



# SIERRA LEONE'S RESPONSE TO COVID19:

IMPLICATIONS FOR HUMAN RIGHTS, LIVELIHOOD AND  
GOVERNANCE



**Irish Aid**  
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**The Centre for Accountability and the Rule of Law (CARL-SL) is an independent, not-for-profit organization that seeks to promote a just society for all persons in Sierra Leone, through monitoring institutions of accountability, outreach and advocacy for institutional transparency, capacity building and empowerment of citizens.**

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# Executive Summary

**T**he “Sierra Leone’s Response to COVID-19” report, produced by the Centre for Accountability and Rule of Law (CARL) and funded by Irish Aid, examines the government’s response to the COVID-19 public health crisis and its implications for human rights, livelihood and governance in Sierra Leone. It provides an overview of human rights, livelihood and other governance concerns posed by the coronavirus outbreak preventative measures. It also highlights how those measures impacted society and individuals, and discusses the broad State powers instituted under the State of Emergency.

Respect for human rights, including economic and social rights, and civil and political rights, are fundamental to the success of any public health response. Emergency situations, however, may demand certain extraordinary measures to protect the public, including restrictions on fundamental political and civil rights. Even in such dire situations, however, restrictions on rights must be narrowly construed so as not to unduly impede the fundamental human rights outlined by numerous declarations, charters and conventions.

The Sierra Leonean government’s response to the COVID-19 pandemic, especially since the State of Emergency was declared, was characterised by broad instances of rights violations. These violations included examples of individuals whose economic rights, protection from abuse, freedom of movement, etc. were violated. The COVID-19 preventative measures were necessary but the implementation of those measures did raise significant rights abuses by authorities including the Police, NaCOVERC and security forces.

The COVID-19 prevention measures had significant implications for livelihood issues, including the impact of lockdowns on jobs, access to health care, food, water, education and other social services. To add to the hardships, enforcement of curfews and lockdowns were sometimes harshly imposed. The Police were seen beating people with canes – at least on one occasion - whilst citizens searched for, queued for and tried to drag water back to their residences during a lockdown. There were instances of police brutality due to residents of Freetown needing to search for water in their communities.

The most common public health measure taken by States against COVID-19 has been restricting freedom of movement. These restrictions were necessary to decrease the transmission of COVID-19 from the epicentre in Freetown to rural districts but the imposition of travel restrictions forced undue hardship on individuals and families.

The UN has said that in response to serious public health threats to the “life of a nation,” human rights law allows for restrictions on some rights. Those restrictions, however, must be justified on a legal basis as strictly as necessary. Putting COVID-19 prevention

measures in place from the worldwide medical communities’ recommendations to stop the spread of a global pandemic seems to be exactly this type of situation, but the implementation is not without its own set of problems.

Traders and importers were perhaps the most negatively economically affected by travel and movement restrictions. Borders were closed between Sierra Leone, Guinea and Liberia, which severely limited goods and food coming into Sierra Leone. A large number of importers, traders and sellers were affected by the lack of supplies or spoiled product from delays or travel restrictions.

There were also concerns that NaCOVERC initially resisted attempts to audit their accounts, although the audit was ultimately carried out. The Auditor General’s report showed that significant resources had not been accounted for.

Access to justice within the criminal justice system was a huge challenge as many cases were delayed when the courts were closed, as part of the coronavirus transmission prevention measures. Prisoners remained incarcerated on remand, court cases were suspended and prisons restricted visitation and prison activities.

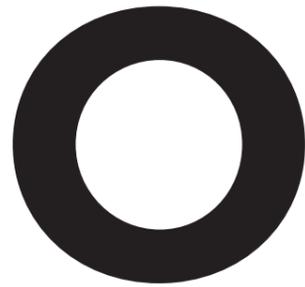
Whilst respect for human rights in general, and police handling of the crisis generally improved later on, there has been no accountability for those early violations or violence. The government and its international partners eventually took steps to cushion the negative economic effects of the preventative measures on the poor by providing cash handouts, among others.

In this Report, recommendations are proffered to the Government, security sector, judiciary and civil society groups. A common sense approach, based on available scientific and medical information needs to precede any policy or regulation development. A people-centred and rights-based approach should have been adopted during the implementation of any regulation or decree, even under a State of Emergency.

It is recommended, however, that the government of Sierra Leone ensure that any restriction on rights are proportionate to preventing and containing the spread of the virus and strong efforts are made to address livelihood challenges necessitated by COVID-19. The government should be slow in curtailing the right to education, assembly and religion as well as the socio-economic rights to work unless it is extremely necessary.

Such rights as the right to privacy, physical security, liberty, freedoms of movement, education, assembly and religion as well as the socio-economic rights to work and education could be seriously affected due to the travel restrictions, physical distancing, medical testing, lockdowns and quarantine measures. These restrictions should be temporary and should expire upon the achievement of the objectives of prevention and containment of the spread of the virus.

The restrictions on rights should not have a disproportionate impact on vulnerable groups including petty traders, people with disabilities, small businesses, the homeless, or women and children.



On March 11, 2020, the World Health Organization (WHO) declared that an outbreak of the viral disease COVID-19 had reached the level of a global pandemic. Citing concerns with “the alarming levels of spread and severity,” the WHO called for governments to take urgent and aggressive action to stop the spread of the virus.

International human rights law guarantees everyone the right to the highest attainable standard of health and obligates governments to take steps to prevent threats to public health and to provide medical care to those who need it. Human rights law also recognizes that in the context of serious public health threats and public emergencies threatening the life of the nation, restrictions on some rights can be justified when they:

- have a legal basis,
- are strictly necessary,
- are based on scientific evidence
- are neither arbitrary nor discriminatory in application,
- are of limited duration,
- are respectful of human dignity,
- are subject to review, and
- proportionate to achieve the objective.

The scale and severity of the COVID-19 pandemic clearly rises to the level of a public health threat that could justify restrictions on certain rights, such as those that result from the imposition of quarantine or isolation limiting freedom of movement. At the same time, careful attention to human rights such as non-discrimination and human rights principles such as transparency and respect for human dignity can foster an effective response amidst the turmoil and disruption that inevitably results in times of crisis and limits the harm that can come from the imposition of overly broad measures that do not meet the above criteria.

In view of the exceptional situation and to preserve life, countries have had no choice but to adopt extraordinary measures. Extensive lockdowns and limitations were adopted to slow transmission of the virus. Restrictions on freedom of movement and limitations on freedoms to enjoy many other human rights were imposed by many States. Such measures inadvertently affected people’s livelihoods and security, their access to health care (not only for COVID-19), to food, water and sanitation, work, education – as well as to leisure. Measures need to be taken to mitigate any such unintended consequences.

The U.N. Universal Declaration of Human Rights was adopted in 1948 in “recognition of the inherent dignity and of the equal inalienable rights of all members of the human family.” Some of the implications of limiting rights under the preventative COVID-19

measures affect the rights to: liberty, freedom of movement, freedom of religion in community with others, freedom of peaceful assembly and association, work and protection against unemployment, education, and to freely participate in community.

However, the UN has said that in response to serious public health threats to the “life of a nation,” human rights law allows for restrictions on some rights. Those restrictions, however, must be justified on a legal basis as strictly necessary. Putting COVID-19 prevention measures in place from the worldwide medical communities’ recommendations to stop the spread of a global pandemic seems to be exactly this type of situation, but the implementation is not without its own set of problems.

In combating COVID-19, states are obliged to protect the lives of all human beings. Invoking the right to life reminds us that all states have a duty to protect human life, including by addressing the general conditions in society that give rise to direct threats to life.

The right to health is inherent to the right to life. COVID-19 is testing States’ ability to protect the right to health to the limit. Every human being is entitled to the enjoyment of the highest attainable standard of health conducive to living a life in dignity. Everyone, regardless of their social or economic status, should have access to the health care they need.

**O**utbreaks of disease often have an impact on gender issues. Human Rights Watch found that the 2014 Ebola virus disease outbreak in Sierra Leone had particularly harmful impacts on women and girls and reinforced longstanding gender inequity. Past epidemics, such as the Ebola outbreak in Sierra Leone, impacted the availability of routine prenatal and maternity care, leaving women more at risk to preventable maternal deaths or morbidities.

Reports and news stories suggest the COVID-19 pandemic is disproportionately affecting women and girls in a number of adverse ways.

The COVID-19 outbreak has negatively affected sexual and reproductive health and rights. Overloaded health systems, reallocation of resources, shortages of medical supplies, and disruptions of global supply chains could harm women's access to contraception and pre- and post-natal care.

A nurse at the Aberdeen Women's Centre noted the drop in admissions, infant and mother check-ups, prenatal visits and births during the latter months of 2020. She attributed the drop in hospital attendance to the fears that many had of contracting COVID-19.

The economic lifeblood of many homes in Sierra Leone relies on women's ability to contribute to household income. The COVID-19 prevention measures, including lockdowns, curfews, reduced business hours, physical distancing, have negatively affected the ability of women to earn an income to sustain their families.

For women, entrenched gender discrimination, higher socio-economic vulnerability, increased domestic violence during lock downs, and frontline roles as caregivers and medical workers have all meant higher exposure and more risk.

Children are disproportionately affected by blanket responses to COVID-19 that do not sufficiently take into account how they impact children's rights, particularly children from the groups that are most marginalised and deprived.

Across every sphere, from health to the economy, security to social protection, the impacts of COVID-19 are exacerbated for women and girls simply by virtue of their sex. Economic impacts are felt especially by women and girls who are generally earning less, saving less, holding insecure jobs or living in poverty. Unpaid care work has increased, with children out-of-school, heightened care needs of older persons and overwhelmed health services.

**S**ocial stress and economic hardship coupled with restricted movement and social isolation measures, means an increase in gender-based violence.

Coronavirus disease (COVID-19) is an infectious disease caused by a newly discovered coronavirus.

On 31 December 2019, the WHO China Country Office was informed of cases of pneumonia of unknown etiology (unknown cause) detected in Wuhan City, Hubei Province of China. According to media reports, the concerned market in Wuhan was closed on 1 January 2020 for environmental sanitation and disinfection.

On 4 January 2020, WHO reports on social media that there is a cluster of pneumonia cases – with no deaths – in Wuhan, Hubei province. The next day, China reports 59 confirmed cases of viral pneumonia of unknown causes. Just a few days later, China CDC succeeds in isolating the first novel coronavirus strain, named SARS-CoV-2.

By the end of January 2020, the Corona Virus has spread to Europe and the United States and WHO declares the novel coronavirus outbreak (2019-nCoV) a Public Health Emergency of International Concern (PHEIC). This is the 6th time WHO has declared a PHEIC since 2005.

By the first week of March 2020, there were over 100,000 corona virus cases and almost 3,000 confirmed deaths due to COVID-19, globally. And by 16 March 2020, both Guinea and Liberia had recorded cases of COVID-19.

On 11 March 2020, the World Health Organisation declared the Coronavirus (COVID-19) had reached the level of a global pandemic. The COVID-19 virus has affected every continent in the world including Asia, Africa, Europe, North and South America, Australia, etc.

**T**he relatively rapid spread of COVID-19, which has not spared any ECOWAS member state, has had negative effects on all aspects concerning sustainable development goals, according to a report by the Economic Community of West African States (ECOWAS) Commission, with the World Food Programme (WFP), United Nations Economic Commission for Africa (UNECA) and the Economic Commission for Africa (ECA) in West Africa, in July 2020.

The rate of economic growth has been revised downwards to an average of -1.4 percent against an initial growth forecast of 3.4 percent. The fall in economic activity is reflected in lower household incomes and increasing poverty, which affects more than 50 percent of households at the regional level.

