Human rights based approach to business for sustainable development in Sierra Leone

Thursday 27 September 2018, 13.00-15.00, Helmsley Building, 230 Park Avenue; lunch will be served

**Background:** Sierra Leone is a West African democratic state headed by President Julius Maada Bio, who assumed office on 7 April 2018 following presidential, parliamentary and local government elections. The new government administration has inherited a difficult economic situation with macroeconomic and fiscal imbalances. Since the end of the 11-year civil war in 2002, Sierra Leone has been peaceful, but also faced with serious challenges such as the Ebola epidemic in 2014-2015, natural disasters in the form of flooding and the 2017 mudslide in the capital. These challenges have hindered economic growth together with the global drop in the iron ore prices and consequently, Sierra Leone remains a low-income country. In the last twenty years, Sierra Leone’s plethora of investment opportunities have been largely untapped. Bureaucratic red-tape, poor infrastructure, regulatory barriers, uneven fiscal and tax regimes, perverse incentives, subsidies and local content rules have adversely affected investments—in agriculture, forestry, fishing, mining, energy, infrastructure, construction and other areas—as well as the economic rights of all Sierra Leoneans.

The current government is determined to drive implementation of the 2030 Agenda for Sustainable Development—prioritising SDG 16 to ‘promote peaceful and inclusive societies for sustainable development, provide access to justice for all, and build effective, accountable and inclusive institutions at all levels.’ It also recognizes the importance of the full achievement of the UN Guiding Principles on Business and Human Rights (2011), which will ensure a human rights-based approach (HRBA) to business development and economic growth.

The Government of Sierra Leone is aware that legal frameworks and policy commitments are vital to promote foreign direct investment and the economic rights of its citizens, especially marginalized, poor and vulnerable groups. While the interests of business are not necessarily opposed to public interest, their respective interests and relationships can undermine investor confidence and create public mistrust. The Government is committed to adhere to its obligations under international law and to promote the rule of law at all levels—including the incorporation of human rights considerations in commercial activities and regulatory processes—in order to protect local communities. The Government of Sierra Leone is also committed to strengthening national institutions at all levels in order to build capacity to promote economic growth that benefits all.

**Rationale:** To help Sierra Leone to move from low income status, the Government of Sierra Leone would like to bring together stakeholders with expertise and experience in the areas of business, law, human rights, and corporate social responsibility in order to identify ways to leverage a rights-based approach to business. How can we use the targets of Sustainable Development Goal 16 as a guide to ensure that Sierra Leone achieves a sustainable business environment that protects the rights of businesses and investors, and promotes the public interest? How can we promote foreign direct investment while ending exploitation of children in business, promoting the rule of law and access to justice for all, reducing or eliminating illicit financial flows, corruption and bribery, and developing effective, accountable, transparent institutions at all levels? In a nation poised for dynamic growth, how can we harness that growth in a way that promotes stability, peace and development for all?

**Purpose and objectives:** A discussion on ‘Rights Based Approach in Doing Business for Development’ will review existing business development frameworks in Sierra Leone and consider experiences from elsewhere to inform and guide the Government of Sierra Leone in its ambition to:
1. Formulate and/or reviewing laws and policies which safeguard the economic rights of the people of Sierra Leone, investors, and the business community;
2. Create an enabling legal and regulatory environment in which the basic human rights of local communities and the poor in society are protected from potential negative consequences of development activities in sectors including mining, agriculture, fishing, forestry and tourism;
3. Reduce bribery and corruption; including addressing regulatory processes that encourage corruption;
4. Undertake a comparative analysis of systems that have employed the model of a rights-based approach to business for development.
5. Ascertaining whether and how accountable and transparent institutions—especially justice sector institutions—promote sustainable business development.

6. **Agenda:** The panel discussion will be led by five eminent persons and a moderator drawn from the business community, academia, the legal profession, civil society, human rights protection system, and the Government of Sierra Leone who are well versed in the implementation of the SDGs, Foreign Direct Investment and doing business in Sierra Leone.

13.30 Call to order and Welcome: Dr. Priscilla Schwartz, the Attorney-General and Minister of Justice, Sierra Leone.
13.35: Introduction of the Panel.
13.40: Presentation of Panelists; panelist interventions.
14.15: Discussion: Questions, answers, comments from the floor.
14.50: Closing: Dr. Priscilla Schwartz, Attorney-General and Minster of Justice, Sierra Leone.

**Speakers:**
Moderator: Ms Martina M. Kroma, Solicitor-General of Sierra Leone.
Panelist 1: Dr Afadameh Ashimizo, Chairperson African International Economic Law Network.
Panelist 2: Dr Iwa Salami, Senior Lecturer in Commercial Law and Finance, University of East London, UK.
Panelist 3: Abdul Tejan Cole Esq., Africa Director, Waxman.
Panelist 4: Dr Michael Imran Kanu, Deputy Permanent Representative, Legal Affairs, Sierra Leone Mission to the United Nations.
Closing speaker: Dr. Priscilla Schwartz, Attorney-General and Minster of Justice, Sierra Leone.

**Social media:** Please use the hashtag #Envision2030 to join the conversation!