



# UNHCR

United Nations High Commissioner for Refugees  
Haut Commissariat des Nations Unies pour les réfugiés

## **BYE-LAWS FOR LIBERIAN REFUGEES IN SIERRA LEONE CAMPS.**

### **Preamble:**

- ❖ Being aware that the United Nations and Organisation of African Unity Refugee Conventions provide that: “Every refugee has duties to the country in which he finds himself, which require in particular that he conforms with its laws and regulations as well as with measures taken for the maintenance of public order. He shall also abstain from any subversive activities against any Member State of the OAU.”
- ❖ Being aware that the internationally recognised rights of all refugees must be upheld by all member states of the United Nations and its conventions.
- ❖ Being aware of the need to provide a formal channel for regular communications on matters of mutual concern which may arise and affect the relationship between the Host Community and Refugees residing within the community;
- ❖ Being committed to promoting a better understanding between the Host Community and Refugees, residing within the Community, with a view to strengthening co-existence;
- ❖ Being aware that the Host Community is desirous of according protection to refugees within the community who are in search of safety and to assist the said refugees to reside peacefully and with dignity;
- ❖ WE, the refugees, hereby pledge our commitment to the provisions of this document

### Definition

"The Laws of Sierra Leone" shall mean the Constitution, Customary laws and all the laws recognised by Section 170 of the 1991 Constitution of Sierra Leone.

"Bye-laws " shall mean the provisions hereinafter contain within this document

"Grievance Committee" shall mean the authorised body that shall sit on complaints and/or breaches of the provisions of these bye-laws.

“Council of elders” shall mean the authorised body that shall sit on appeals from refugees who are dissatisfied with the decision of the Grievance Committee. The Council of Elders includes a representative of each ethnicity resident in the camp.

**1. Establishment of a Grievance Committee**

- (1) The Chairman and Chairlady of the Grievance Committee shall be appointed by the members of the Refugee Executive Committee.
- (2) The composition of the Grievance Committee shall reflect the religious and ethnic composition of the camp population and shall include the aforementioned Chairman and Chairlady and two other appointed refugees (1 male and 1 female) both of whom shall be persons of good repute within the refugee community.
- (3) The Grievance Committee shall deliberate on matters concerning breach of these bye-laws, and have the responsibility to determine the cost of the fines and determine, in collaboration with the camp management agency, the type of community work assigned to violators of these bye-laws.

**2. APPEAL**

- (1) A disputant may appeal the verdict of the Grievance Committee before the Council of Elders.
- (2) A simple majority vote by a quorum of Elders will overturn or uphold Grievance Committee decisions.
- (3) The Grievance committee shall be bound by the decision of the council of elders.
- (4) A disputant may request UNHCR (Protection Unit) intervention as a final appeal.

**3. BYE-LAWS**

Every refugee must obey the laws of Sierra Leone, which include, the Sierra Leone Constitution, Sierra Leone Customary laws and all the laws recognised by Section 170 of the 1991 Constitution of Sierra Leone. The following bye laws are binding on all refugees residing within the camps, including minors, minors being understood as any person below the age of eighteen years. The bye-laws are intended as a guide for the adjudication of disputes and minor criminal violations in camps.

**(1) Stealing**

- (i) Any refugee accused of, suspected of, and/or caught petty-stealing and who after investigation by the Grievance committee is found guilty of petty-stealing shall be liable to punishment by a maximum fine of Le 3,000 or perform work of benefit to the community. In addition, the perpetrator will

replace the stolen property or provide financial or in-kind compensation not to exceed the value of the stolen items.

(ii) Any refugee accused of, suspected of, and/or caught stealing goods or property, the value of which shall exceed the cost of a bag of rice of 50 kilogrammes, shall be handed over to the Police for further investigation.

(iii) Any refugee accused of, suspected of, and/or caught involved in any form of armed robbery shall be handed over to the Police for further investigation.

(iv) Any refugee who appears before the Grievance committee for a third time for the same offence of petty-stealing, shall be handed over to the Police.

**(2) Fighting**

(i) Any refugee involved in fighting shall be liable to punishment by a maximum fine of Le 2,500 or perform community work, which will be of benefit to the community.

(ii) A refugee who, after investigation by the Grievance Committee, is found to be responsible for any wounding or damage to property, shall be handed over to the Police.

**(3) Domestic Violence:** Domestic violence, including child abuse, is a criminal offence in Sierra Leone. All victims of domestic violence have the right, under Sierra Leonean law, to request official intervention. All cases of domestic violence must be reported to UNHCR and, with the consent of the victim, referred to the Family Support Unit of the Police (FSU). UNHCR, in close collaboration with the child protection agency, will determine all necessary steps to be taken in cases involving children. In addition, the Committee may, in collaboration with UNHCR and the Implementing partner for Gender-based violence (GBV), impose mandatory counselling on offenders..

**(4) Insult:** Any refugee involved in such an act shall be liable to punishment by a fine of Le 2,000 or perform community work, which will be of benefit to the community.

