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Country Report on Human Rights Practices 2017 - Sierra Leone

EXECUTIVE SUMMARY

Sierra Leone is a constitutional republic with a directly elected president and a unicameral legislature. In 2012 the ruling All People’s Congress (APC) party won an expanded majority in parliament, and citizens re-elected President Ernest Bai Koroma in peaceful multiparty elections.

Civilian authorities generally maintained effective control over the security forces.

The Office of the Attorney General reported that, despite no formal announcement by the government, all state of emergency measures expired on August 7, 2016, due to statutory lapse provisions in the constitution.

The most significant human rights issues included: unlawful killings and abusive treatment by police; harsh and life-threatening prison conditions; official corruption; lack of accountability in cases involving sexual and gender-based violence against women and girls, including female genital mutilation/cutting; criminalization of same-sex sexual conduct, leading to the arrest of lesbian, gay, bisexual, transgender, and intersex individuals; and child labor.

The government took some steps to investigate, prosecute, and punish officials who committed violations, but impunity persisted.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were reports the government or its agents committed several arbitrary or unlawful killings.

During the Njala University student protest in Bo, in the South, on March 23, Sierra Leone Police (SLP) officers fatally shot 18-year-old Ibrahim Jimmy and wounded two other students. The protest concerned the university’s closure by authorities. The Independent Police Complaint Board (IPCB) completed its investigation of the incident and submitted its findings to the Director of Public Prosecutions (DPP) in the Office of the Attorney General. There was no evidence that the DPP acted on the report. On August 16, 2016, police reportedly fatally shot two youths in Kabala, Koinadugu District, who were protesting against the relocation of a “Youth Village” skills center to Tonkolili District. Inspector General of Police Francis Munu established a panel to investigate the incident. On August 19, 2016, the Human Rights Commission of Sierra Leone (HRCSL) asked the United Nations to “put on hold” all international peacekeeping recruitment of members of the SLP until investigations into the shootings in Kabala were completed. In September 2016 the

government requested that the IPCB conduct an independent investigation into the matter. The investigation was completed and submitted to the DPP in the attorney general's office. There was no evidence the DPP acted on the report.

In January 2016 the High Court released on bail former police officer Osman Conteh in relation to the 2015 killing of Alimamy Kamara. As of year's end, Conteh remained free on bail.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices, although there were reports police and other security personnel continued to use excessive force. In August 2016 prison authorities reported that corrections officials no longer used caning or other forms of corporal punishment in prisons and detention centers.

Prison and Detention Center Conditions

Prison and detention center conditions were harsh and potentially life threatening due to food shortages, gross overcrowding, physical abuse, lack of clean water, inadequate sanitary conditions, and lack of medical care.

Physical Conditions: On July 26, the HRCSL reported unhygienic conditions in the male detention cells of Central, Kissy, Waterloo, Moyamba, and Tongo police stations. Some cells in Tongo station were littered with garbage and one had a leaky roof. The HRCSL reported poor toilet facilities in all stations except Magburuka and East End. It also observed illegal detention at Congo Cross, Magburuka, and Tongo Field police stations. During inspections in February and April, juveniles shared the same space as adults. Prison authorities issued bedding and blankets to inmates at the Freetown Female and Male Correctional Centers. Some mattresses were placed on the floor at the Male Correctional Center. In Moyamba some inmates slept on the bare floor using blankets as mattresses. As of August 2016, the nongovernmental organization (NGO) Prison Watch (PW) reported that, with the exception of the Freetown Female Correctional Center at the Special Court for Sierra Leone (FCCSL), the country's 19 prisons and detention centers were seriously overcrowded. PW reported, however, that with the exception of the FCCSL, conditions in detention centers in the rest of the country, including lighting and ventilation for male prisoners, were generally better than for female prisoners.

As of October the HRCSL confirmed that no prison or detention center facility held male and female prisoners together.

