Organization, safe abortion can be provided by a range of trained health care professionals, including nurses, midwives and other providers with appropriate skill.³ Sierra Leone has only 0.016 physicians per 1,000 people, but 0.168 nurses and midwives for 1,000 people.⁴ Given the limited supply of doctors throughout the country, vulnerable women—in particular young women, poor women and women living in rural area—are more likely to continue to obtain abortion through illegal and unsafe methods.

As acknowledged by the Ministry of Health in the National SRHR Policy and the Reduction of Teenage Pregnancy Strategy, adolescents in particular suffer from lack of access to reproductive health services. The draft bill should ensure that adolescent girls are able to consent to confidential abortion care, without requirements of parental authorization. Such requirements can deter adolescent girls from seeking safe services, and result in risk to their life from clandestine providers.⁵

² Sierra Leone Ministry of Health and Sanitation. (2013). *Unsafe Abortion in Sierra Leone: A report of Community and Health System Assessments*. Freetown: Ipas.

³ World Health Organization (2012) *Safe abortion: technical and policy guidance for health systems*. 2nd ed. Geneva: World Health Organization.

⁴ The World Bank. (2010) Data. Retrieved from <http://data.worldbank.org/>

⁵ World Health Organization (2012) *Safe abortion: technical and policy guidance for health systems*. 2nd ed. Geneva: World Health Organization.

We request that the Committee pose the following questions to the State of Sierra Leone during the 110th session of the Human Rights Committee:

1. What steps will the State take to ensure that the draft bill on abortion moves forward toward approval as law?
2. How will the State ensure a revised law allows a broad base of health care providers to perform abortion services?
3. How will the State ensure that minors seeking abortion are able to access services confidentially, without involvement by a parent or guardian?

The provisions governing abortion in the law of Sierra Leone remain from the 1861 English Act, a holdover from colonial times, which became part of the laws of Sierra Leone by virtue of section 74 of the Courts Act in 1965. The law violates Articles 3, 6(f) and 17(1) of the Convention. We hope that the above information will be useful for your review of the State of Sierra Leone's compliance with the International Covenant on Civil and Political Rights.

Very sincerely,

A handwritten signature in blue ink, appearing to read 'Valerie Tucker', is written over a faint, light blue rectangular background.

Valerie Tucker, Director, Ipas Sierra Leone
For and On behalf of
Reproductive Health Partners Network Sierra Leone