



2018 Trafficking in Persons Report - Sierra Leone

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SIERRA LEONE: TIER 2 WATCH LIST

The Government of Sierra Leone does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by investigating trafficking cases and initiating prosecutions, identifying and referring victims to services, and funding temporary shelter and services for 16 Sierra Leonean trafficking victims exploited abroad. However, the government did not demonstrate increasing efforts compared to the previous reporting period. For the seventh consecutive year, the government did not convict a trafficker. Judicial inefficiency, general corruption, and procedural delays continued to prevent traffickers from being held accountable and contributed to judges dismissing many trafficking cases during the reporting period. The government continued to rely on NGOs to provide nearly all victim assistance, and uneven implementation of the national referral mechanism resulted in delayed assistance for some victims. For the fourth consecutive year, the government did not provide funding for the anti-trafficking task force to adequately fulfill its mandate or implement the 2015-2020 national action plan. Therefore Sierra Leone was downgraded to Tier 2 Watch List.

RECOMMENDATIONS FOR SIERRA LEONE

Increase efforts to prosecute and convict traffickers with sufficiently stringent sentences that include imprisonment; institute witness protection and support measures to encourage greater victim participation in the criminal justice process; train police, prosecutors and judges to investigate and prosecute trafficking cases, including those at Freetown Court Number One; address procedural delays, including by allowing regional courts to try trafficking cases, and address judicial corruption so victims can participate in trials and judges cease dismissing cases against alleged traffickers; train all actors on the national referral mechanism to ensure trafficking victims receive timely services; increase financial or in-kind support to NGOs that support trafficking victims; follow the licensing procedures for recruitment agencies, and investigate agencies suspected of fraudulent recruitment; improve coordination among government agencies responsible for combating trafficking in persons; train law enforcement officers and social workers to identify trafficking victims among vulnerable populations, including children in sex trafficking and domestic servitude; sufficiently fund anti-trafficking activities in the national budget and allocate funds to the anti-trafficking task force; in collaboration with civil society organizations, increase efforts to raise public awareness of trafficking; amend the 2005 anti-trafficking law to remove sentencing provisions that allow for a fine in lieu of imprisonment; and continue to improve data collection on anti-trafficking law enforcement and victim assistance efforts.

PROSECUTION

The government maintained minimal anti-trafficking law enforcement efforts. The 2005 anti-trafficking law criminalized sex and labor trafficking and prescribed penalties of up to 10 years imprisonment and/or a fine; these penalties were sufficiently stringent. The Sexual Offences Act criminalized forced prostitution and child prostitution with penalties of up to 15 years imprisonment, which were sufficiently stringent and

commensurate with penalties for rape. The anti-trafficking task force continued to review the 2005 law with the aim to align the penalties for sex trafficking with the penalties for forced prostitution prescribed in the Sexual Offenses Act.

The government reported 33 investigations, prosecution of seven suspects, and no convictions, compared to 34 investigations, prosecution of four suspects, and no convictions in the previous reporting period. All seven prosecutions were ongoing at the close of the reporting period; at least one of the prosecutions had been initiated in a previous reporting period. The government did not report how many investigations remained ongoing at the end of the reporting period, and it did not report how many, if any, investigations it had continued from the previous year. Among the 33 investigations, there were three for sex trafficking and 30 for forced labor. Due to lengthy investigations required for trafficking cases, prosecutors sometimes pursued trafficking cases under charges in the Domestic and Gender Abuse Act or the Child Rights Act because they required less evidentiary rigor and could more often result in conviction. However, the government did not report any data on trafficking cases prosecuted under these acts during the reporting period. The government last convicted an individual for trafficking or trafficking-related offenses in 2011. Judicial inefficiencies, general corruption, and procedural delays prevented traffickers from being held accountable and diminished faith in the judicial system. As a result, victims' families often accepted payments from traffickers rather than pursue cases in court and families sometimes exerted pressure on victims to not participate in investigations and prosecutions against their alleged traffickers due to security concerns, community ties to alleged traffickers, and the high cost and travel required to participate in such cases. In many cases, victims either did not agree to testify against their traffickers and prosecutors dropped the charges, or victims could not meet the travel requirements for court appearances and judges dismissed their cases. In an effort to better prosecute these crimes, the judiciary designated Freetown Court Number One as the dedicated court to hear all human trafficking cases.