As of August 22, the country's 19 prisons, designed to hold 1,935 inmates, held 4,148. The Freetown Male Correctional Center, designed to hold 324 inmates, held 2,059 persons, including 926 convicted prisoners, 284 prisoners on remand, and 849 prisoners on trial. Some prison cells measuring six feet by nine feet held nine or more prisoners. As of August 22, prison authorities

reported seven deaths in prisons and detention facilities due to malaria, respiratory infections, and typhoid fever but claimed none of the deaths was due to actions of staff members or other prisoners.

Human rights observers reported detention conditions remained below minimum international standards because of overcrowding, unhygienic conditions, and insufficient medical attention. Prison cells often lacked proper lighting, bedding, ventilation, and protection from mosquitoes. Most prisons did not have piped water systems, and some prisoners lacked sufficient access to potable drinking water.

PW reported that to control overcrowding in common areas, authorities confined prisoners to their cells for long periods without an opportunity for movement.

The Bureau of Prisons received only 16,600 leones (\$2.27) per prisoner per day for food rations. Conditions in police station holding cells were poor, especially in small stations outside Freetown. Cells were often dark with little ventilation. Overcrowding in some police cells continued to be a problem. Lack of adequate physical facilities created life-threatening conditions for detainees. Inmates slept on bare floors, using their own clothes or cartons as bedding, and used waste buckets as toilets.

Few prisoners had access to adequate medical facilities, and clinics lacked supplies and medical personnel to provide basic services. One doctor staffed the Freetown Male Correctional Center clinic. There were 51 nurses in the country's 19 prisons and detention centers. Prisons outside Freetown sent patients to local government hospitals and clinics. Authorities allowed only emergency patients to visit the clinic outside of the assigned schedule. Officials treated female prisoners as outpatients or referred them to local hospitals for special care, but doctors and nurses in these hospitals often refused to treat prisoners or provided inferior care because of the government's failure to pay medical bills. Prison authorities and the HRCSL reported there was no discrimination against prisoners with disabilities, and PW reported it had no information regarding abuse of prisoners with disabilities.

PW reported a shortage of prison staff, which resulted in a lack of security that endangered prisoners' safety.

Several prisons held infants, most of whom were born in prison and initially kept there with their mothers. Once these children were weaned, authorities released them to family members or to the Ministry of Social Welfare, Gender, and Children's Affairs, which placed them in foster care. The ministry was responsible for all services except security in juvenile facilities. Authorities sent offenders under age 18 to "approved schools" or reformatory institutions. Although authorities made some effort to avoid detaining juveniles with adults, they frequently imprisoned minors with adult offenders. PW reported authorities often sent young adults over age 18 to the approved schools, while some children under 18 were sent to prison. As of August the National Legal Aid Board reported that, unlike previous years, authorities no longer held children under 18 years of age with adults at the Freetown Male Correctional Center.

At times police officers had difficulty determining a person's age, given the lack of documentation, and they often depended on circumstantial evidence, such as possession of a voter registration card or affidavits from parents, who may have reasons to lie about their child's age. In some cases

police officers inflated the ages of juveniles to escape blame for detaining them. Several boys reported they were victims of physical and sexual abuse, including sodomy, by older prisoners. In the three juvenile facilities, detainees did not have adequate access to food and education and sometimes were unable to attend court hearings due to lack of transportation.

A lack of juvenile detention centers in many districts meant minors were frequently detained with adults in police cells.

In most cases pretrial detainees were held with convicted prisoners. The attorney general reported that as of August 22, of the 4,148 persons held in the prisons and detention centers, only 1,941 had been convicted.

Administration: There was no prison ombudsman, but senior prison officials were available to respond to complaints. NGOs reported that prisoners raised concerns to them about prison conditions, on condition that their concerns, if raised to prisons authorities, would be anonymous.

Although authorities officially permitted regular family visits, according to NGOs family members often had to pay bribes to gain visiting privileges.

Prisoners refrained from filing complaints directly with prison authorities because they believed such actions would spur retaliation by judicial authorities.

