

Mandates of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; and the Special Rapporteur on the situation of human rights defenders

REFERENCE: UA
SLE 1/2014:

24 September 2014

Excellency,

We have the honour to address you in our capacity as Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association; Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; and Special Rapporteur on the situation of human rights defenders pursuant to Human Rights Council resolutions 25/2, 24/5, 24/6, and 25/18.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning allegations of **threats against Ms. Mary Conteh**.

Ms. Mary Conteh is the national coordinator of the Women's Centre for Good Governance and Human Rights (WOCEGAR), a non-governmental organization that promotes women's rights, women's empowerment, good governance and the rights of gay, lesbian, bisexual and transgender people. Ms. Conteh was the subject of a previous communication sent to your Excellency's Government by the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; and the Special Rapporteur on the situation of human rights defenders, dated 23 September 2011, see A/HRC/19/44, case no. SLE 1/2011. We regret that no response has been received to that communication.

According to the information received:

In early August 2014, Ms. Conteh and her colleagues received information suggesting that members of the Sierra Leonean parliament had each received a grant from the government estimated at US\$20,000 for the purpose of fighting the outbreak of Ebola in their respective constituencies.

Reportedly, during a radio interview on 4 August 2014, Ms. Conteh criticized the fact that civil society groups, including her own, were allegedly being side-lined in the fight against Ebola.

It is reported that on 6 August 2014, the Resident Minister in the North, Mr Ali Kamara, declared that since the country was going through a period of emergency, he would not hesitate to order the arrest of journalists and human rights defenders who criticized government actions, or to close their organizations. According to sources, his statement was made during a stakeholder meeting and was in response to Ms. Conteh's comments two days before.

On 24 August 2014, Ms. Conteh reportedly visited the office of a representative of the constituency in which WOCEGAR is located. She allegedly questioned the Member of Parliament regarding reports suggesting that the grant assigned to the constituency to combat Ebola had not been used for that purpose. According to sources, the Member of Parliament argued that the fund was placed on a personal account and that the representative was not accountable to any member of local human rights groups. Allegedly, the Member of Parliament insulted Ms. Conteh and threatened that he could make her disappear.

Reportedly, on 26 August 2014, Ms. Conteh recorded a statement with the police concerning the threats made against her. Two days later, she allegedly received a call from a masked number during which the caller threatened to spread false information that she had contracted Ebola if she continued her human rights work.

While we acknowledge the extremely challenging situation faced by Sierra Leone in the context of the Ebola outbreak, grave concern is expressed at the threats made against Ms. Mary Conteh and that this might be linked to her peaceful work advocating for human rights in Sierra Leone, in particular regarding allegations of corruption by Government officials in their response to the outbreak which could have a serious impact on the right to health of the population affected. Further concerns are expressed regarding her physical and mental integrity.

While we do not wish to prejudge the accuracy of these allegations, we would like to draw the attention of your Excellency's Government to the relevant international norms and standards that are applicable to the issues brought forth by the situation described above.

We would like to refer to the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, also known as the UN Declaration on Human Rights Defenders, in particular articles 1, 2, 5, 6 and 12.

Furthermore, the reported threats made against Ms. Mary Conteh seem to indicate a prima facie violation of the rights to freedom of association with others as set forth in article 22 of the International Covenant on Civil and Political Rights (I CCPR) accessed by Sierra Leone on 3 August 1996.

In addition, we would like to refer your Excellency's Government to General Comment 14 of the Committee on Economic, Social and Cultural Rights, which states that States parties have the obligation to take steps, individually and through international assistance and cooperation, especially economic and technical, towards the full realization of the rights recognized in the Covenant, such as the right to health. (GC 14, Para.38)

The full texts of the human rights instruments and standards recalled above are available on www.ohchr.org or can be provided upon request.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency's Government to safeguard the rights of Ms. Mary Conteh in compliance with international instruments.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and any comment you may have on the above-mentioned allegations of threats against Ms. Mary Conteh.
2. Please provide the details, and where available the results, of any investigation, and judicial or other inquiries carried out in relation to this case. If no inquiries have taken place, or if they have been inconclusive, please explain why.
3. Please provide the full details of any prosecutions which have been undertaken. Have penal, disciplinary or administrative sanctions been imposed on the alleged perpetrators?
4. Please indicate what measures have been taken to ensure that the legitimate right to seek and obtain information and to freedom of expression and opinion are respected and that the physical and psychological integrity of those exercising these rights is guaranteed.

5. Please kindly indicate what measures have been taken to ensure that human rights defenders in Sierra Leone are able to carry out their legitimate work in a safe and enabling environment without fear of threats or acts of intimidation and harassment of any sort.

6. Please kindly inform about the measures taken to address alleged cases of corruption or mismanagement of resources by public officials linked to the response to the ebola outbreak, which could seriously infringe upon the right to health of the population.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person responsible of the alleged violations.

Your Excellency's Government's response will be made available in a report to be presented to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of our highest consideration.

David Kaye
Special Rapporteur on the promotion and protection of the right to
freedom of opinion and expression

Maina Kiai
Special Rapporteur on the rights to freedom of peaceful assembly and
of association

Dainius Puras
Special Rapporteur on the right of everyone to the enjoyment of the
highest attainable standard of physical and mental health

Michel Forst
Special Rapporteur on the situation of human rights defenders