Inadequate training of law enforcement and judges on human trafficking remained a key problem. The Sierra Leone Police Family Support Units trained 75 police officers from other units on trafficking in persons and human rights issues broadly. In practice, however, the police's Transnational Organized Crime Unit (TOCU) and the Ministry of Labor Social Services (MLSS) investigated most trafficking cases, and neither entity received anti-trafficking training during the reporting period. Two NGOs trained border guards and police on identifying human trafficking. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, corruption, particularly within the judiciary, remained a serious problem and affected the provision of justice to trafficking victims. Traffickers bribed prosecutors not to prosecute cases and bribed judges to dismiss cases. The government continued regular border security meetings with the Governments of Guinea and Liberia, which included trafficking, but reported its non-ratification of the ECOWAS Convention on Mutual Assistance in the Fight against Trafficking compounded the difficulties in cross-border investigations.

PROTECTION

The government maintained uneven protection efforts. The government identified 46 trafficking victims in Sierra Leone and abroad, compared to 34 victims identified in the previous reporting period. Among the victims identified, authorities reported males and females, adults and children, and victims of sex trafficking, domestic servitude, and internal labor trafficking. The majority of victims were Sierra Leoneans exploited in labor trafficking in a foreign country. The government relied on NGOs to care for the majority of trafficking victims. The government referred 33 of the 46 victims it identified to NGOs for care. The Ministry of Social Welfare, Gender, and Children's Affairs (MSWGCA) operated a temporary shelter for victims of gender-based violence that trafficking victims could access, and it referred two trafficking victims to the shelter during the reporting period. It was unclear how much funding the shelter received. The government did not report if the other 11 victims identified received government or NGO services; at times, family members provided intra-familial care. In the previous reporting period, the government had committed to devoting approximately 119 million Leones (\$15,570) quarterly to an NGO shelter that cared for the majority of trafficking victims; however, it disbursed only one payment of approximately \$3,940 to the NGO during the reporting period, and did not provide any other financial support to NGOs that delivered nearly all victim care. NGOs reported identifying and providing services to seven additional victims. One NGO operated a shelter specifically for trafficking victims and offered medical, psycho-social, legal, and reintegration support. The center cared for both foreign and domestic victims; however, staff did not permit victims to leave unchaperoned. Two additional NGOs operated shelters that cared for vulnerable children, including

trafficking victims. The government had standard measures to identify trafficking victims, including victims among vulnerable populations. The government had a national mechanism to refer trafficking victims to services; however, a lack of training on the mechanism caused delays in provision of services to victims. In one case, a victim slept at a police station for three weeks because authorities did not request appropriate housing, and in several other cases, MSWGCA officials disregarded the standard protocols for referring victims to NGOs for specialized care. In one case, police intercepted a suspected trafficker and suspected trafficking victims at the border. When alerted to this case, MSWGCA did not follow the established procedures to refer trafficking victims to care, and instead drew up fostering paperwork to allow the children to travel with the alleged trafficker a second time; police intercepted the suspected trafficker a second time and released her after investigation, while an NGO cared for the children.

The Sierra Leonean embassy in Kuwait temporarily housed several trafficking victims and referred others to a shelter for care; the government-funded repatriation for five victims, and an international organization repatriated an additional 10 trafficking victims. In addition, the embassy in Guinea housed and provided food, clothing, and repatriation for 11 trafficking victims; however, the government continued to hold the victims' passports at the close of the reporting period. This was comparable to Sierra Leonean embassies supporting and repatriating at least 25 trafficking victims from Kuwait and Guinea the previous reporting period. The Ministry of Foreign Affairs engaged with the Government of Kuwait to advocate for humane treatment of Sierra Leonean domestic workers. The government provided a brochure to migrants returning from Libya with information on social services trafficking victims could access.