Prison rights advocacy groups reported that authorities generally investigated credible allegations of mistreatment of prisoners.

Independent Monitoring: The government permitted monitoring by independent nongovernmental observers. International monitors had unrestricted access to the prisons, detention centers, and police holding cells. The HRCSL monitored prisons on a monthly basis.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, but human rights groups indicated that police occasionally arrested and detained persons arbitrarily. The government allows both the SLP and chiefdom police to hold suspects in police detention cells without charge or explanation for up to three days for suspected misdemeanors and up to 10 days for suspected felonies. Chiefs sometimes subjected women and children to arbitrary detention and imprisoned them unlawfully in their homes or "chiefdom jails" (see section 6, Discrimination, Societal Abuses, and Trafficking in Persons).

Role of the Police and Security Apparatus

The SLP, under the Ministry of Internal Affairs, is responsible for law enforcement and maintaining security within the country, but it was poorly equipped and lacked sufficient investigative, forensic, and riot control capabilities. The Republic of Sierra Leone Armed Forces (RSLAF) is responsible for external security but also has some domestic security responsibilities through the "Military Aid to Civil Power" program, which authorizes assistance to police in extraordinary circumstances upon request.

On March 23, police in Bo, in the South, fatally shot 18-year-old Ibrahim Jimmy and wounded two others when students from Njala University clashed with police who tried to block their demonstration against closure of the university by authorities (see section 1.a.).

In August 2016 police reportedly fatally shot two youths at a demonstration in Kabala who were protesting the announced relocation of a youth skills center (see section 1.a.). The IPCB concluded its investigation and submitted its findings and recommendations to the office of the Director of Public Prosecutions.

While civilian authorities generally maintained effective control over the SLP and the RSLAF, and the government has mechanisms to investigate and punish abuse and corruption, at times impunity was a problem.

As in previous years, human rights groups expressed concern that police corruption remained a serious problem. Some police and guards stole from detainees, exacted bribes at checkpoints, falsely charged motorists with violations, impounded vehicles to extort money, and accepted bribes from suspects to drop charges or to have their rivals arrested and charged with crimes.

In exchange for kickbacks, police reportedly arrested persons without charge for civil causes, such as alleged breach of contract or failure to satisfy a debt.

The Police Complaints, Discipline, and Internal Investigations Department (CDIID) heard complaints against police officers. It conducted all hearings and trials related to complaints against lower-ranking police officers. Officers often used an appeals process. After the CDIID imposes disciplinary measures on an SLP officer, the officer is also subject to trial in civilian court in cases involving criminal charges. The Police Council, which included the vice president, minister of internal affairs, inspector general, and others, accepted written complaints against senior police officers.

The SLP confirmed that police continued to receive professional, leadership, and human rights training. Before deployment, new recruits attended a six-month introductory course, which included a human rights component.

After criticisms of the CDIID by the general public and civil society, the government established the IPCB to investigate all complaints against police and advise police.

Arrest Procedures and Treatment of Detainees

The law requires warrants for searches and arrest of persons taken into custody on criminal grounds, but arrest without warrant was common. PW and the NGO Timap for Justice reported most arrests were made without warrants and that the SLP rarely followed proper arrest procedures.

The law requires authorities to tell detainees the reason for arrest within 24 hours and charge them in court within 72 hours for suspected misdemeanors or within 10 days for suspected felonies. Detainees, however, were not always informed promptly of charges brought against

them. According to NGOs and prisoners, authorities routinely brought remanded prisoners to court on a weekly basis to be remanded again to circumvent the legal restrictions.

There were provisions for bail and a functioning bail system, but authorities applied the system inconsistently and sometimes demanded excessive bond fees.

Detainees have the right to access family members and to consult with an attorney in a timely manner. Lawyers generally were allowed unrestricted access to detainees, but only an estimated 5 to 10 percent of inmates received legal representation. Only defendants in the military justice system had automatic access to attorneys, whose fees the Ministry of Defense paid. Although there were 28 state counsels (attorneys), the majority worked in the capital and were often overburdened, poorly paid, and available only for more serious criminal cases. Although the law provides for attorneys at state expense, state attorneys were overburdened, and indigent detainees did not usually receive legal advice prior to trial.