These negative trends will also affect the education sector. As of May 2020, children and youth in West Africa had already lost an average of eight weeks of schooling and nearly two million of them were out of school due to the closure measures related to COVID 19. Slums and informal settlements suffered job loss and a severe impact on income due to the closure of workplaces. This situation is similar for all the slums and informal settlements in the region.

The social life, community development, recreation, entertainment and family cohesion are affected by prevention measures associated with COVID-19.

Sierra Leone recorded an increase in prices, lower stocks of goods compared to 2019, difficulties in carrying out activities due to measures restricting public events and the closure of schools, all of which contributed to social tensions and an increase in the crime rate.

**S**ierra Leone initiated its first directive in preventing the influx of COVID-19 on 27 January 2020, following the WHO declaration of a global pandemic. Travellers from China entering Sierra Leone would undergo a mandatory 14-day quarantine. By mid-March 2020, Sierra Leone imposed restrictions on arriving travelers from countries with more than 50 confirmed cases.

Meetings of the National Public Health Emergency Management Committee (NPHEMC), under the leadership of the Chief Medical Officer, began discussions on the outbreak and subsequently directed activation of the Public Health National Emergency Operations Centre (PHNEOC) to Level 2 incidence response, with the Director of Health Security and Emergency charged as Incident Manager.

At the same time, the Sierra Leonean government banned gatherings of more than 200 people and prohibited international travel for all government officials until further notice. During the last week of March 2020, the government declared a 12-month State of Emergency and closed land borders with Guinea and Liberia.

President Bio confirmed Sierra Leone's first COVID-19 case on 31 March 2020 and closed schools, banned worship services, and appointed Brigadier (Rtd.) Kellie Hassan Conteh, Minister of Defence, as the Interim National Coordinator for the National COVID-19 Emergency Response Centre (NaCovERC).

There were one million cases of COVID-19 globally recorded by 1 April 2020 and one case in Sierra Leone.

One year later, by 24 March 2021, in Sierra Leone, there have been 79 deaths due to COVID-19 complications, with 3,953 confirmed recorded cases and 2,796 COVID-19 recoveries.

# The Sierra Leone Context

**T**he rate of transmission of COVID-19 and the restrictive measures instituted by the Government and the National COVID-19 Emergency Response Centre (NaCOVERC) have strained the economic and social life of every Sierra Leonean.

Several factors of vulnerability and socio-economic fragility exacerbate the effects of any health crisis, from Ebola (EVD) to COVID-19. Underlying vulnerabilities, ailing structures and the very social fabric of Sierra Leoneans hinder the people's and Government's response to a crisis. There are underlying and structural problems that constrain the country's development progress. These and other pre-existing conditions compound the effects of measures to control the spread of the disease.

There is a deeply rooted distrust of authority among most Sierra Leoneans. The distrust of government extends from the early days of Independence. Through coups, wars, disease, natural disasters and elections, many Sierra Leoneans have developed a jaded, cynical and somewhat disrespectful attitude towards Government, the political elite and institutions such as the Police and military forces. As a result, Government messages, dictates, speeches and regulations are often viewed with skepticism and distrust. Adding to the generally negative perception of Government and authorities is the political divide that plagues the nation. The All People's Congress (APC) and the Sierra Leone People's Party (SLPP) have traded power since Independence and have become increasingly tribal and geographically isolated. The two political parties hold a large monopoly on the citizenry and voters that is familial, historic, geographic and ethnic. This political divide infects most people, sectors, communities and national activities. Although there are more than 30 political parties registered in Sierra Leone, the APC and SLPP are the oldest and most dominant. A governance system has emerged where an election winner takes all and runs the country like their own personal fiefdom. This dominance of one-over-the-other results in a political division where distrust, jealousy, anger, violence, subterfuge and deceit permeate discussions and activities. Therefore, whichever political party is in power, the other approximately half the population are aggrieved, feel abused, mistreated and generally dislike anything the party in power has to offer. This political division influences compliance with Government regulations and emergency measure responses.

Sierra Leone's infrastructure remains a challenge to emergency responses. The health care sector is debilitated by years of neglect. By all international standards, Sierra Leone's health care system is amongst the worst in the world, from maternal and infant mortality to medical equipment and personnel capacity. When a health emergency such as COVID-19 or EVD emerges, people blame, mistrust and shun hospitals, clinics, health units, doctors and nurses. For many people, a health emergency means stay away from health facilities.

Piped water is available in less than 20% of the country with more than 80% of the country relying on water wells or rivers. In Freetown, water is supplied by one 22-inch pipe, which is sub-divided into a network of "spaghetti" pipe connections to communities and some homes. Many homes do not have individual water connections or supplies. Water shortages are common. Some urban areas rely on intermittently supplied and sparsely located community taps. These taps sometimes accommodate large areas and thousands of people.

There are 12 slum areas in the Freetown area where thousands of people live without adequate infrastructure facilities such as water and sanitation. These areas are crowded and dirty. Across the over-populated Western Urban Area, there is a lack of housing, which creates a population density that necessitates shared living arrangements. Compounds and houses often accommodate up to 20 people, living in very close quarters, sharing rooms, beds, latrines and living spaces.

The economy of Sierra Leone is characterized by a large informal sector, making some of the restriction measures adopted against COVID-19 difficult to enforce and ineffective. This sector is marked by very precarious working conditions and most informal workers do not have any safety nets.

This sector encompasses millions of workers, often marginal, many being women, who are often not employees in the usual sense of the term. They are mainly involved in subsistence farming or are often self-employed (making clothing, food, crafts, etc.), street vendors or in unregulated markets and are micro service providers (cleaning, transport, etc.) or domestic workers, etc. The majority of people in this sector survive on daily hand to mouth earnings and are therefore in a highly vulnerable situation.

Based on ILO estimates, the average share of vulnerable jobs in total employment in the ECOWAS region is 75.7%. Therefore, the restrictions are expected to harm the informal sector severely. At the household level, increasing income inequality and food insecurity are imposing greater burdens on women and women headed households.

Women and children make up the majority of these petty traders who earn their income from daily sales. The traders rely on the money they make during the day to eat, buy their commodities and sustain their families. If the traders don't work or sell during the day, they often go without food. For many of these traders, they earn less than Le20,000 (\$2) per day. Sierra Leone is ranked one of the poorest nations in the world according to most international standards. The largely informal economy, relying on daily sales for sustenance and the level of poverty makes lockdowns and reduced hours of operations very difficult for many to survive.

# The State of Emergency

Electricity supply is a perennial problem for most of Sierra Leone, especially in the rural areas where most homes do not have a reliable power supply. Freetown and the District headquarter towns have sporadic electricity despite years of attempts to regulate and supply power. These power problems plague hospitals, health care facilities, businesses and government buildings. The lack of adequate power further affects people during any stay-at-home orders or lockdowns.

Sierra Leone is a very social and friendly country with a long tradition of large extended families including brothers and sisters from “home villages”, long time school colleagues, etc. Handshaking and tightly knit social gatherings are common. These traditional and social interactions are deeply rooted and can make following regulations for physical distance very difficult to adhere to. The experience with Ebola, however, sensitized most of the nation to the notion of “no touching” but the deeply engrained sociality of Sierra Leonean culture persists to make distancing regulations difficult to enforce.

Sierra Leone is a religious country with most people practicing Christianity or following the Muslim faith. Many people rely on their churches or mosques for spiritual and emotional support. Most Sierra Leoneans gather on a daily or weekly basis for worship services. These gatherings can be large and can be hotspots for disease transmission. \*\*Under government regulations, large gatherings were banned and many people, including pastors and Imams, were upset about not being able to attend or offer worship services.

The rate of illiteracy among adults is approximately 70%. Reading skills are often inadequate to comprehend government or emergency regulations, although skills are higher in urban settings. Getting appropriate and accurate emergency messages and decrees to every citizen requires a variety of approaches including radio, town speakers and visual depictions of appropriate behaviours.

Rumours thrive in areas where there are low literacy levels and Sierra Leone is no exception. Because much of the emergency information is passed by word of mouth, the potential for misinformation to exist is large. Access to accurate, adequate information is still lagging way behind and one of the reasons is access to the internet and smart phones that can be good for sending messages, although the cost of telecommunications is high.

# A

cting under the powers conferred by Section 29 of the Constitution of Sierra Leone (public emergency), the President proclaimed a 12-month State of Emergency (SOE) on 24 March 2020, prior to the first confirmed case.

“By the authority vested in me under Subsection (1) of Section (29) of the Constitution of Sierra Leone 1991, Act No 6 of 1991, regarding the declaration of a State of Public Emergency Now, therefore, I, Julius Maada Bio, President of the Republic of Sierra Leone...

having regard to the threat that the Coronavirus disease poses to the lives of the people and the economy of Sierra Leone, and the need to take effective measures to prevent, protect, and curtail the spread of the disease throughout Sierra Leone, do hereby, by this Proclamation, declare that a State of Public Emergency exists in the whole of the Republic of Sierra Leone with effect from today, 24 March 2020, for a period of twelve months,” he said.

The President added, “This is not a lockdown and nobody must use this as an excuse to hoard goods, hike prices, or engage in acts of lawlessness. This public emergency is not meant to make the lives of Sierra Leoneans difficult or unbearable. We will continue to deploy the armed forces and Police, as necessary, to enforce compliance with all public health directives.”

On 26 March 2020, after two days of discussions in Parliament, the Parliament of Sierra Leone unanimously approved the President’s proclamation. The Parliamentary Resolution affirmed the extraordinary length of the State of Emergency, which would otherwise have lapsed after 21-days.

During a State of Emergency, the Constitution of Sierra Leone confers wide-ranging powers on the President to make regulations and take measures that appear to him to be necessary or expedient for the purpose of maintaining and securing peace, order, and good government. Unless they are approved by a resolution of Parliament, such emergency regulations lapse after 90-days. However, a Parliamentary Resolution passed in terms of Section 29 remained in force for a period of 12-months, and could have been extended by a two-thirds majority vote.

Emergency situations may demand certain extraordinary measures to protect public health, including restrictions on fundamental political and civil rights. Even in such dire situations, however, restrictions on freedom of expression, freedom of movement, freedom from arbitrary detention, and others, must be narrowly construed so as not to unduly impede the fundamental human rights outlined by numerous declarations, charters and conventions.

# Sierra Leone's Index Case

On 16 March 2020, a group of UN human rights experts said that “emergency declarations based on the COVID-19 outbreak should not be used as a basis to target particular groups, minorities, or individuals. It should not function as a cover for repressive action under the guise of protecting health... and should not be used simply to quash dissent.”

Sierra Leone's restrictions due to COVID-19 preventative measures really began on 18 March 2020. One week before the declaration of a State of Emergency, President Maada Bio addressed Sierra Leoneans on TV and radio. The military was immediately deployed to the airport and some land border crossings to support security and border closures. He said citizens should postpone all overseas travel especially to locations with reported cases of the Coronavirus.

Sierra Leoneans were advised to avoid physical contact and practice social distancing at all social and public gatherings. This applied to public events including but not limited to football matches, public concerts, social events, religious congregations, weddings, funerals, and other such large gatherings.

Private businesses, public institutions, event organisers, stores, supermarkets, and market women were required to provide enhanced hygiene facilities, including handwashing stations with clean water, liquid soap and hand sanitisers at all entrances. They were also to ensure that all toilets and common areas were regularly cleaned and disinfected. The transportation sector, including minibuses, taxis, and kekehs were to minimise congestion and provide hand sanitisers to passengers.

**P**resident Bio confirmed Sierra Leone's first COVID-19 case on 31 March 2020. In a press conference on 31 March 2020, on the lawns of State House, President Maada Bio announced the appointment of a COVID-19 response team with an interim national coordinator and the activation of the Emergency Operations Centre. The President stressed that Sierra Leone is not in lock down.

