



**Programme Assessment/Review/Mid-Term Eval.**

Evaluation Completed

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Evaluation Report - Attached

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## **FINAL PROGRAMME REPORT**

### **EXECUTIVE SUMMARY**

The purpose of the programme was to build the capacity of the Human Rights Commission of Sierra Leone (HRCSL) in three critical areas particularly relevant in the context of Sierra Leone: Business and Human Rights, the protection of women and girls from SGBV and the protection and promotion of the rights of people with disabilities. The strengthening of the HRCSL's capacity in these areas aimed to build upon support previously provided by the peacekeeping mission UNIPSIL, and was important to sustain current efforts for peace building and development in Sierra Leone.

During the project, the HRCSL therefore engaged in training and capacity building of staff and relevant government ministries, companies and CSOs on business practices and human rights with respect to land issues. It also engaged in training, awareness and advocacy on women's rights particularly with respect to SGBV. In partnership with the National Commission of Persons with Disability (NCPD), it also engaged in training, capacity building and awareness raising and advocacy for disabled persons organizations. While there were some challenges with the programme implementation, including the absence of an OHCHR-presence in country for several months, the programme was ultimately successful in achieving most of its targets.

Through the development of a baseline study and a National Action Plan on Business and Human Rights, as well as the first annual report on business and human rights, the HRCSL is now in a position to mainstream human rights standards on business and human rights in the country. The monitoring of human rights standards with respect to specific businesses throughout the country, including with the Special Rapporteur on Toxic Waste, and engagements with these businesses on BHR standards, has improved their conduct and compliance with human rights standards, thereby reducing tensions and conflict in host communities

With respect to SGBV, the staff and Commissioners of the HRCSL, as well as CSOs and communities have now gained knowledge on the implementation of the gender justice laws, and are in a better position to mainstream SGBV in all aspects of their work. The monitoring of the status of implementation of the gender justice laws in several districts has led to the identification of areas where improvements need to be made, and discussions on the effectiveness of the Saturday courts on SGBV which were held with national judicial actors have led to recommendations for improvements in the effectiveness of these courts. The interventions of the HRC-AL also led to the expedited of 21 cases before the Family Support Units. As a result of community engagements, communities have also been committed to a reduction of incidents of SGBV through strategies such as non-interference with prosecutions, continued sensitization and development of by-laws.

With respect to PWDs, NCPD and DPOs were trained on the CRPD and the Disability Act, and the development of a MoU with the NCPD and a manual on complaints handling, allowed the the HRCSL, the NCPD and other DPOs to developed their capacities to mainstream issues relating to disability. As a result, the NCPD was able to handle 45 complaints with the assistance of the HRC-SL. A roundtable on participation of PWDs in elections, as well as links to a UNDP project on supporting inclusion of PWDs in the electoral process contribute to preventing conflict and promoting cohesion in the lead-up to the elections.

Through the programme, and other technical assistance to the HRC-SL including in another joint UNDP-OHCHR PBF-funded project on conflict prevention and mitigation in the electoral period, as well as co-chairing the monthly Human Rights Working Group meetings, OHCHR and the RCO were able to ensure that support to the HRC-SL was coordinated. The HRA was also able to ensure that human rights issues were mainstreamed throughout the work of the UNCT.

The challenge will now be to build upon the success of the programme to ensure that the HRCSL can continue to maintain its capacity in these areas, particularly in view of a lack of government and donor funding, as well as a lack of funding for a HRA position in Sierra Leone.

## **I. Purpose**

The purpose of the programme was to build the capacity of the Human Rights Commission of Sierra Leone in three critical areas particularly relevant in the context of Sierra Leone: Business and Human Rights, the protection of women and girls from SGBV and the protection and promotion of the rights of people with disabilities. The strengthening of the HRCSL's capacity in these areas aimed to build upon support previously provided by the peacekeeping mission UNIPSIL, and is important to sustain current efforts for peace building and development in Sierra Leone. The project also overlapped with another PBF-funded OHCHR-UNDP project on conflict prevention and mitigation in the electoral period, and relevant synergies identified.

The first outcome of the project was that the HRCSL was well positioned to mainstream and monitor international HR standards in areas where lack of compliance with respect to land issues, women and persons with disabilities undermines efforts to sustain peacebuilding consolidation. The second main outcome was that human rights approach approaches of the UN and donor community in SL was aligned to international standards to support more effectively HRCSL operations.

