

## SIERRA LEONE

### Special Decisions or Action Taken Re: Reporting, Including Urgent Action Procedure

#### CERD A/8418 (1971)

##### Annex III

Text of communication sent to ... Sierra Leone ... adopted by the Committee at its third session, on 23 April 1971

The Committee on the Elimination of Racial Discrimination invites the attention of the Government of [Sierra Leone] to article 9, paragraph 1 (a), of the International Convention on the Elimination of All Forms of Racial Discrimination. Under that article, States Parties undertake, *inter alia*, to submit a report on the legislative, judicial, administrative or other measures which they have adopted and which give effect to the provisions of the Convention "within one year after the entry into force of the Convention for the State concerned".

The Committee notes with regret that, despite its communication of 18 September 1970, transmitted to the Government of [Sierra Leone] by the Secretary-General in his note SO 237/2 (2) of 5 October 1970, the report of [Sierra Leone] under article 9, paragraph 1, of the Convention, which was due on 5 January 1970, has not yet been received.

In its earlier communication of 28 January 1970 (CERD/C/R.12, contained in document A/8027, annex III A), and transmitted to all States Parties by the Secretary-General in a note verbale dated 27 February 1970, the Committee stated:

"The Committee attaches great importance to these reports. It is unanimously of the view that, being a principal source of information, these reports provide the Committee with an essential element for discharging one of its most important responsibilities, namely, reporting to the General Assembly of the United Nations under article 9, paragraph 2, of the Convention."

The Committee therefore decided at its third session to address this communication to the Government of [Sierra Leone], through the Secretary-General, and to request it to submit its report by 30 June 1971. The Committee wishes to refer once again to the provisions of rule 66 of its provisional rules of procedure adopted at its second session, which states:

"1. At each session, the Secretary-General shall notify the Committee of all cases of non-receipt of reports or additional information, as the case may be, provided for under article 9 of the Convention. The Committee, in such cases, may transmit to the State Party concerned, through the Secretary-General, a reminder concerning the submission of the report or additional information.

"2. If even after the reminder, referred to in paragraph 1 of this Rule, the State Party does not submit the report or additional information required under article 9 of the Convention, the Committee shall include a reference to this effect in its annual report to the General Assembly."

The Committee expresses the hope that the report will be prepared on the lines suggested by the Committee in its earlier communication of 28 January 1970 (A/8027, annex III A), a copy of which is enclosed herewith.

## CERD A/9618 (1974)

### Annex IV

Texts of communications sent through the Secretary-General to States Parties whose representatives did not participate in the consideration by the Committee of their respective reports, submitted in accordance with article 9, paragraph 1, of the convention, at the ninth and tenth sessions of the Committee

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#### B. Communication to the Government of Sierra Leone b/

At its 204<sup>th</sup> meeting (tenth session), held on 14 August 1974, the Committee on the Elimination of Racial Discrimination resumed its consideration of the second periodic report of Sierra Leone which it had suspended at its eighth session at the request of the Government of the Republic of Sierra Leone, without the benefit of the participation of a representative of the Government of Sierra Leone. At the same time, it considered the supplementary report, submitted on 29 April 1974, which contained some additional information as well as some observations on the statements made during the Committee's preliminary consideration of the second periodic report at the eighth session.

The Committee unanimously decided that the two reports under consideration did not fulfil the requirements of article 9, paragraph 1, of the International Convention on the Elimination of All Forms of Racial Discrimination; did not contain all the information required under article 9, paragraph 1, of the Convention, as emphasized also in the Committee's general recommendation I; did not contain the additional information envisaged in the Committee's general recommendations III and IV; and did not contain the texts of the relevant Constitutional provisions to which they made reference, particularly Sections 1-12 and 14 of the Constitution.

The Committee has therefore unanimously decided to request the Government of Sierra Leone to submit a report satisfying the requirements of article 9, paragraph 1, of the Convention as soon as possible, but not later than the opening date of the eleventh session of the Committee, and to urge it to ensure that the guidelines laid down by the Committee and the relevant general recommendations adopted by it are taken into account in the preparation of that report. Copies of documents CERD/C/R.60 and Add.1, which contain the relevant texts under reference, are attached hereto.

The Committee earnestly hopes that it will be possible for a representative of the Government of the Republic of Sierra Leone to participate in the Committee's forthcoming consideration of the requested new report during the eleventh session, which will be held at United Nations Headquarters from 31 March 1975 to 18 April 1975. The exact date on which the Committee will consider that report will be communicated to the Government of Sierra Leone immediately after the opening of that session.

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b/ Adopted at the 215<sup>th</sup> meeting, on 22 August 1974.

In the course of its consideration of the second periodic report and the supplementary report submitted by the Government of Sierra Leone, the Committee discussed at some length a question which it had already considered at its eighth session and with respect to which the Government of Sierra Leone made some observations in its supplementary report, namely, whether or not the provisions of section 13 (4) (g) of the Constitution Act, No. 6 of 1971, are compatible with the provisions of article 1, paragraph 3, of the International Convention on the Elimination of All Forms of Racial Discrimination. The views expressed during that discussion may be found in the summary records of the 204th meeting (document CERD/C/SR.204), a copy of which will be forwarded as soon as it is available in final form, and will also be reflected in the fifth annual report of the Committee, which will be submitted to the General Assembly at its twenty-ninth session.