All educational institutions were closed on 31 March 2020. The President also announced that tracking and surveillance of primary and secondary contacts [of affected individuals] would be undertaken, and those persons would be placed into mandatory quarantine and tested. A number of additional measures would be put into effect, relating to the transportation sector, traditional practices, religious practices, trading, and entertainment. Details were to be provided by the National COVID-19 Response Secretariat and the interim national coordinator said that they would further announce other measures to reinforce already existing actions, including the use of law enforcement agencies, in due course.

Under the International Covenant on Economic, Social and Cultural Rights, which Sierra Leone has adopted, everyone has the right to “the highest attainable standard of physical and mental health.” Governments are obligated to take effective steps for the “prevention, treatment and control of epidemic, endemic, occupational and other diseases.”

The United Nations Committee on Economic, Social and Cultural Rights, which monitors state compliance with the covenant, stated:

The right to health is closely related to and dependent upon the realization of other human rights, as contained in the International Bill of Rights, including the rights to food, housing, work, education, human dignity, life, non-discrimination, equality, the prohibition against torture, privacy, access to information, and the freedoms of association, assembly and movement. These and other rights and freedoms address integral components of the right to health.

The right to health provides that health facilities, goods, and services should be:

- available in sufficient quantity,
- accessible to everyone without discrimination, and affordable for all, even marginalized groups;
- acceptable, meaning respectful of medical ethics and culturally appropriate; and
- scientifically and medically appropriate and of good quality.

# NaCOVERC

**T**he National COVID-19 Emergency Response Centre (NaCOVERC) was established by a committee of health, security and political representatives of the government of Sierra Leone, immediately following the pronouncement of the State of Emergency in March 2020. NaCOVERC consists of five response pillars including social mobilization, admin and finance, security, etc. The Government appointed a national coordinator from the military to specifically lead the COVID-19 response.

## NaCOVERC regulations under the COVID-19 Response Government Gazettes

### Government Gazettes

Two resolutions passed through Parliament dealing with COVID-19 regulations. These regulations were passed almost four months after the declaration of a State of Emergency.

On 22 June 2020, Parliament Gazetted the COVID-19 Public Emergency Response Coordination Regulations. Under Section 29 of the Constitution, by proclamation of the President the following regulations were enacted as of 1 April 2020.

Part 2, Section 3(1) reads, "The coordinator shall for the purpose of dealing with reported or suspected cases of the corona virus disease, (a) establish a COVID-19 Emergency Response Coordination Centre; (b) establish a COVID-19 Emergency Response Coordination Unit in each District comprising isolation facilities, quarantine facilities or community care centres; (c) designate an area in a residence or house to be used for the purpose of self-isolation or self-quarantine."

Section 3 states a person committed to a unit, quarantine facility, isolation facility, community care centre or designated area in a residence or house shall not leave that unit or facility care centre unless on the authority of an authorized medical practitioner that that person is free from the infection of the corona virus disease.

Section 4(1) states an authorized person may order that a person who is confirmed to be infected with the corona virus disease be taken to an isolation facility. Section 5(1) says an authorized person may order that a person who is suspected to be infected with the corona virus disease be taken to a quarantine facility, community care centre, etc.

On 16 July 2020, the Parliament of Sierra Leone Gazetted more regulations that were backdated to effective date, 1 April 2020. These regulations, in Section 3(1) stated, A

person who convenes or causes to be convened an assembly of persons in a place of worship including a church mosque or temple for the purpose of conducting observing or participating in a religious or other ceremony shall ensure...

(a) the place of worship is clean and disinfected;

(b) worshippers wear facemasks throughout the ceremony even when speaking or singing;

(c) a distance of 2 metres is maintained in between persons including persons conducting or officiating the ceremony.

In Section 4, the regulations ban assemblies in sporting facilities and nightclubs, cinemas or entertainment venues. Section 5 dictates that weddings, funerals or other ceremonies are restricted to 50% of the venue's capacity. Section 6 outlines restrictions to public spaces including parks, roads, beaches, etc. where people should wear facemasks, stay apart and wash hands or use hand sanitizers. Section 7 outlines the responsibilities of commercial drivers, who must ensure passengers wear facemasks.

# Restrictions on Movement

**T**he most common public health measure taken by States against COVID-19 has been restricting freedom of movement: lockdowns or stay-at-home instructions, border restrictions, etc. These measures are a practical and necessary method to stop virus transmission, prevent health-care services becoming overwhelmed, and thus save lives. However, the impact of lockdowns on jobs, livelihoods, access to services, including health care, food, water, education and social services, safety at home, adequate standards of living and family life can be severe.

Freedom of movement is a crucial right that facilitates the enjoyment of many other rights. While international law permits certain restrictions on freedom of movement, including for reasons of security and national emergency like health emergencies, restrictions on free movement should be strictly necessary for that purpose, proportionate and non-discriminatory.

Article 12 of the International Covenant on Civil and Political Rights, states:

1. Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.
2. Everyone shall be free to leave any country, including his own.
3. The above-mentioned rights shall not be subject to any restrictions except those which are provided by law, are necessary to protect national security, public order, public health or morals or the rights and freedoms of others, and are consistent with the other rights recognized in the present Covenant.
4. No one shall be arbitrarily deprived of the right to enter his own country.

Section 18 (1) of the Sierra Leone Constitution states: No person shall be deprived of his freedom of movement, and for the purpose of this section the said freedom means the right to move freely throughout Sierra Leone, the right to reside in any part of Sierra Leone, the right to enter or leave Sierra Leone, and immunity from expulsion from Sierra Leone.

(2) Any restriction on a person's freedom of movement which is involved in his lawful detention shall not be held to be inconsistent with or in contravention of this section.

(3) Nothing contained in or done under authority of any law shall be held to be inconsistent with or in contravention of this section to the extent that the law in question makes provision—

a. which is reasonably required in the interests of defence, public safety, public order, public morality, public health or the conservation of the natural resources, such as mineral, marine, forest and other resources of Sierra Leone, except in so far as that provision or, as the case may be, the thing done under the authority thereof is shown not to be reasonably justifiable in a democratic society; or

b. for the imposition of restrictions on the movement or residence within Sierra Leone of any person who is not a citizen thereof or the exclusion or expulsion from Sierra Leone of any such persons.

From the UN Declaration on Human Rights, in Article 13(1): Everyone has the right to freedom of movement and residence within the borders of each state.

(2) Everyone has the right to leave any country, including his own, and to return to his country.

## Land Border Closures

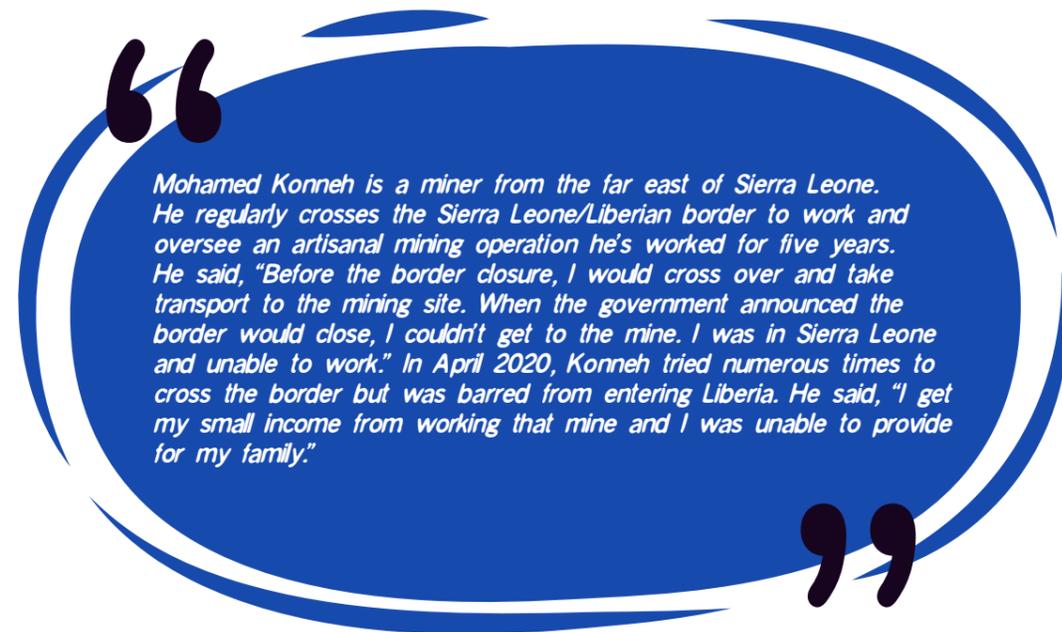
In an announcement on 27 March 2020, the government of Sierra Leone announced the closure of the country's land borders with neighbouring Guinea and Liberia for a period of 30-days. Guinea had announced their border closure with Sierra Leone on 26 March 2020, one day prior to Sierra Leone's announcement. Following the 30-day period, the government eventually closed the country's land borders with its neighbours, Guinea and Liberia, indefinitely.

According to the National Revenue Authority, there are 29 chiefdoms that share borders with either Guinea or Liberia. In Koinadugu there are 51 functional crossing points.

Kambia has 52 communities with at least one crossing point to Guinea. Kailahun has 49 official crossing points. Pujehun district has 22 functional crossing points and 21 inland points. Kono has 35 functional crossing points, Bombali has 11, Bonthe and Moyamba districts have 7 and 4 boat landing points, respectively.

At the official border crossing points in Kambia District (for Guinea), and Pujehun District (for Liberia), the ban on cross-border travel was largely observed through the initial 30-day period. In a survey conducted by AdvocAid in September 2020, 87% of respondents in Kambia; and 89% of respondents in Pujehun said the border closure was observed. However, after the initial 30-day border closures, people in the border communities began to regularly flout the government ban on land travel between Sierra Leone and its neighbours. According to residents in Kambia, near the Guinea border, and Gendema, at the Liberian border, people, commercial vehicles and motorbike taxis increasingly travelled between the countries and over international borders. There is still no large-scale violation of the border restrictions but compliance with the government decree is waning.

Freedom of movement under international human rights law protects, in principle, the right of everyone to leave any country, to enter their own country of nationality, and the right of everyone lawfully in a country to move freely in the whole territory of the country. Restrictions on these rights can only be imposed when lawful, for a legitimate purpose, and when the restrictions are proportionate, including in considering their impact. Travel bans and restrictions on freedom of movement may not be discriminatory nor have the effect of denying people the right to seek asylum or of violating the absolute ban on being returned to where they face persecution or torture.



Governments have broad authority under international law to ban visitors and migrants from other countries. However, domestic and international travel bans historically have often had limited effectiveness in preventing transmission, and may in fact accelerate disease spread if people flee from quarantine zones prior to their imposition.

### Ban on International Air Travel

One of the first policy responses to COVID-19 in Sierra Leone was a general ban on international travel from and to Sierra Leone. There were three dimensions to the ban. First, on 13 March 2020, the Ministry of Health and Sanitation (MoHS) issued an advisory, which took effect on 16 March 2020, discouraging individuals from countries with 200 or more confirmed cases of COVID-19 from travelling to Sierra Leone.

On 16 March 2020, a ban was placed on overseas travel for all government officials; and quarantine of travelers from any country with more than 50 cases. On 19 March 2020, the government through the Civil Aviation Authority closed the country's airspace.

On 22 July 2020, the Ministry of Transport and Aviation and the Civil Aviation Authority announced that Lungi International Airport was to re-open.

Among the core COVID-19 measures announced that are currently in place are that, authorisation to travel to Sierra Leone should include a "negative Polymerase Chain Reaction (PCR) COVID-19 result". All arriving and departing passengers are strictly advised to observe proper and constant use of facemasks, hand washing, and sanitizing; and observance of social distancing as directed by the MoHS or NaCOVERC. Health officials record temperature, basic health screening data, and seat number on arrival.