**(5) Incitement :** Any refugee involved in such an act shall be handed over to the Police.

**(6) Riotous conduct:** Any refugee involved in such an act shall be subjected to the laws of Sierra Leone.

**(7) Divorce :** Refugees must be legally married before there could be divorce.

(i) In cases of customary marriage, the Grievance Committee shall mitigate with a view to resolving the reason for divorce of a customary marriage, and keep UNHCR and the GBV implementing partner informed of the outcome of the negotiations.

(ii) Where the Grievance Committee cannot resolve the dispute, it may accede to the wishes of one or both parties for a separation. UNHCR must be informed of all such decisions in order to monitor the equitable division of joint property and the care of children.

(iii) The Grievance Committee shall not have the authority to decide on Christian, Muslim and/or Civil Marriage divorce, as such decisions involve the Court.

**(8) Rape:** (i) Rape is a State crime. Any refugee who is accused or commits rape must be handed over to the Police and shall be subjected to the laws of Sierra Leone.

(ii) Any refugee who is accused of incitement of rape must also be handed over to the Police.

(iii) UNHCR must immediately be informed in any of the above-mentioned cases.

Sexual abuse : Any refugee aware of sexual abuse of minors must refer the matter to the SLP, UNHCR and/or the Child Protection Agency at camp level.

**(9) Witchcraft :** Any allegation of witchcraft should immediately be reported to UNHCR.

**(10) Tribalism, Nepotism and Favouritism:** Any refugee involved in promoting any of these acts shall be liable to punishment by a maximum fine of Le 5,000 or perform community work that will be of benefit to the community. UNHCR shall be informed of all such cases.

**(11) Religious argument:** Any refugee involved in a religious argument which results in and/or threatens or attempts to disrupt the peace, shall be liable to punishment by a maximum fine of Le 2,500 or perform community work which will be beneficial to the community.

**(12) Health and Sanitation:**

(i) Water points in camps are under the responsibility of identified pump caretakers and all pump environment cleaning exercises should be carried out by refugees having access to a particular well.

(ii) Inhabitants of each community, including self-care unaccompanied children, are responsible for devising a rotational system for cleaning the latrines on a regular basis.

(iii) The Grievance Committee may impose a fine of Le 2,000 or assign community work to all refugees who ignore assigned health and sanitation responsibilities.

(13) **Domestic Responsibility:** All heads of family, including foster parents, are to take full responsibility of their family and homes, including children born out of wedlock. The failure to accept domestic responsibilities may constitute child abuse. UNHCR must be informed of all such cases for possible referral to an appropriate service provider.

(14) **Sexual Exploitation:** This is not an issue that should be solved at camp level. Anybody with any such information must inform the UNHCR Officer assigned to the camp.

(15) **Marijuana and other Drugs:**

(i) Any refugee caught using marijuana and/or any other drug, and/or in whose possession marijuana and/or any other drug is found, shall be liable to punishment by a fine of Le 5,000 and/or perform community work, or, at the recommendation of the Grievance Committee, reported to the police.

(ii) Any refugee, including children, accused or suspected of trafficking drugs, shall be handed over to the Police.

(16) **Love Affairs/adultry :** All refugees are expected to respect the sanctity of marriage and refrain from engaging in extramarital affairs. Adultery cases reported to the Grievance Committee should be referred to the GBV Implementing partner for compulsory counselling on all involved, including the aggrieved spouse.

### Final Provisions

(17) **No Suing fee:** No refugee is to pay any money to the Grievance Committee before or after the hearing of an accusation made against him/her. The role of the Grievance Committee is NOT to levy fines.

(18) **Fines collected:** All fines are to be paid to the Camp Management, who will in turn issue a receipt to the refugee for the fine collected. Camp Management will record all fines collected in a form, to be submitted on a monthly basis to UNHCR.

- (19) **Use of collected fines:** All fines collected are to be used for the improvement and maintenance of recreational facilities for children in the camp. The monitoring of the community work will be done by Camp Management and UNHCR community services staff.
- (19) Only UNHCR and the Government of the Republic of Sierra Leone can provide attestation for Liberian refugees. All other individuals, regardless of rank or capacity within the camp, are not permitted to do so.
- (20) Where a member of the Grievance Committee or of the Refugee Executive is accused of or suspected of having breached any of these bye-laws, such a member shall be immediately suspended by NaCSA and UNHCR and only re-instated where he/she is found not guilty
- (21) Refugees are obligated at all times to respect the norms and rules of the host community.
- (22) Whenever there is any conflict between the bye-laws hereinbefore contained and the laws of Sierra Leone, the latter takes precedence.(23) Any refugee who fails to comply with these bye-laws, including the refusal to pay the fine and/or accomplish the community work, shall be handed over to the Sierra Leone Police.

**REVISED VERSION DRAFT 1**  
**UNHCR PROTECTION UNIT**  
**November 2003**