## **II. Assessment of Programme Results**

### **i) Narrative reporting on results:**

- **Outcomes:**

#### Outcome 1

The HRCSL has now been trained on and conducted training itself for other national stakeholders, including national authorities, CSOs, communities, business and other relevant stakeholders on the three main focus areas - Business and Human Rights, SGBV and the Rights of Persons with Disabilities. Through the development of a baseline study and a National Action Plan on Business and Human Rights, as well as the first annual report on business and human rights, the HRCSL is now in a position to mainstream human rights standards on business and human rights in the country. The monitoring of human rights standards with respect to specific businesses throughout the country, including with the UN Special Rapporteur on Toxic Waste and engagements with these businesses on BHR standards, has improved their conduct and compliance with human rights standards, thereby reducing tensions and conflict in host communities

With respect to SGBV, the staff and Commissioners of the HRCSL, as well as CSOs and communities have now gained knowledge on the implementation of the gender justice laws, and are in a better position to mainstream SGBV in all aspects of their work. The monitoring of the status of implementation of the gender justice laws in several districts has led to the identification of areas where improvements need to be made, and discussions on the effectiveness of the Saturday courts on SGBV which were held with national judicial actors have led to recommendations for improvements in the effectiveness of these courts. The interventions of the HRCSL also led to the expedited of 21 cases before the Family Support Units. As a result of community engagements, communities have also been committed to a reduction of incidents of SGBV through strategies such as non-interference with prosecutions, continued sensitization and development of by-laws.

With respect to PWDs, as a result of four regional trainings for NCPD and DPOs on the CRPD and the Disability Act, the development of a MoU with the NCPD and a manual on complaints handling, the

HRCSL, the NCPD and other DPOs have developed their capacities to mainstream issues relating to disability. As a result, the NCPD was able to handle 45 complaints with the assistance of the HRC-SL. A roundtable on participation of PWDs in elections, as well as links to a UNDP project on supporting inclusion of PWDs in the electoral process contribute to preventing conflict and promoting cohesion in the lead-up to the elections.

### Outcome 2

The UNCT has contributed towards the achievement of this outcome by engagement with the strategic workplan of the HRCSL, with the aim of building the capacity of the HRCSL in certain key areas. As a result of the support provided by the HRA to the UNCT on human rights issues, as well as to the HRCSL in the context of this project, in addition to coordination between UNDP and OHCHR in providing support to the HRCSL in the context of the conflict prevention and mitigation in the electoral period project, as well as the Human Rights Working Group, co-chaired by the HRA and the HRCSL, there has been alignment of processes from donors and the UNCT in providing support to the HRSCL in accordance with international human rights standards

- **Outputs:**

**Output 1.1. BHR** - As a result of quarterly monitoring of the human rights situation in business operations building on a baseline survey, 4 regional trainings for community members including CSOs on BHR, a consultative national conference to develop a National Action Plan on BHR, and the publication of the first annual report on business and human rights, relevant stakeholders have been enabled to identify key changes in current business practices.

**Output 1.2 SGBV** - Mechanisms, such as a monitoring checklist used to conduct 4 quarterly monitoring exercises on the status of implementation of the Sexual Offences Act, and a matrix for collation of cases fast-tracked by HRCSL, now in place to monitor women's awareness of rights. Engagements with communities and justice actors also undertaken to improve effectiveness of prosecution of SGBV. 21 cases were expedited at the FSU as a result.

**Output 1.3 PWD** - As a result of four regional trainings for NCPD and DPOs on the CRPD and the Disability Act, the development of a MoU with the NCPD and a manual on complaints handling, the NCPD's capacities were developed to become more responsive to needs of PWDs. The NCPD, with the assistance of the HRC-SL, handled 45 cases.

- **Qualitative assessment:**

The project fulfilled a critical funding gap for the HRC, which after prior funding from various other donors, lacked support, particularly in the key areas that are the focus of the project. The project therefore allowed for the consolidation of the HRC's development as a key institution for peacebuilding in the country, particularly in these critical areas. This was particularly important in the lead-up to the elections in the country in March 2018. After the close of the project, several areas of the project could be linked to the ongoing PBF project on conflict prevention and mitigation in the electoral process as well as on ensuring inclusion in the elections.

