



Health. Access. Rights.

50 Edwards Street | Off Sanders Street | Freetown, Sierra Leone
+232 78696596 | info@ipas.org | www.ipas.org

11 April 2014

Office of the United Nations High Commissioner for Human Rights
Attention: Mr. Claudio Grossman, Chair of the Committee against Torture
Palais Wilson
52 Rue des Pâquis
CH-1201 Geneva
Switzerland
cat@ohchr.org

RE: Supplementary information on Sierra Leone scheduled for review by the Committee against Torture during the 52nd session

Dear Committee Members:

I submit this shadow letter on behalf of the Reproductive Health Partners Advocacy Network, a group of civil society organisations that work to promote women's sexual and reproductive rights.

We wish to aid the work of the Committee against Torture by providing independent information to compliment the periodic report submitted by the State of Sierra Leone. We provide information about the cruel, inhuman and degrading treatment that women in Sierra Leone experience due to the State's restrictive abortion law, enacted in 1861.

The abortion ban in Sierra Leone

The abortion law of Sierra Leone (Offenses against the Person Act, Sections 58 and 59) **criminalizes abortion in all cases**, even following rape and when the pregnant woman's life is endangered. The law penalizes both providers of abortion and women seeking abortion.

Because of the abortion ban, women in Sierra Leone are unable to access safe abortion and may turn to unsafe providers. As a result, **untold numbers of women suffer excruciating pain or serious injury due to crude methods**. Others lose their lives due to unsafe abortion or because of life-threatening pregnancy. Sierra Leone has the fourth-highest maternal mortality in the world and unsafe abortion accounts for 10% of maternal death.¹ In addition, **rape victims may be forced to carry an unwanted pregnancy and can experience further trauma and psychological problems**.

¹ Sierra Leone Ministry of Health and Sanitation. (2013). Unsafe Abortion in Sierra Leone: A report of Community and Health System Assessments. Freetown: Ipas.

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

Barriers to access in the draft law

We are further concerned that the revised law on abortion may include provisions that limit access. For example, 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 experience the pain, suffering and risk of life associated with unsafe abortion.

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.² Sierra Leone has only 0.016 physicians per 1,000 people, but 0.168 nurses and midwives for 1,000 people.³ 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.

The draft bill must not contain barriers to adolescent girls' access and must 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 unsafe abortion.⁴

CEDAW and Human Rights Committee recommendations to Sierra Leone

Earlier in 2014, both the Human Rights and CEDAW Committees expressed concern over the restrictive abortion law and both recommended accelerated reform. The **Human Rights Committee** expressed “its concern at the current general criminalization of abortion, which may oblige pregnant women to seek clandestine abortion services that endanger their lives and health” and recommended that Sierra Leone “should accelerate the adoption of a bill that includes provision for exceptions to the general prohibition of abortion for therapeutic reasons and in cases of pregnancy resulting from rape or incest,” ensuring that “reproductive health services are accessible for all women and adolescents.”⁵

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

³ The World Bank. (2010) Data. Retrieved from <http://data.worldbank.org/>

⁴ World Health Organization (2012) Safe abortion: technical and policy guidance for health systems. 2nd ed. Geneva: World Health Organization.

⁵ Human Rights Committee, Concluding observations on the initial report of Sierra Leone, Adopted by the Committee at its 110th session (10–28 March 2014), CCPR/C/SLE/CO/1.

The **CEDAW Committee** stated concern for

The fact that the law on abortion criminalizes the procedure without providing any exception, the high incidence of sexual violence and unwanted pregnancies resulting in unsafe abortions which account for 13% of maternal mortality, and delays in adopting the Abortion Bill which decriminalizes the termination of pregnancy based on various socio-economic grounds.

The CEDAW Committee further urged Sierra Leone to “accelerate the adoption of the Abortion Bill.”⁶

We request that the Committee against Torture 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.

We hope that the above information will be useful for your review of the State of Sierra Leone’s compliance with the Convention against Torture.

Very sincerely,



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

⁶ Committee on the Elimination of Discrimination Against Women, Concluding observations on the sixth periodic report of Sierra Leone, Adopted by the Committee at its fifty-seventh session (10- 28 February 2014), CEDAW/C/SLE/CO/6.