All arrival passengers are to be subjected to mandatory Rapid Diagnostic Test (RDT) test and PCR swab COVID-19 tests upon arrival. If the RDT screening is negative, the passenger is allowed to enter the country. If the RDT screening is positive, the passenger will be isolated at a hotel in Lungi while awaiting his/her PCR test result. Passengers with a positive PCR result will not be permitted to travel, and must follow public health protocols for isolation and contact tracing. They will be re-tested after seven days. Passengers who have entered Sierra Leone within five days will be exempted from mandatory additional test on departure.

The initial ban on international travel took effect on 16 March 2020. Lungi International airport re-opened in July 2020, but not without challenges. There were administrative problems in the first week of the airport's reopening. The key rules and protocols including requirements for inbound and outbound passengers to have proof of negative COVID-19 status were generally observed.

Monitoring exercises have not revealed evidence of violations of observance and enforcement of the rules and protocols for safe air travel.

Generally, interviewees said they feel comfortable that the airport's operation is COVID-19 responsive. However, passengers have expressed grave concern about the high cost of COVID-19 tests. Furthermore, while the requirements for all passengers to have proof of negative COVID-19 status are being observed, it is emerging that there have been instances where some outbound passengers have had to wait for up to 5-hours or more at the airport for their PCR test results. Long waiting hours at the airport for post-test negative COVID-19 status certificate has affected every passenger that takes his/her test outside Freetown.

## Internal Inter-District Travel Restrictions

Government's first announcement of restrictions of travel within Sierra Leone was a national lockdown that ran from 5 to 7 April 2020. Its main features were a ban on travel between districts, a night curfew from 9pm to 6am, a requirement to have a pass for conveying goods, and adjustment of working hours from 9am-4pm.

On 27 April 2020, President Julius Maada Bio addressed the nation, declaring a further 3-day nation-wide lockdown from 3-5 May 2020. During the lockdowns, government instituted a system that allowed only vehicles with electronic pass to ply the roads; with the exception of vehicles conveying essential market goods and produces. In an announcement on 23 July 2020, the President lifted the inter-district lockdown for an initial period of two weeks; while adjusting curfew from 11pm to 6am. Following the two weeks, the inter-district lockdown was removed altogether.

Consequently, the following regulations were made to apply to all inter-district travel. All vehicles, ferries, boats travelling out of a district are required to enter all the names of passengers in the vehicle manifest that shall include each individual's name, address in the originating district and address in the district the person is going to, as well as the person's telephone number. The manifest is to be completed in duplicate; and one copy will be deposited at the checkpoint at the departure point in a district and the second copy at the arrival checkpoint. Carrying passengers in a vehicle, ferry, or boat engaged in inter-district travel without the passengers' names on the manifest is an offence and will result in the driver being fined and the vehicle being detained.

The passenger manifest policy was largely ignored by commercial drivers and passengers. The checkpoints became a cash-exchange centre as commercial drivers bribed officials to allow passage, with or without passenger manifests.

The public generally complied with the periodic lockdowns between March and May and most people stayed in their areas. However, there were two disturbing patterns of attempts to disregard restrictions in the cities and by people of influence.

First, the number of people who flouted the lockdown rules was "somewhat high", according to a monitoring report released by the Centre for Accountability and Rule of Law. The second disturbing pattern of disregard for the travel restrictions was committed by public officials because of their privileged access to travel.

Compliance with the measures for safe internal travel was weak; in the majority opinion of the respondents in a survey across the country. An average of 83% of the respondents in the survey said compliance with the measures for safe internal travel was not working well. Among the issues confirmed was that the requirement that passenger vehicles travelling between districts should have passenger manifest was not well observed. Travel is an important part of household life in both urban and rural settings. Before COVID-19, about 56% of households reported having to travel regularly beyond their

city limits to work. Casual workers are the most mobile, with a total of 63% of them travelling regularly to carry out their economic activities. As a result of the pandemic, 86% of households reported having members who had to change their trips - either by cancelling or reducing them.

## Commercial driver restrictions

Commercial drivers include those who operate delivery vehicles for produce, wood or supplies and those drivers who operate busses, public taxis or small mini-vans used for public transportation. There were a number of restrictions placed on drivers, including the passenger manifests, regulation passes, sanitizers, facemasks, etc. As a result, many commercial drivers were not eligible to ply their normal routes, which disrupted the flow of goods, food and people between districts and especially into Freetown. As a result, there was increased fear of lack of food, particularly among female-headed households.

*Kadie Kamara used to import goods from Guinea. She would travel through Districts from Freetown to Guinea and purchase large quantities of food and produce. She said, "Once the travel restrictions were announced, I knew my business would suffer. It was very hard to get a driver with a government pass to bring anything over the border, through the districts and into Freetown." In one of her shipments, the vehicle was arrested and she was detained at the Ross Road Police Station. While detained, her imported market was stolen and much of the produce started to rot. She said, "My market got spoiled and I had to go out of business and relocate to Lungi to try to start over again."*

# Lockdowns

Fear of running out of food was reported by the majority of households in Freetown. In fact, more than half of the households (52%) surveyed by Sanusi Research reported worrying about not having enough food in the 30-days prior to the survey.

Rural households felt the negative effects of the restrictive measures taken in urban areas through loss of earnings spilling over to rural settings. In addition, the restriction of travel and movement has prevented some rural households from being able to sell their products in urban centres or in border areas, resulting in lower incomes for rural households.

Concerns about household access to food were felt more by female-headed households. In this category, further analysis highlights a greater vulnerability of households headed by non-working women (74%) than working women (47%).

In addition, households depending on unstable and precarious sources of income - such as day laborers, petty traders and those dependent on remittances or family support as well as those who are active in agriculture - also reported greater fears about access to food compared to other household categories.

Around 45% of households believed they do not have sufficient resources to cope with an extension of restrictive travel measures, according to a Think Africa survey. The daily life of households in Sierra Leone has been significantly affected by COVID-19 and the measures put in place to reduce its transmission.

In April 2020, immediately following the announcement of the lockdown, commercial taxi drivers and “keke” drivers were told to limit the passengers in their vehicles, as was ordered during the Ebola crisis. In taxis, drivers were limited to two passengers in the backseat vs the three passengers they were used to transporting. Essentially, that cut the taxi drivers income by 25%. “Keke” drivers were ordered to carry only two passengers in their vehicles essentially cutting their income by 33%.

*Hawanatu Sesay, a trader around the Eastern Police Station, was also importing provisions from Conakry, Guinea. She said she and the vehicle she was in were arrested for violating the inter-district travel restrictions. The vehicle she was in was stopped at the Masiaka Highway Police checkpoint. She said the driver didn't have a pass because he couldn't read and didn't understand the online application process. Sesay said during her detention much of her market was stolen. “I was trying to borrow money to buy goods through a micro-credit group. I've lost my investment and now I have to re-pay the financial agency.”*

## April 2020

**W**ithin three-days of the President announcing Sierra Leone's index case of COVID-19, the government declared a three-day national, stay-at-home lockdown from 5-7 April 2020. According to health officials, this first lockdown was “a necessary public health intervention a. To scale up surveillance, contact tracing, and testing for all known cases; b. for possible new cases, to detect, isolate, and quarantine those persons; c. to map out the possible spread of COVID-19 in Sierra Leone; d. to re-assess and strengthen COVID-19 pillars and institutions; e. to re-align agenda and goal-setting across government and with development partners; and, f. to deploy additional expertise and resources to fight COVID-19.”

Following the first three-day lockdown, the President held a press conference on 8 April 2020. He said a. 100% of primary contacts for the six known cases were identified, isolated, and are now being monitored; b. Nearly 78% of secondary contacts of the six cases were identified and are being monitored; c. 205 persons under quarantine were visited by security, psychosocial, and surveillance personnel; d. The Ministry of Information engaged all national television and radio stations and 61 community radio stations throughout the lockdown.

He added, there was; a. Increased the surge capacity of our response staff - case investigators, contact tracers, and quarantine officers. b. Expanded testing laboratories to five testing laboratories and the activation of a regional laboratory in Kenema c. Conducted case management and Infection Prevention and Control training for 174 healthcare professionals; d. Supplied food to all quarantine homes; e. NACSA also provided Le4 billion worth of food and other essential support to our most vulnerable populations including persons living with disabilities; f. Our security forces worked hard to enforce the lockdown. In addition to other duties they were deployed to quarantine sites, and also apprehended five transport boats and 36 crew. g. The Ministry of Water Resources worked with Guma Valley and SALWACO to supply water across Freetown and the Western area.

During the first lockdown, 5-7 April 2020, there were a number of instances of police brutality due to residents of Freetown needing to search for water in their communities. Some residents, particularly in the east of Freetown, ventured out from their homes in search of food and water. When authorities learned of the people on the street, they mobilized police and military patrols who demanded people return to their homes. The rights to water and to sanitation are part of the right to an adequate standard of living. The UN Committee on Economic, Social and Cultural Rights has reaffirmed that the rights to water and sanitation are an essential component of the right to an

adequate standard of living, and “integrally related, among other Covenant rights, to the right to health.”

Billions of people around the world do not have access to safe drinking water. Yet, as the WHO has noted the provision of safe water, sanitation, and hygienic conditions is essential to protecting human health during the COVID-19 outbreak.

## May 2020

Less than a month after the first national lockdown, on 30 April 2020, the President declared another three-day lockdown scheduled for Sunday, Monday, and Tuesday (3 May, 4 May, and 5 May 2020) to “carry out contact tracing of the infected persons and as a preventive measure to stop the spread of the disease”, according to NaCOVERC and the President.

The President said, “Epidemiological data and other evidence indicate that there is community transmission of COVID-19 in Sierra Leone. The Government has decided to intensify contact tracing and detection; scale up testing and isolation; expand treatment, and undertake all other measures necessary to break COVID-19 transmission in the country.” He added, “Other existing measures, including the curfew and restrictions on inter-district travel, shall remain in full force. Recognising the challenges citizens may face as a consequence of the three-day lockdown, Government will continue to cushion the effects associated with these enhanced measures.”

The NGO, AdvocAid, reported on human rights abuses during this second lockdown using their network of paralegals, social workers and staff.

AdvocAid’s report noted, “The repercussions of lockdowns and other containment measures were felt more severely by the country’s most marginalised populations, including women and children. Limited mobility interferes with access to health care, employment opportunities, and access to basic needs such as food and water.” Human rights abuses were committed during arrests and detentions of persons accused of violating curfews or the lockdown guidelines.

At least 183 people were detained across the regions of Kenema, Makeni and Freetown during this second lockdown. Of these, five were juveniles under 18-years (2.7%). 77% of women (24 out of 31 arrests) detained during the lockdown were arrested for COVID-19 related offences, compared to only 31% of men (47 out of 152 arrests). Of the total 183 individuals arrested, 152 (83.1%) were male and 31 (16.9%) were female.

In Freetown, at the Eastern police station, there was one female and 25 male suspects. The female suspect violated COVID-19 restrictions and the male suspects were arrested

on 5 May 2020, by the police for disobeying the curfew orders. All suspects were cautioned by the police and then released upon intervention by AdvocAid. “Two women, one with a 4-month-old child, were arrested for breaching the lockdown rules. They went to collect an ice block from a neighbour. They were held for over 3 hours at the Central Police Station in open detention.

At the Wellington Police Station, there was one female suspect who violated COVID-19 restrictions by breaking the curfew rules. There were four male suspects with cases unrelated to COVID-19 prevention measures. She was cautioned and then released. At the Harbour Police Station on Ross Road, there were two female and fourteen male suspects including three juvenile boys arrested for riotous conduct related to COVID-19 offences.