The government did not provide sufficient protection or support to victims who participated in trials against their traffickers; as a result, many victims could not meet the travel requirements for court appearances and judges dismissed their cases. Two trafficking victims participated in trials against their traffickers during the reporting period. The anti-trafficking law did not provide for restitution, and while victims could file civil suits against their traffickers, none did so during the reporting period. The Sexual Offenses Act provided for restitution, which sex trafficking victims could access; however, restitution could only be pursued after conviction, and there were no convictions during the reporting period. The law provided alternatives to removal to countries in which victims would face retribution or hardship, including temporary residency; the government did not report providing these services to any victims during the reporting period. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a direct result of being subjected to trafficking, but inadequate screening for trafficking may have resulted in some victims remaining unidentified in the law enforcement system.

PREVENTION

The government made minimal efforts to prevent trafficking. The anti-trafficking task force had a 2015-2020 national action plan and met regularly, but the government did not provide an operational budget for the task force or funding for implementation of the plan, which limited activities and impeded law enforcement efforts. While MLSS had strict licensing procedures for new recruitment agencies to prevent exploitation of intending migrant workers, it continued to issue business registration certificates before TOCU had finished vetting the prospective agencies. The government did not report any tangible efforts to correct this issue. After continued reports of Sierra Leonean women fraudulently recruited to Kuwait for domestic work and forced prostitution, TOCU and MLSS investigated alleged fraudulent recruitment networks for suspected trafficking, and some of these investigations led to prosecution. MSWGCA and police participated in several radio programs to raise awareness of human rights, including the dangers of human trafficking. The government did not make discernible efforts to reduce the demand for commercial sex acts or forced labor. After identifying Sierra Leonean forced labor victims abroad, Sierra Leonean embassies in Kuwait and Guinea contacted other migrant workers in the country to inform them of the dangers of human trafficking and provide them with information on their rights as workers and assistance available. In addition, the government provided 5 million leones (\$650) to some trafficking victims upon repatriation to educate their communities about trafficking. The government did not provide anti-trafficking training to its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Sierra Leone is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Traffickers recruit victims largely from rural provinces

to urban and mining centers for exploitation in sex trafficking and forced labor in domestic service, artisanal diamond and granite mining, petty trading, portering, making ceramics, rock breaking, quarrying, street crime, and begging. Traffickers exploit victims in fishing and agriculture, and sex trafficking or forced labor through customary practices, such as forced marriages. The government reported child sex trafficking – especially of children from poor homes – was a serious problem, including at beaches and in nightclubs. Local demand fueled the majority of child sex trafficking, although foreign tourists were also clients at beaches and nightclubs. Traffickers typically operate individually, convincing parents to hand over their children and promising to provide an education or better life but instead exploiting the children in trafficking. Children from neighboring West African countries have been exploited in forced begging, forced labor, and sex trafficking in Sierra Leone, and Sierra Leonean children are taken to Mali, Niger, and increasingly Guinea for forced labor and sex trafficking. During the reporting period, traffickers exploited Lebanese and Indian men in forced labor in Sierra Leone; in previous years, Chinese, Indian, Kenyan, and Sri Lankan men have been forced labor victims in Sierra Leone. Traffickers have exploited boys and girls from Sierra Leone reportedly as "cultural dancers" – and possibly also for sexual exploitation – in The Gambia. During the reporting period, an increasing number of traffickers, including family members, tried to sell Sierra Leonean children for domestic servitude. Sierra Leonean adults voluntarily migrate to other West African countries, including Mauritania and Guinea, as well as to the Middle East and Europe, where some are subjected to forced labor and forced prostitution. Sierra Leonean-Kuwaiti trafficking networks increasingly fraudulently recruit Sierra Leonean for education in Europe and the United States but subject them to domestic servitude in Kuwait. During the reporting period, authorities identified traffickers moving women through Guinea en route to exploitation in Kuwait. Traffickers also exploit Sierra Leonean women in domestic servitude in Egypt and Lebanon. During the reporting period, an international organization repatriated at least 186 Sierra Leoneans from Libya, some of whom were victims of slavery and sex trafficking. It also reported that some Libyan soldiers sold stranded Sierra Leonean migrants in their custody to Libyan and Middle Eastern traffickers.

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