There was a strong collaboration and partnership between the national implementing partner (the HRCSL) and the HRAs. However, the HRA left Sierra Leone in June 2017 to take up another position with OHCHR, and the new HRA only took up functions in late October 2017. This resulted in a lack of oversight of the project activities for several months while activities were being implemented by the HRCSL.

The challenge will now be to build upon the success of the programme to ensure that the HRCSL can continue to maintain its capacity in these areas, particularly in view of a lack of government and donor funding, as well as a lack of funding for a HRA position in Sierra Leone.

**ii) Indicator Based Performance Assessment:**

	<b><u>Achieved</u> Indicator Targets</b>	<b>Reasons for Variance with Planned Target (if any)</b>	<b>Source of Verification</b>
<b>Outcome 1 - HRCSL well positioned to mainstream and monitor international HR standards in areas where lack of compliance with respect to land issues, women and persons with disabilities undermines efforts to sustain peacebuilding consolidation</b>			
<p><b>Output 1.1:</b> Relevant government ministries, business companies and CSOs enabled to identified key changes that need to be addressed in current business practices to achieve more compliance with human rights standards in the area of land access.</p> <p><b>Indicator 1.1.1</b> - No. of mining companies and land owning institutions with evidence of considering international HR standards in their business policies for land access with monitoring of the process by the HRCSL</p> <p><b>Baseline:</b> 0 companies operating in compliance with international HR standards</p> <p><b>Planned Target:</b> Key decision makers of 5 mining and/or land owning institutions using HRCSL training as a opportunity to review the compliance of their current business practices with HR principles</p>	<p>HRC monitored 3 mining, 1 construction, 2 manufacturing and 3 Agro-based companies in 4 regions in the country. HRCSL noted partial compliance with certain provisions of HR and business</p>	<p>None</p>	<p>HRC monitoring of business practices of 8 companies</p> <p>HRC baseline survey</p>
<p><b>Indicator 1.1.2</b> - No. of mining and land owning institutions using HRcsL training as an opportunity to review the compliance of their current business with HR principles</p> <p><b>Baseline: 0</b></p> <p><b>Planned Target:</b> 5 major mining and/of land-owning companies represented and actively involved in the training</p>	<p>HRC trained 3 mining companies and 1 land owning agricultural company; 200 CSOs .</p> <p>5 MDAs &amp; 1 SLP &amp; 1 UN Special Rapporteur on Toxic Waste identified areas for review to achieve more compliance</p>	<p>None</p>	<p>HRC training reports</p> <p>HRC monitoring reports</p>

	National Steering Committee set up for development of a National Action Plan		
<p><b>Output 1.2</b> -Mechanisms in place to monitor women’s awareness of their rights with respect to SGBV and the gender sensitivity of law enforcement agencies</p> <p><b>Indicator 1.2.1</b> -# of SGBV cases successfully "fast-tracked" by law enforcement agencies (in % of total submitted) with judiciary assistance provided by HRCSL</p> <p><b>Baseline:</b> 0 out of 4 regional HQs <b>Planned Target:</b> 2 out of 4</p>	21 cases expedited at FSU - Western Area (6), Makeni (5) Bo (5) and Kenema (5)	None	HRC reports
	<p>18 representatives of the Family Support Unit (FSU) of the Sierra Leone Police in 4 regions engaged on the need to expedite prosecution of SGBV cases</p> <p>7 representatives from the Judiciary and 5 from the Legal Aid Board, engaged on the Effectiveness of Saturday Courts and prosecution of SGBV cases in the four regions</p>	None	HRC reports

<p><b>Output 1.3</b> -NCPD capacities strengthened to become more responsive to PWD urgent needs for equal rights (disaggregated into: job opportunities, legal assistance/advocacy for handling complaints etc.)</p> <p><b>Indicator 1.2.1</b> -# of complaints successfully handled by NCPD (in % out of the total submitted) with legal support provided by HRCSL</p> <p><b>Baseline:</b> 0  <b>Planned Target:</b> positive trend of successfully treated complaints in year 2 since project start</p>	<p>A total of 45 cases were reported and admitted (30 were negotiated/mediated, 5 are pending investigation, 8 have been successfully completed, 10 were referred and 5 were withdrawn by complainants).</p> <p>The cases related to land issues, political discrimination, exclusion and discrimination on the basis of disability, denial of right to education, criminal cases (rape) and health issues</p>	None	NCPD reports
<p><b>Indicator 1.2.2</b> - # of meetings between HRCSL and the newly established NCPD and concrete decisions made on how to handle complaints and Treaty Body Reporting</p> <p><b>Baseline:</b> 0  <b>Planned Target:</b> at least once per quarter</p>	<p>4 regional trainings held on the CRPD, the Disability Act 2011 and Complaints Handling with NCPD regional officers and DPOs.</p> <p>MoU developed and signed on complaints handling and joints thematic reporting</p> <p>10 meetings held with representatives of NCPD and DPOs and Complaints Manual Developed</p>	None	HRC reports
<p><b>Outcome 2 – HR approaches in SL of the UN and donor community in SL aligned to international standards to support more effectively HRCSL operations</b></p>			