Twelve women at Lumley Police Station were arrested for disobeying the curfew rules. However, according to the testimonies of some of the women, they were unable to find vehicles to take them home by the start of the curfew time. Other women who were driving cars and were stuck in heavy traffic were unable to make it before the start of the curfew hour. After engaging with the police, the twelve women were cautioned by the police and then released.

The New England Police Station had three female suspects arrested for breaking the COVID-19 lockdown rules. They explained that there was no water in their community water points and so they went in search of water and were arrested. They were cautioned by the police and then released.

In line with human rights obligations the Government should set up effective and efficient systems to monitor the measures adopted and to take corrective measures and undertake investigation in cases of allegations of violations of human rights during the enforcement of emergency measures put in place to prevent and stop the outbreak of COVID-19.

# Restrictions on Association

**A**rticle 20 of the UN Declaration on Human Rights reads: 1. Everyone has the right to freedom of peaceful assembly and association. Article 11 protects your right to protest by holding meetings and demonstrations with other people.

1. Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests.

2. No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others. This article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces, of the police or of the administration of the state.

There are some situations where a public authority can restrict your rights to freedom of assembly and association. This is only the case where the authority can show that its action is lawful, necessary and proportionate in order to:

- protect national security or public safety
- prevent disorder or crime
- protect health or morals, or
- protect the rights and freedoms of other people.

Action is 'proportionate' when it is appropriate and no more than necessary to address the issue concerned.

## Limits on Public Gatherings

Article 21 of the International Covenant on Civil and Political Rights, states: The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others.

On 16 March 2020, two weeks before Sierra Leone's Index Case, a Press Release from the Office of the President placed a ban on all gatherings of more than 100 people. NaCOVERC made additional announcements, covering traditional practices, such as traditional engagements, funerals, weddings and worship services, etc. Crowds at funerals or weddings must be limited to not more than 35 people. All secret society

activities were banned until further notice.

In June 2020, government announced additional measures in respect of public gatherings and safe public spaces. An announcement by NaCOVERC on Wednesday 24 June 2020, limits the number of people at traditional engagements such as weddings and naming ceremonies at no more than 35 people; while social distancing and use of facemasks are mandatory.

All banks and supermarkets should ensure they comply with the applicable regulations. Local Councils should ensure that local markets have hand washing stations placed at strategic locations in the market; and hand washing by customers should be strictly enforced. Both sellers and buyers are required to have facemasks while interacting with each other.

All beaches remain closed for mass events (groups exceeding 10 people) until further notice.

All mass sporting activities remain banned until further notice. Mass congregation at sports/video centres remain banned until further notice.

While the ban on gatherings was largely respected in rural areas; according to survey findings, overall, the ban on all gatherings of more than 100 people is not well respected. In Freetown, peri-urban townships in Western Area (Rural), Bo, Kenema, and Kambia, the ban on gatherings of more than 100 people is flouted every day at the markets. In these places, people daily visit markets in their hundreds, if not thousands. The ban on gatherings of more than 100 people is most flouted in Freetown; where in addition to crowds at markets, bars, pubs, and other entertainment activities remained open along the beachfront.

In Freetown, bars and restaurants largely adhere to the rule to operate between the hours of 7am and 10pm; but physical distancing is totally ignored; and hand washing measures not stringently adhered to. At every bar that has been operating, customers and most staff do not properly have masks on at all times. Officially, the beaches remain closed for mass events; but along Lumley beach it is easy to see people clustered together for private "chilling" in groups exceeding 10 people.

During the period under the State of Emergency, large political gatherings were held by the President, First Lady and many political personalities. Some events were billed as town hall discussions or "sensitizations" and some events were to facilitate donations of masks or food supplies to communities.

*President Maada Bio and many other government officials held numerous events as he toured the country. When schools reopened, the First Lady was seen giving out sanitary pads to large crowds of school-going girls. The Inspector General of Police was married in Bo where hundreds of people gathered.*

The Police were given the mandate to enforce the COVID-19 preventative measures along with the Sierra Leone Armed Forces. The Sierra Leone Police (SLP), under the Police Act No. 7 of 1964, is the national police force of the Republic of Sierra Leone. The SLP is primarily responsible for law enforcement and crime investigations throughout Sierra Leone. The Sierra Leone Police is under the jurisdiction of the Ministry of Internal Affairs, a cabinet ministry in the Government of Sierra Leone. This Ministry is responsible for the internal safety and security of the State.

### Facemasks

On 18 April 2020, the Government, through NaCOVERC, announced wearing of facemasks was going to be mandatory in all public spaces. On 21 April 2020, the Government issued a directive that masks were to be “worn in all public spaces”, including markets, public transportation, private vehicles carrying one or more passengers, shops, public buildings, offices and on crowded streets.

The mandatory use of facemasks in all office buildings, public and private by both staff and visitors did not work well. The evidence shows from Freetown, Port Loko, Kenema, and Kambia, the vast majority of visitors to both public and private buildings do not wear facemasks. Equally, occupants in rooms in office buildings are commonly seen without a facemask, even when there are more than four people in the office. Most private business offices have workers without facemasks.

Despite large donations of facemasks and a high-profile public awareness campaign, most visitors to markets and market sellers do not use facemasks or do not wear them properly. Markets attract large numbers and are considered “super-spreaders” of the virus. On the streets of Freetown, some people were seen with facemasks but very few were wearing the masks correctly.

*Kadiatu Sesay walks around downtown Freetown carrying a tray of vegetables for sale. She said she was stopped by military and police officers who were observing traffic around the Cotton Tree. She said she wasn't wearing her facemask and had forgotten it at home that day. “I was told I should be wearing a facemask and I knew that. But, on that day I forgot.” She was arrested and taken to Central Police Station where her tray of vegetables vanished and she had to pay a Le250,000 fine. Sesay said she had to call an auntie to come with money, go to the bank and deposit the money. Her auntie eventually returned to the Police Station with the deposit slip and Sesay was released – without her market.*

The mandatory use of facemask dictate was not followed by the vast majority of people in Freetown and even fewer wore masks in the provinces. The vast majority of citizens have facemasks. Overall, 78% of survey respondents said they had facemasks. The vast majority of people or 94% bought their masks locally. In every community where the monitoring survey took place, an average of 77% of the respondents surveyed had facemasks. The Western Area recorded the highest percentage of people with facemasks, at 87%. Beyond owning facemask however, people are mostly ignoring the rule to wear them in public spaces. Overall, 89% of respondents in the monitoring survey say that the rule to wear masks in public spaces was “poorly” respected.

Ninety people were arrested in Bo for not wearing facemasks. They were charged to magistrate court by the Police. The Magistrate discharged everyone and said there was no applicable law under which to charge the accused.

In the International Covenant on Economic, Social and Cultural Rights, Article 11(1), states:

The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.

2. The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed.

### Restrictions on Civil Liberties and Civic Space

The civil liberties of freedom of expression and freedom of association and assembly are constitutionally protected in Sierra Leone. Section 26 protects the freedom of assembly and association. These rights are enforceable in a court of law.

These freedoms may however be limited by interests relating to defense, public security, public morality, and protection of the reputation, rights, and freedoms of other persons, amongst others.

During the State of Emergency, many civil society organizations (CSOs) and non-governmental organizations (NGOs) faced increased difficulties working in their operational areas. Travel restrictions impeded Freetown-based organizations from doing site visits and from holding evaluation meetings. The travel pass system established by NaCOVERC was cumbersome, time-consuming and inefficient. Many organizations were denied travel passes or simply did not apply for passes because of the inefficiencies of the system.

From the beginning of the pandemic, much like the Ebola epidemic, international funders reallocated and redirected funds to local organizations. The UN system renewed their funding calls to the pandemic and reallocated direction and money towards fighting COVID-19. DFID funding was channelled into COVID-19 programs as was funding from the European Union, World Bank and others. This greatly impacted local CSO work as projects were delayed or repurposed towards the pandemic. Local CSOs had to readjust their staff, projects and resources according to funding reallocations. Many CSO projects were delayed or cancelled, according to one CSO.

In January 2020, before the pandemic reached Sierra Leone, several international agencies recalled international staff. This also affected the work of some international NGOs and local partner groups.

Non-governmental organizations (NGOs) are subject to new NGO Policy Regulations and a Development Cooperation Framework, both of which impose a variety of restrictions and barriers on NGO operations and allow for extensive government intervention in operational matters.

These restrictions and interventions are justified on the basis that NGOs bring considerable resources into Sierra Leone, and that the government has an interest in coordinating the effective use of such resources in a manner that avoids duplication. The new NGO policy in Sierra Leone had and will have a significant impact on the civil society space.

States need to be respecting and protecting, among other rights, freedom of expression and of the press, freedom of information, freedom of association and of assembly. In many countries, in the context of COVID-19 and in Sierra Leone, this is not necessarily the case. For example:

- Measures to control the flow of information and crackdown on freedom of expression and press freedom against an existing background of shrinking civic space.
- Arrests, detention, prosecution or persecution of political opponents, journalists, doctors, and healthcare workers, activists and others for allegedly spreading “fake news”.
- Aggressive cyber-policing and increased online surveillance.

The crisis raises the question how best to counter harmful speech while protecting freedom of expression. Sweeping efforts to eliminate misinformation or disinformation can result in purposeful or unintentional censorship, which undermines trust. The most effective response is accurate, clear and evidence-based information from sources people trust.

Under international human rights law, governments have an obligation to protect the right to freedom of expression, including the right to seek, receive, and impart information of all kinds, regardless of frontiers. Permissible restrictions on freedom of expression for reasons of public health may not put in jeopardy the right itself.

The Committee on Economic, Social and Cultural Rights regards as a “core obligation” providing “education and access to information concerning the main health problems in the community, including methods of preventing and controlling them.”

# Restrictions on education

## Closure of Schools and Colleges

**F**rom the UN Declaration on Human Rights, in Article 26(1), it states: Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

Article 13 of the International Covenant on Economic, Social and Cultural Rights, states: 1. The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.

In the Sierra Leone Constitution, it states in Section 9(1), The Government shall direct its policy towards ensuring that there are equal rights and adequate educational opportunities for all citizens at all levels by – a. ensuring that every citizen is given the opportunity to be educated to the best of his ability, aptitude and inclination by providing educational facilities at all levels and aspects of education such as primary, secondary, vocational, technical, college and university; b. safeguarding the rights of vulnerable groups, such as children, women and the disabled in security educational facilities; and c. providing the necessary structures, finance and supportive facilities for education as and when practicable.

On 19 March 2020, the Government announced that all schools and colleges would close on 31 March 2020. All educational institutions were henceforth closed on 31 March 2020. The closure was re-iterated by the President at a press conference at State House following confirmation of the country's Index Case on 31 March 2020.

Education has been the most affected with the closure of educational establishments generating short- and medium-term effects. Unequal access and in some cases, no access at all, to online courses and radio broadcasts left children and students one semester short of services according to location and poverty levels. It's important to note, as during the Ebola epidemic, girls suffer in many ways, more than boys either through sexual violence or through teenage pregnancy.

*Fatmata (an underage girl - last name withheld), who was in SS3 at Freetown Senior Secondary School for Girls (FSSG) attended a private education camp where a teacher offered extra classes during the school closures. In July 2020, she was raped by the teacher and got pregnant. She dropped out of school and did not return to FSSG when schools were reopened.*

On 26 June 2020, the Teaching Service Commission announced measures to keep schools safe after re-opening, which the Ministry of Basic and Secondary School decided would be September 2020. Critical measures to prevent COVID-19 included requiring pupils to wear facemasks on the school premises, schools to have proper water, and sanitation hygiene (WASH) facilities, including toilets, Veronica buckets and soap; and schools to have a diary of health and safety incidents in and around the school. Schools remained closed, save for a brief re-opening in June and September to allow students to sit for their public exams. Schools fully re-opened later in September 2020. Across the country, the rules and protocols on safe schooling in the environment of COVID-19 were only haphazardly applied.