On March 2, an inmate held at the East End police station for alleged underage rape (sexual penetration) died while in custody in a police cell.

Police cells generally lack holding areas for juveniles who were often handcuffed to windows in police stations.

There were no reports of suspects held under house arrest or being detained incommunicado.

Arbitrary Arrest: There were reports of individuals held for questioning for longer than permissible under law.

In April 2016 at the Sierra Leone Peoples Party (SLPP) headquarters in Freetown, authorities arrested and detained for two weeks, before granting bail, 30 SLPP supporters reportedly for holding a public parade without authorization and unruly conduct. In August 2016 a magistrate court sentenced seven of the accused to six months and one to nine months in prison for "unlawful procession" and damage to public property. As of August the other persons remained free on bail, awaiting sentencing.

Pretrial Detention: The Office of the Attorney General reported that, as of August 22, of the 4,148 persons held in prisons and detention centers, only 1,941 had been convicted, 284 were on remand, and 849 were on trial. PW reported that due to a severe shortage of legal professionals, 70 percent of prisoners were waiting charges, trial, or completion of their trials. Pretrial and remand detainees spent an average of three to five years in pretrial detention before courts examined their cases or filed formal charges. In extreme cases the wait could be as long as 16 years.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: Persons arrested or detained regardless of whether on criminal or other grounds, are entitled to challenge in court the legal basis or arbitrary nature of their detention and obtain prompt release and compensation if found to have been unlawfully detained.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, but independent observers believed the judiciary was not always independent and acted under government influence, particularly in corruption-related cases.

In addition to the formal civil court system, local chieftaincy courts administer customary law with lay judges. Appeals from these lower courts are heard by the superior courts.

The limited number of judicial magistrates and lawyers and high court fees restricted access to justice for most citizens.

The RSLAF has its own military justice system, although soldiers can also be tried in civilian courts for some crimes. The sometimes ad hoc decisions regarding which justice system to use was subject to pressure from the Office of the President and senior RSLAF leadership.

If a case remains in military channels, military police conduct an investigation and forward the findings to the Ministry of Defense Law Office, which decides whether to handle the offense through a "summary dealing" process or a court-martial.

Summary dealing cases are limited to low-level military offenses. The commanding officer determines the punishment, the most severe of which is a 28-day custodial sentence. The court-martial hears all civilian and serious military offenses committed by military personnel and cases involving senior officers. Such cases are tried before a civilian judge and board; the latter determines guilt or innocence, and the former issues the sentencing recommendation. The court-martial heard an average of four cases per year. As of August there had been no court-martial hearings during the year.

The military justice system has an appeals process. For summary dealing, the defendant can appeal for the redress of complaint, which goes to the next senior ranking officer, while the civilian Supreme Court hears appeals in a court-martial. The redress system, however, reportedly was corrupt.

Traditional justice systems also functioned, especially in rural areas. Paramount chiefs maintained their own police and courts to enforce customary local laws. Chieftaincy police and courts exercised authority to arrest, try, and incarcerate individuals. They sometimes abused that power. The government sent increasing numbers of paralegals to rural areas to provide access to justice and training for chieftdom officials.

Traditional trials were generally fair, but there was credible evidence that corruption influenced many cases. Paramount chiefs acting as judges routinely accepted bribes and favored wealthier defendants.

Authorities generally respected court orders.

Trial Procedures

The law provides for the right to a fair trial for all defendants, but this right was not always enforced.

As of August authorities ensured that each district in the country had at least one magistrate, but the lack of judicial officers and facilities regularly resulted in long trial delays. Some cases reportedly were adjourned 40 to 60 times. Trials are public, but NGOs reported that due to corruption, they were not always fair. Defendants generally enjoyed a presumption of innocence. While defendants have the right to be present and to consult with an attorney in a timely manner, many were not afforded access to counsel. The law provides for attorneys at public expense if defendants are not able to afford their own attorneys. These attorneys continued to be overburdened with cases, however, which affected indigent defendants' opportunities to receive effective counsel or legal advice prior to trial.