<p><b>Output 2.1 The UN and donor community supportive to alignment as proposed by RCO</b></p> <p><b>Indicator 1.2.1</b> -# of UN agencies and donors committed to support HRCSL with additional funding and/or project specific support</p> <p><b>Baseline:</b> 0  <b>Planned Target:</b> majority of UN agencies and donors supportive to HRCSL</p>	<p>UNDP and donors have consistently supported the HRCSL over the period of its existence to date. OHCHR has provided support to the HRCSL in capacity building. UNDP/OHCHR supporting the HRCSL through the PBF conflict mitigation and prevention during the electoral cycle project, and UNDP through Rule of Law programme.</p>	<p>None</p>	<p>UNDP/OHCHR Conflict Prevention and Mitigation in the Electoral Period project – support to HRC-SL.</p> <p>UNDP Rule of Law programme</p>
<p><b>Indicator 1.2.2</b> - # of UN agencies and donors committed to align HR projects at their level within the scope of the new HR guidelines</p> <p><b>Baseline:</b> 0  <b>Planned Target:</b> # of UN agencies and donors with policies implementing the new UN guidelines</p>	<p>UNCT and donors are provided information by the RCO on human rights guidelines, including through Human Rights Working Group meetings co-chaired by HRA and HRCSL, and use this in planning their work on human rights including to HRCSL.</p>	<p>None</p>	<p>UNCT meetings/retreat</p>

<p><b>Output 2.2 – The RCO has the capacity to coordinate HR alignment processes for the strengthening of the HRCSL</b></p> <p><b>Indicator 2.1</b> -# of UN agencies and donors acknowledge ‘RCO’s lead role’ in alignment processes</p> <p><b>Baseline:</b> 0</p> <p><b>Planned Target:</b> majority of UN agencies and donors engaged in HR projects acknowledge RCO lead</p>	<p>RCO through HRA and UNDP Governance Unit coordinates assistance to HRCSL for UNCT and donors, including through Human Rights Working Group co-chaired by HRA and HRC-SL</p>	<p>None</p>	<p>UNCT meetings/retreat</p> <p>HRWG meetings</p>
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### **iii) Evaluation, Best Practices and Lessons Learned**

An independent audit of the project by an audit firm in Sierra Leone is now ongoing and should be completed by the end of March.

Lessons learned from the project include the need for sustained public education on and monitoring of BHR, SGBV and the rights of PWDs. In terms of business and human rights, there is a need to conduct regular monitoring exercise on companies' operations in the country and to provide more business and human rights education to companies, government MDAs and host communities. With regards to SGBV, more sensitization is required for hard to reach communities on Gender Justice Laws in order to increase prosecution as well as convictions on SGBV. With respect to PWDs, the lesson learned is that there should be continued collaboration between HRCSL and NCPD, especially in complaints handling and treaty body reporting and that the HRCSL, NCPDs and DPOs should engage in sustained advocacy for the full implementation of the Persons with Disability Act, 2011 and adequate and timely funding to the NCPD. For all three components, another lesson learned was on the importance of rolling out activities in the provinces as well as in capital.

The HRA left Sierra Leone in June 2017 to take up another position, and the new HRA only took up functions in late October 2017. This resulted in a lack of oversight of the project activities by a HRA for several months while activities were being implemented by the HRC. This demonstrates the importance of having continued HRA presence in the country to ensure effective implementation and quality control. This will again become a problem as funding for the HRA position ends in March 2018.

Due to lack to sustained funding to the HRCSL after the end of this project, the considerable efforts made by the HRC-SL to increase awareness of these issues may not be sustained. Greater synergies should also be built between this project and other ongoing peacebuilding projects, including the conflict prevention project and the UNDP project supporting the National Electoral Commission.