Research indicated very few schools enforced or observed all the rules on safe schooling in the environment of COVID-19. Across the country, the requirements for all students to always wear facemasks, the availability of WASH facilities, and the requirement that students and teachers always wash their hands were highly flouted.

Regarding WASH facilities, schools in the Western Area, and in the district headquarter towns fared reasonably well in terms of availability of Veronica buckets and soap, and toilets. Private schools mostly have Veronica buckets and soap, and the rule to wash hands was regularly enforced.

Outside Freetown, and in the rural areas outside the district headquarter towns, the majority of the schools have no WASH facilities. In the constituencies outside Port Loko, for instance, out of 15 schools monitored, only 3 had Veronica buckets and soap. In the constituencies outside Kailahun, only 5 of the 15 schools monitored had Veronica buckets and soap. In the constituencies outside Pujehun, only 4 of the of 15 schools monitored

had Veronica buckets and soap. In the constituencies outside Kambia town, only 6 of the 15 schools monitored had Veronica buckets and soap. Overall, the requirement that students and teachers always wash their hands is highly flouted.

Many countries have closed schools since the COVID-19 outbreak, disrupting the learning and education of hundreds of millions of students. Schools provide important spaces for children and their families to learn about hygiene, appropriate hand washing techniques, and coping with situations that will break routines. Without access to schools, this prime responsibility falls on parents, guardians, and caregivers.

The right to education is articulated in several international human rights documents, most prominently the Universal Declaration on Human Rights, Article 26, the Convention on the Rights of the Child (CRC) articles 28 and 29, and the Covenant on Economic, Social and Cultural Rights (CESCR) articles 13 and 14.

UNESCO recommended that states “adopt a variety of hi-tech, low-tech and no tech solutions to assure the continuity of learning.” In Sierra Leone, internet access, costs of internet connectivity, technical capacity and unfamiliarity impeded the call for teachers and tertiary education instructors to use online learning platforms.

These issues prevented a great many students from accessing lessons and instructors during the school closures. The lack of capacity of most instructors, availability of internet platforms, etc. resulted in a failed attempt to host online learning at all levels of education.

*In May 2020, Veronica (last name not revealed because of an ongoing court case) hired a private teacher for her 12-year old daughter, who had been out of school since the end of March 2020 when schools were closed under COVID-19 prevention measures. In July 2020, Veronica found out the teacher had raped the small girl. Veronica said, “I was shocked at this man’s behaviour. I didn’t want my daughter to be idle and sitting around without learning during the shut down. If it weren’t for the schools being closed, I would have never met and hired this teacher, who turned out to be so bad.” After Veronica found out about the rape, she made a report to the Police and the matter is before the courts while the accused remains in prison without bail.*

## COVID-19 and children

Children have inalienable rights outlined in the UN Convention on the Rights of the Child (UNCRC), and domesticated under the Child Rights Act.

In a Save the Children global survey from September 2020, they found:

**Right to information and to be heard:** Slightly less than half (46%) the children said they were listened to when talking to their family about COVID-19, only one-third (34%) said their opinion was asked, and only 2 in 3 (65%) were able to ask questions about COVID-19.  
**Freedom of association:** More than half (54%) the children reported not keeping in touch with friends.

**Right to play and leisure:** More than one-third (35%) of the parents and caregivers reported that their child does not have access to outside space to play. 2 in 5 (42%) children reported playing less than before the pandemic. Half (51%) the children reported doing more chores than before and just under half (48%) reported caring for siblings more than before COVID-19.

**Right to life, survival and development:** One-third of the children reported eating food less than before (35%). Only 1 in 5 (19%) parents and caregivers reported no barriers to accessing food/medicine, and food was too expensive for half (52%) the households. More than half (55%) the households reported they had no sanitiser/soap and 1 in 5 (20%) had no water.

**Well-being:** Almost three quarters (74%) of the children reported feeling more worried than before the pandemic, almost 2 in 3 (62%) children felt less happy and almost 1 in 2 (47%) felt less hopeful than before. More than half felt more bored (60%) and more sad (59%) than before the pandemic. Half (51%) the children surveyed reported being deprived of social interaction with their friends and peers- they reported not getting to speak to or meet their friends in person or virtually, during the outbreak of the COVID-19 virus.

**Right to adequate standard of living:** 2 in 3 (65%) households reported needing money or vouchers, while almost 1 in 5 (19%) needed financial advice/support and 38% needed job/employment support.

**Right to education:** A quarter (26%) of the parents and caregivers reported not having any learning materials for their children. Children of parents or caregivers with a disability (70%) were more likely to report a lack of learning materials, than children of caregivers or parents without any disability (48%).

**Right to protection from violence:** A fifth (21%) of parents and caregivers reported using negative or violent parenting with their children. A third (33%) of parents/caregivers with a disability reported that there was violence in the home.

**Right to non-discrimination:** Analysis between different minority groups found that households with refugee or internally displaced person (IDP) status reported greater risk of school dropout, violence and income loss.

There are three main channels through which children are affected by this crisis: infection with the virus itself; the immediate socioeconomic impacts of measures to stop transmission of the virus; and the potential longer-term effects of delayed implementation of development projects.

# Restrictions on justice

# A

rticle 10 of the International Covenant on Civil and Political Rights, states: 1. All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.

Articles 17 to 22 of the Sierra Leone Constitution outline citizens rights under the law and within the judicial system.

## Court and Judiciary Closures

A remand inmate of the Freetown Correctional Centre was diagnosed with COVID-19 on 26 April 2020. He had appeared before a Magistrate on 17 April 2020, and was sent to the Correctional Centre on 20 April 2020. The inmate said he had escaped from a quarantine centre along Guard Street in Freetown prior to his arrest and appearances in Court. He was Case 90 of COVID-19.

The Chief Justice, on 28 April 2020, announced a raft of COVID-19 preventative measures that included the cessation of all court activities in the Magistrates Courts nationwide for one month effective Tuesday 28 April 2020, to prevent movement of possibly infected persons from police stations to court and court to prisons.

The public notice from the judiciary also stated, "All other civil or criminal cases in magistrates courts are likewise postponed for a month effective 28 April 2020. The police are ready to give police bail as far as possible for new offenders and to hold serious offenders without bail where necessary."

The judiciary announced further measures to contain the spread of COVID-19:

1. The civil high court, which was scheduled to commence work from the 11 May 2020, is hereby postponed to Monday 10 June 2020.
2. The January 2020 criminal session comes to an end with immediate effect.
3. The special criminal sessions, which was scheduled to start on 8 May 2020, is hereby postponed to Thursday 28 May 2020.
4. The May 2020 criminal sessions commencing 18 May 2020 is also postponed to Monday 10 June 2020.

People in prisons, jails, and immigration detention centres frequently do not receive adequate health care under normal circumstances, even in economically developed countries.

Many people in Sierra Leone's jails have not been convicted of a crime but are locked up awaiting trial or simply because they cannot afford to pay the bail set in their case. Prison officials already have difficulty providing inmates appropriate medical care.

*Joseph Bangura's brother, Ibrahim, was arrested in February 2020 for allegedly breaking into a house, where he was a security guard. The Police charged the matter to court in early March 2020 and Ibrahim was remanded into custody at the Pademba Road Correctional Centre in Freetown. He made several court appearances but his case was adjourned. By the middle of April 2020, Ibrahim Bangura had been in detention, held without bail, for almost two months. Joseph Bangura, the accused's brother, said, "The court sessions were cancelled for Ibrahim and he stayed in prison. We wanted a court date to arrange bail. He served extra time because the courts were closed." Ibrahim Bangura was granted bail in July 2020, after spending five months in detention.*

## Protect people in custody

COVID-19, like other infectious diseases, poses a higher risk to populations that live in close proximity to each other. This risk is particularly acute in places of detention, such as prisons, jails, as well as residential institutions for people with disabilities and nursing facilities for older people, where the virus can spread rapidly, especially if access to health care is already poor.

States have an obligation to ensure medical care for those in their custody at least equivalent to that available to the general population, and must not deny detainees equal access to preventive, curative or palliative health care.

In nursing facilities and other settings with large numbers of older people, visitor policies should balance the protection of older and at-risk residents with their need for family and connection.

The diminished functioning or closure of courts and related criminal justice services

had a direct negative impact on the provision of timely, open and fair hearings, and contributed to case backlogs and further delays in adjudicating charges. The court closures and reduced court operations also resulted in the prolonged detention of pre-trial detainees or of prisoners eligible for early release, for example if bail or parole hearings were postponed. Persons detained while emergency measures are in place to contain the virus may not be brought before a judge in a timely manner.

### Prison riot

The Sierra Leone Correctional Service (SLCS) came into being following the passing into law of the Sierra Leone Correctional Service Act 2014, which repealed the Ordinance of 1960 and put into extinction the Sierra Leone Prisons Service. Previous prison service had a punitive focus in its approach to dealing with inmates. The current structure was designed to institutionalize the process of Reformation, Rehabilitation and Reintegration of inmates, although the Act of 2014 only made provision “to establish the Sierra Leone Correctional Service, to introduce provisions for the organization and management of correctional centres and for other related matters.”

The COVID-19 pandemic laid bare the inherent challenges associated with maintaining public health behind bars, where social distancing is severely curtailed. It also exposed the additional risks posed not only to detainees and their custodians but to surrounding communities—their families, case workers, and criminal justice service providers in and outside the courtroom or jail cell.

Inmates at the Correctional Centre on Pademba Road in Freetown set fire to walls. Security guards shot live ammunition in response. According to information received by Amnesty International, a prison officer was hit by a stray bullet, resulting in his death. Freetown’s prison was originally built for a capacity of less than 300 prisoners but today it houses more than 1,500 inmates.

Amnesty International reported, “Even in times of emergency, law enforcement officials may only use force that is necessary and proportionate to achieve a legitimate objective, and must minimize harm and damage. International standards on the use of force require that intentional lethal force is only used where it is strictly unavoidable to protect another life from an imminent threat.”

Marta Colomer, Amnesty International West and Central Africa Deputy Director, said, “The riot shows that prisoners are becoming increasingly desperate at the government’s inaction to protect their right to health. There must be a prompt, thorough, impartial and effective investigation into the reasons that led to the riot and the heavy-handed response from prison guards who used live ammunition. The use of force even resulted in the death of at least one prison officer who was reportedly hit by a stray bullet.

The United Nations Standard Minimum Rules for the Treatment of Prisoner, dubbed the “Nelson Mandela Rules”, states in rule one of its basic principles that: “... no prisoner shall be subjected to, and all prisoners shall be protected from, torture and other cruel, inhuman or degrading treatment or punishment, for which no circumstances whatsoever may be invoked as a justification ...”.

### Quarantine and Isolation Centres

International human rights law, notably the International Covenant on Civil and Political Rights (ICCPR), requires that restrictions on rights for reasons of public health or national emergency be lawful, necessary, and proportionate. Restrictions such as mandatory quarantine or isolation of symptomatic people must, at a minimum, be carried out in accordance with the law. They must be strictly necessary to achieve a legitimate objective, based on scientific evidence, proportionate to achieve that objective, neither arbitrary nor discriminatory in application, of limited duration, respectful of human dignity, and subject to review.

Broad quarantines and lockdowns of indeterminate length rarely meet these criteria and are often imposed precipitously, without ensuring the protection of those under quarantine – especially at-risk populations. Because such quarantines and lockdowns are difficult to impose and enforce uniformly, they are often arbitrary or discriminatory in application.

Public health and legal experts indicate, “Voluntary self-isolation measures [combined with education, widespread screening, and universal access to treatment] are more likely to induce cooperation and protect public trust than coercive measures and are more likely to prevent attempts to avoid contact with the healthcare system.”

