



Legal Spotlight

Section 44 of the Cyber Security and Crimes Act (2021)

Mother Earth for Climate Justice (ME4ClimateJustice) is dedicated to advocating for climate justice and protecting human rights. This document highlights key concerns regarding Section 44 of the Cyber Security and Crimes Act (2021) of Sierra Leone, particularly its implications for freedom of expression and civic space. This analysis is prepared for engagement with Permanent Missions in Geneva, UN mechanisms, diplomats, and civil society partners during the Universal Periodic Review (UPR) process.

Quoted Extract from Section 44

“A person who repeatedly communicates or transmits any electronic communication with the intent to coerce, intimidate, harass, molest, or threaten another person in a manner that causes emotional distress or fear commits an offence and is liable on conviction to a fine of not less than fifty million Leones or to imprisonment for a term of not less than two years or to both the fine and imprisonment.”

Key Concerns

Vagueness:

The broad language of '*emotional distress*' and '*harass*' lacks precise definition, potentially leading to arbitrary application.

Freedom of Expression:

Risk of disproportionately restricting legitimate expression and criticism, violating international human rights standards.

Penalties:

The severe penalties, including significant fines and imprisonment, are disproportionate and could deter online speech.

Chilling Effect:

The ambiguity and severity of penalties create a *chilling effect*, discouraging individuals from expressing dissenting opinions online.

Why Review Is Needed

- **Legal Clarity:** To provide specific and unambiguous definitions of prohibited conduct to prevent misinterpretation and abuse.
- **Rights Protection:** To ensure that the law is aligned with international human rights standards, particularly Article 19 of the International Covenant on Civil and Political Rights (ICCPR)

regarding freedom of expression.

- **Proportionality:** To revise penalties to ensure they are proportionate to the offence and do not unduly restrict fundamental freedoms.

Context Note

Several cases have been reported where Section 44 has been invoked against activists and journalists, raising concerns about its use to suppress dissent. This law contributes to a shrinking civic space, hindering the ability of civil society organizations and individuals to advocate for climate justice and other human rights issues.

Prepared by Mother Earth for Climate Justice (ME4ClimateJustice) for UPR advocacy – Sierra Leone (2026)



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