*In Makeni, 24 people were detained and moved to treatment centres from two adjacent compounds when a 90-year old man died. The mostly women and children ranged in age from 3-months to 80-years. The old man was not tested for COVID-19 and only one of the persons moved to the treatment centre tested positive. The 24 people spent 17-days in a holding facility.*

# Restrictions on religion

## Ban on Congregational Worship

**A**rticle 18 of the UN Declaration on Human Rights states: Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 18 of the International Covenant on Civil and Political Rights, notes: 1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

On 20 March 2020, before the State of Emergency was enacted, the Ministry of Social Welfare closed all places of worship until further notice.

Just prior to the announcement of the COVID-19 index case, the Inter-Religious Council and the Council of Churches in Sierra Leone (CCSL) announced their support for the government's directives to prevent COVID-19.

The directives included:

- No worship services in all churches and mosques till further notice
- No weddings and funerals in religious places of worship
- Safe and dignified funeral services must be limited to 25 people and should be held at funeral homes or a mortuary.
- Avoid handshakes. Greet others by placing your right hand on your chest.
- Avoid crowded places.
- Wash our hands regularly (as often as possible) for not less than 20 (twenty) seconds.
- All religious places to use Veronica buckets and soap at all entrances.
- Use sanitizers at all times
- Cover up our mouth and nostrils when sneezing and coughing

On 13 July 2020, the President announced that places of worship would re-open. On 26 July 2020, Government lifted further aspects of the ban on church and mosque services, including holding funeral services.

The worship centres should also be cleaned and disinfected in between services. Every worshipper must either use soap to wash his/her hands or apply sanitizers before being allowed to enter the church or mosque. Veronica buckets, soap and water or hand

sanitizers should be provided at the entrance of every church or mosque. Mosques authorities are to ensure that footwear are well kept within the premises of the mosques. The temperature of every worshipper must be taken before admission into the church or mosque.

Anybody with a high temperature (37.5C/99.5F) should not be allowed into the church or mosque; but advised to go and seek medical attention. Everyone in the place of worship must properly wear a facemask during worship. Masks should not be removed or lowered when speaking or singing.

There must be the use of sanitizers in Mosques/Churches as appropriate. All places of worship must not exceed 50% of the original capacity. Churches and mosques should map out the seating arrangements in the place of worship to ensure this. For Mosques in public market locations with huge turnout of worshippers, congregational prayers should be done in batches holding at most 50% of the capacity of the mosques to ensure effective adherence to social distancing.

There should be a gap of 30 minutes between one Church service and another where there are multiple services to avoid crowding. Handshaking and hugging are to be avoided before, during and after the worship. Social distancing should be maintained during counselling. Communion will be served row after row, and in individual cups or by intinction. Strict physical distancing of at least six feet must always be maintained by choristers. Offering bags/plates will be taken from row to row to avoid movement of people. Standing or individual microphones should be used at all times to avoid cross infection. Social distancing should be observed in the sitting arrangement with 2 metres gap between worshippers. A seating arrangement should be marked and guided by the Church or Mosque. A church service must not exceed one and a half hours. In the case of the Muslims each daily prayer time should not exceed fifteen minutes while the Juma prayer must not exceed thirty minutes.

Since congregational worship resumed at churches and mosques, compliance with the mandated COVID-19 measures has been "poorly" observed; according to a large majority of respondents surveyed. An average of 79% of the respondents surveyed across the country say the measures on safe congregational worship in churches and mosques is "poorly" observed. Our monitors who visited churches and mosques as participant observers observed that the majority of churches and mosques have the essential COVID-19 WASH facility; and many people endeavour to use it. However, our monitors note, that hardly any church or mosque is taking the temperature of worshippers before admission into the church or mosque, as required by NaCOVERC. Our monitors note that churches and mosques are not being cleaned and disinfected in between services, as required. In the rural areas, most churches and mosques do not have the essential COVID-19 WASH facility.

# Restrictions on social and economic services

## Public Spaces, Bars and Restaurants, Markets

**A**rticle 27(1) of the UNDHR states: Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits. In the International Covenant on Economic, Social and Cultural Rights, Article 3, it states: The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.

And, Article 6(1) of the International Covenant on Economic, Social and Cultural Rights, states: The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right. In an announcement by NaCOVERC on Wednesday 24 June 2020, more restrictive measures were announced related mostly to the operations of bars, restaurants, banks, shops, supermarkets; and public and private offices. All bars and restaurants are required to operate between the hours of 7am and 10pm and apply social distancing and hand washing measures. Customers were not allowed to sit at the bar in such establishments. All staff in bars and restaurants must have masks on properly at all times while attending to customers. Social distancing in bars and restaurants will require a distance of at least 3 feet (1 metre) between individuals while sitting or standing and 6 feet (2 metres) between tables.

Compliance with the measures for safe public spaces was generally poor across the country. The vast majority of people were not adhering to the rules regarding hand washing, wearing masks and keeping social distance in such public spaces as markets, public and private offices, bars, and restaurants.

An average of 97% of the respondents in a survey by ThinkAfrica said the vast majority of people were not adhering to the rules on safe public spaces.

Freetown recorded the lowest percentage of people who said the rules regarding safe public spaces were been respected at 63% of the respondents.

At bars and restaurants, the required distance of at least 3 feet (1 metre) between individuals, while sitting or standing is not adhered to. Similarly, the required distance of 6 feet (2 metres) between tables is not adhered to.

Supermarkets in Freetown generally enforced the rules on hand washing and wearing facemasks. Apart from supermarkets, the measures on safe public spaces are generally

being ignored. Supermarkets were also targets of police enforcement, which often involved questionable charges and under-the-table payments.

The COVID-19 outbreak has negatively impacted the financial sector and business activities. According to the COVID-19 Quick Action Economic Response Programme (QAERP) of the government, the Government expected to lose Le583 billion, representing 9% of projected domestic revenues in 2020. Under Scenario 2, the Government is expected to lose Le965 billion or 15% of projected domestic revenues for 2020. In Scenario 3, the extreme case, when the outbreak is widespread, the revenue loss will increase further.

## Businesses restricted

Article 23 of the UN Declaration on Human Rights notes:

- (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
- (2) Everyone, without any discrimination, has the right to equal pay for equal work.
- (3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
- (4) Everyone has the right to form and to join trade unions for the protection of his interests.

And, Article 25 of the UNDHR states: (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

Article 1(1) of the International Covenant on Civil and Political Rights, states: All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Section 8(2-3) of the Sierra Leone Constitution states: (2) In furtherance of the Social Order— a. every citizen shall have equality of rights, obligations, and opportunities before the law, and the State shall ensure that every citizen has an equal right and access to all opportunities and benefits based on merit; (3) The State shall direct its policy towards ensuring that— a. every citizen, without discrimination on any

grounds whatsoever, shall have the opportunity for securing adequate means of livelihood as well as adequate opportunities to secure suitable employment; b. conditions of service and work are fair, just and humane and that there are adequate facilities for leisure and for social, religious and cultural life; c. the health, safety and welfare of all persons in employment are safeguarded and not endangered or abused, and in particular that special provisions be made for working women with children, having due regard to the resources of the State;

According to a report by Sanusi Research conducted for The Infinity Crew Project, "The cost and impact of COVID-19 in Sierra Leone", conducted among 1,102 adults in Sierra Leone from 1-15 September 2020, a large majority of Sierra Leoneans report they have lost income due to the Coronavirus outbreak and nearly four-in-ten report they have lost their jobs to the global pandemic.

Eight in 10 Sierra Leoneans say they have lost income to the Coronavirus outbreak. People in Kailahun, Karene, Bombali, Falaba, Koinadugu, and Western Urban are more likely to report loss of income. Forty-two percent of Sierra Leoneans described themselves as extremely affected by the crisis caused by the Coronavirus outbreak.

When asked if they have lost income to the global pandemic, 84% among men and 82% among women answered "Yes". People 60+ (86%) are the most likely group to answer "Yes" compared to those aged 45-59 (84%), 30-44 (84%) and 18-29 (83%). Among the districts, almost everyone in Kailahun (99%) has lost income because of the disease, followed by Karene (98%), Bombali (93%), Falaba (93%), Koinadugu (92%), Western Urban (91%), Western Rural (86%), Kambia (85%), Bo (82%), Kenema (80%), Port Loko (74%), Tonkolili (74%), Kono (74%), Moyamba (71%), Bonthe (67%) and Pujehun (47%). Moreover, men and people above sixty years old are the most likely groups to describe themselves as extremely affected.

Seven in 10 Sierra Leoneans say they have not received assistance from government, organizations or individuals to help them deal with the impact of the Coronavirus outbreak. As we heard in the interviews, basic necessities such as food and medicine have not been supplied to communities across the country amidst the COVID-19 pandemic.

Coronavirus impact on the formal economy has not been severe as the informal economy. It seems that jobs lost so far to the Coronavirus outbreak have been concentrated in the private sector, especially travelling, hotels, restaurants, entertainment and mining sectors. The public sector, the biggest employer in the formal economy, has not experienced the kind of job losses that take place in the hospitality and mining industries. Nearly four in 10 Sierra Leoneans report they have lost their jobs to the

*Isatu Kamara manages a beachfront restaurant along the Lumley Beach Road in Freetown. She said, "Nothing could be worse for this business than the closures and COVID-19 prevention regulations. We lost business. People couldn't come to eat and drink. We will probably have to close. We can't pay staff and I've gone without salary for months." There are countless beach bars, restaurants and hotels along the Beach Road and they all suffered financial losses under the COVID-19 prevention measures. Restaurants sat empty. Hotels laid off staff. Associated businesses, street sellers, drinks suppliers, food retailers were all affected by the regulations.*

Coronavirus outbreak. The impact on income is more severe for those who depend on unstable and insecure sources of income, including small traders, street vendors and casual workers. People who depend on remittances are also strongly affected.

According to an ECOWAS statement, there has been a huge disruption to sources of income in the informal sector and for women. Daily income-generating activities, particularly in the informal sector, have been severely disrupted in most ECOWAS countries. In more than 90% of cases, households reported that the restriction measures have had a negative impact on household incomes. For 44% of them, the impact has been significant or even severe.

Female-headed households appear to be more affected. In fact, 42% of households in ECOWAS countries reported having lost their jobs following the introduction of restrictive measures, compared to 37% in male-headed households.

Informal work (casual workers, daily workers, trade, own business) and producers of fresh agricultural products (market gardening) are the most affected by the loss of employment and reduction in salary following the restrictive measures put in place by the Governments. In addition, about a quarter of households have developed a number of strategies to cope with this situation, including recourse to a secondary source of income.

Widespread job and income loss and economic insecurity are likely to increase rates of child labour, sexual exploitation, teenage pregnancy, and child marriage. Stresses on families, particularly those living under quarantines, lockdowns and other restrictions on freedom of movement, may increase the incidence of violence in the home.

Growth of the trade and tourism industries in Sierra Leone was projected at 5.0% in 2020 and over the medium term. As travel restrictions take effect and major global airlines stop flights, there has been a vast reduction in tourist numbers and even a complete halt as several countries have introduced severe 'lock downs'.

Sierra Leone's tourism industry is lackluster at best and accounts for very little in the overall GDP. A further collapse in tourism will negatively affect occupancy rates, turnover and income of hotels, restaurants, tour operators, small businesses and other sectors that are linked to the hospitality sector. The consequence would include redundancies of staff and reduced demand in other sectors.

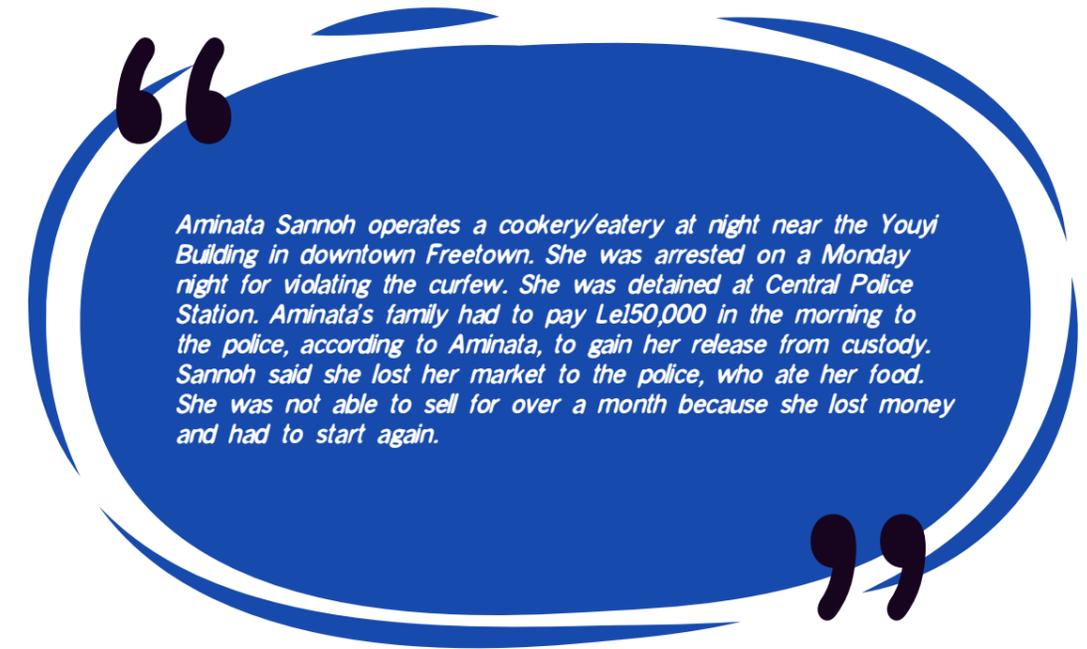
It will also reduce the volume of foreign exchange earned in the sector, and that could have a negative effect on currency and tax revenue from the sector, according to a Government fiscal plan. The timing of the outbreak could not be worse for the tourism sector in Sierra Leone, with flows usually peaking close to the Easter, Independence and Christmas periods.

Thus, the initial projection of 5.0% growth for trade and tourism in 2020 is now revised downwards to 2.5% and 2.0% over the medium-term.

### Curfews

Since the institution of the State of Emergency, the government ordered a nightly curfew, which changed slightly over the course of the year. The curfew began with restrictions from 9pm to 5am.

One of the measures instituted very early on by the Government of Sierra Leone was a nightly curfew on 14 April 2020, to restrict peoples' movement after dark. Harold Thomas, the Communications lead for the National COVID-19 Emergency Response Centre (NaCOVERC) said they instituted a curfew between 9pm and 6am. The time of the curfew eventually was adjusted to 10pm to 5am. It was again adjusted on 17 February 2021 to 11pm to 5am. In Freetown, market opening hours were limited to between 7am and 7pm. Banks could only open between 9am and 3pm and civil servants could work between 9 and 4pm. Public transport vehicles were allowed to operate at limited times of the day. The curfew was later extended to midnight and finally lifted on 24 March 2021. The curfews negatively impacted a large sector of local businesses who rely on late and early commerce including market women, delivery personnel, commercial sex workers, street traders and newspaper printers/vendors. Their incomes and freedom to movement suffered under the curfew.



### Tombo fishing riots

On Wednesday 6 May 2020, following a nationwide three-day lockdown, hundreds of angry fishermen and youths from the fishing town of Tombo set fire to the Family Support Unit (FSU) of the Sierra Leone Police (SLP) and community hospital. The main police station was vandalized and sporadic gunfire erupted after a gang of youths attacked security personnel and government property.

Sources indicate the riot started after the authorities instructed that only 15 boats out of over 400 were permitted to go fishing because of the COVID19 restrictions. The restriction was supposedly introduced to curb the spread of the coronavirus disease (COVID-19) pandemic, limiting the number of vessels permitted to go out to sea to 15, with hundreds waiting to set sail. This measure, which had previously not been announced to the public, angered the fishermen, who proceeded to attack a police station, health centre, and the house of the local community chief.

Amnesty International, on 8 May 2020, noted, the violence in Tombo, a usually quiet fishing village, was as a result of a pronouncement of the Emergency Operation Centre personnel who told the fishermen that their number of fishing boats will be regulated to observe social distancing. The fishermen defied the pronouncement and attacked the police station and hospital including destruction of lives and other properties.

# Recommendations:

**M**any countries have adopted, within their available resources, fiscal, financial and economic measures to mitigate the negative impact of COVID-19 on their populations. Examples include:

- Provision of emergency water supplies to slum areas and communities;
- Preserving jobs and wages through targeted economic measures, in some cases close to providing universal income, and support to employers and businesses;
- Providing or extending paid sick leave to workers;
- Ensuring workers have adequate resources and infrastructure to work remotely;
- Providing educational facilities to students and ensuring online capacity of institutions;
- Securing emergency shelter for the homeless.
- Expanding domestic violence responses for victims of abuse.

But not all States have the resources to provide sufficient protection to everyone.

## Recommendations to the Government of Sierra Leone

### Respect for human rights during the public health emergency

While applying the public health prevention and containment measures, the government of Sierra Leone should ensure that any restriction of rights are in proportion to preventing and containing the spread of the virus. Such rights as the right to privacy, physical security, liberty, freedoms of movement, assembly and religion as well as the socio-economic rights to work and education could be seriously affected due to the travel restrictions, physical distancing, medical testing, lockdowns and quarantine measures. These restrictions should be temporary and should expire upon the achievement of the objectives of prevention and containment of the spread of the virus. The restrictions on rights should not have a disproportionate impact on vulnerable groups including petty traders, people with disabilities, small businesses, the homeless, or women and children.

### Ensure humanitarian aid continues

The government of Sierra Leone should ensure that support for vital humanitarian operations carried out by local and international non-governmental organizations and other aid agencies does not suffer as a result of COVID-19 preventive measures. The Government should not exploit the coronavirus pandemic to criminalize or obstruct the work of civil society organizations.

### Target economic relief to low-wage workers and the informal sector

The government of Sierra Leone should develop policies to buffer the economic impacts of COVID-19, which will affect lower-wage workers and the informal sector first and hardest. Government's financial support to the hospitality sector is commendable, and we recommend that other sectors be targeted in the future. Social distancing, quarantine, and the closure of businesses may have enormous economic consequences. Governments should create mechanisms so that women affected by COVID-19 do not suffer loss of income.

Where there is evidence of economic loss, the Government should consider a method of compensation to those severely affected such as market traders, importers, etc.

### Respect freedom of expression and the right to information

Governments should fully respect the rights to freedom of expression and access to credible, accurate and trusted information.

The government of Sierra Leone should ensure that the information they provide through response centres, MDAs, etc. to the public regarding COVID-19 is accurate, timely, and consistent with human rights principles. The government should adequately address false and misleading information in a timely fashion.

All information about COVID-19 should be accessible and available in multiple languages, including for those with low or no literacy. This could include qualified sign language interpretation for televised announcements; websites that are accessible to people with vision, hearing, learning, and other disabilities; and telephone-based services. Communications should utilize plain language to maximize understanding. Age appropriate information should be provided to children.

Health data is particularly sensitive and privacy rights should be respected at all times. The publication of information online can pose a significant risk. Rights-based legal safeguards should govern the appropriate use and handling of personal health data. Reliable and cost effective access to the internet should be maintained and the government of Sierra Leone should take steps to ensure internet access be available to people with low incomes from across the country.

### Restrictions on the right to movement

The government of Sierra Leone should avoid sweeping and overly broad restrictions on movement and personal liberty. Any mandatory restrictions should only be employed when scientifically warranted and necessary. There should be mechanisms for support for

those affected including economic support, psycho-social resources and infrastructural facilities.

When quarantines or lockdowns are imposed, the government should ensure access to food, water, health care, and care-giving support.

The government of Sierra Leone should provide adequate infrastructure or policy support during any mandatory lockdowns or stay-at-home orders.

Government strategies should minimize disruption in services to the elderly and people with disabilities.

### **Ensuring the healthcare sector**

The government of Sierra Leone should ensure health care is available to all, accessible without discrimination, affordable, respectful of medical ethics, culturally appropriate, and of good quality, at all times but especially during a health crisis.

The Government should ensure that health workers have access to appropriate protective equipment and that social protection programs are in place for the families of workers who die or become ill as a result of their work, and ensure such programs include informal workers.

### **Respecting the right to education**

The government of Sierra Leone should ensure children are not overly negatively impacted by a State of Emergency or health crisis.

Online learning should be used to mitigate the closures of schools at higher and tertiary institutions. The government should ensure equal and reliable access to online learning platforms and ensure the capacity of teachers and lecturers.

The Government should require schools to attempt to recover or make up for missed in-person class time, missed curriculum, etc. once schools reopen.

Governments should adopt measures to mitigate the disproportionate effects on children who already experience barriers to education, or who are marginalized for various reasons – including girls, those with disabilities, children in rural areas and other inequalities.

The Government should focus on adopting strategies that support all students through closures – for example, monitoring students most at risk and ensuring students receive

printed or online materials.

Education officials should focus attention on incidents of child labour or child marriage and ensure all children return to school.

School closures may also leave low-income families struggling to make ends meet and provide necessities. Governments should guarantee continued meal provision during school closures for children in low-income families who will miss subsidized meals.

## **Recommendations for the Judiciary**

### **Recommendations on detention**

Persons in any form of detention have the same right to health as the non-incarcerated population and are entitled to the same standards of prevention and treatment.

Government agencies with authority over inmates in prisons, jails, and detention centres should consider reducing their populations through appropriate supervised or early release of low-risk category of detainees including for example, those whose scheduled release may be soon, those who are in pre-trial detention for non-violent and lesser offenses, or whose continued detention is similarly unnecessary or not justified. Detained individuals at high risk of suffering serious effects from the virus, such as older people and people with underlying health conditions, should also be considered for similar release.

Correctional Services should publicly disclose their plans of action to reduce the risk of coronavirus infection in their facilities and the steps they will take to contain the infection and protect prisoners, prison staff, and visitors.

Correctional Services should provide appropriate hygiene training and supplies and ensure all areas are disinfected regularly. They should develop plans for housing people exposed to or infected with the virus. Detention centres should consider alternative strategies such as video conferencing for individuals to be able to connect with family or legal counsel.

The judiciary should resort to non-custodial sanctions and release of selected categories of prisoners as necessary. Reducing numbers in pre-trial detention, those detained for minor or political offences, near the end of their sentences, or detained unlawfully should be expedited. Those who cannot be released must have adequate health care.

## Recommendations for the Police

Lockdown orders and curfew restrictions should not be enforced through arrests; instead, police should give oral or written warnings whenever possible, and the police role should focus on public education.

While citations and fines may at times be appropriate, the government should be cognizant of the hardship posed by fines during a period of economic crisis, and should consider suspending payment requirements during the crisis.

The government and Police management should make every effort to protect police from becoming infected with the coronavirus. This involves police education, supplies and increased support.

Police measures requiring close proximity or physical contact between police personnel and members of the public should be suspended, except in cases where the failure to stop, search, or arrest a person creates an imminent danger to society.

The Police should ensure a consistent, appropriate and safe response across all departments of personnel in the response to restrictions.

## Recommendations to civil society

CSO's must be strategic about the actions that they take based on their resources, capacity, relationships, and function. If an organization chooses to act, they should do so in a way that will make a positive contribution that complements or intensifies the work of others, including the actions taken by public officials.

An organization should create a crisis management team tasked with monitoring the crisis, protecting staff, adjust operations, and engage in response and recovery efforts.