Defendants were not always informed promptly and in detail of the charges against them and did not always have access to free interpretation as necessary from the moment charged through all appeals. Defendants generally had adequate time to prepare their defenses, although they generally did not have adequate facilities to do so. Defendants could confront or question witnesses against them, and present witnesses and evidence on their own behalf. Police officers, many of whom had little or no formal legal training, prosecuted a majority of cases on the magistrate level. Defendants have the right not to be compelled to testify or confess guilt. Although the law provides defendants with the right to appeal, delays in the appeals process were excessive, sometimes lasting more than two years. The law extends these rights to all defendants.

Traditional justice systems continued to supplement the central government judiciary, especially in rural areas, in cases involving family law, inheritance, and land tenure. The customary law guiding these courts was not codified, however, and decisions in similar cases were inconsistent. Paramount chiefs sometimes referred cases to police to give arrests for civil complaints the appearance of legitimacy. Local chieftains at times exceeded their mandates and administered harsh punishments.

Laws on gender equality were inconsistently enforced, and many traditional courts continued to ignore the rights of women regarding family law and inheritance. Juveniles were afforded few rights in the traditional justice system.

Political Prisoners and Detainees

On March 24, Jesmed Suma, the interim leader of the National Progressive Democrats party, was arrested and detained by authorities for allegedly inciting a students' demonstration at Njala University. After appearing in court three consecutive times without being addressed by a magistrate, Suma criticized the country's justice system, characterizing it as corrupt. He reportedly stated the judiciary "lacks the moral and ethical values necessary to uphold the constitution, and the courtroom is a playground to buy and sell the rights of the poor." On June 2, Mohamed Kamarainba Mansaray, leader of the Alliance Democratic Party (ADP), was arrested and detained for possessing a stun gun. Mansaray was charged in court for unlawful possession and being in possession of an offensive weapon and was initially refused bail. A week later bail was granted. As of October 31, PW and prison authorities reported that there were no political prisoners or detainees in the country. The rights of prisoners were generally protected.

Civil Judicial Procedures and Remedies

Both the central government judiciary and customary law courts handled civil complaints. Corruption influenced some cases and judgments, and awards were inconsistent. Administrative and judicial remedies were available for alleged wrongs, but enforcement was difficult. Individuals and organizations may seek civil remedies for human rights violations through regular access to domestic courts. Individuals could also seek redress from regional bodies, such as the Economic Community of West African States' Court of Justice.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution and laws prohibit such actions, and there were no reports the government failed to respect these prohibitions.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The constitution and law provide for freedom of speech and press, and the government generally respected these rights, but there were exceptions.

Freedom of Expression: Government officials used criminal libel provisions of the Public Order Act (POA) to impede witness testimony in court cases, including anticorruption matters, and to target persons making statements the government considered to be against the national interest. While there is no hate speech law, at times authorities used hate speech as a justification under the POA for restricting freedom of speech.

On November 18, 2016, police arrested and jailed for two days Boakai Kokofele and university student Theresa Mbomaya, who the previous day reportedly sent messages on WhatsApp that the government stated were "inciting unlawful protests." Prosecutors charged that Mbomaya and Kokofele violated the POA by encouraging citizens to set fire to vehicles in Freetown and use police officers' family members as human shields if police tried to apprehend student protesters. On November 21, 2016, a magistrate court granted Mbomaya and Kokofele bail. The DPP subsequently dismissed the case.

Press and Media Freedom: International media could operate freely but were required to register with the Ministry of Information and Communications and the government-funded Independent Media Commission to obtain a license. Most registered newspapers were independent, although several were associated with political parties. Newspapers openly and routinely criticized the government and its officials as well as opposition parties. While independent broadcast media generally operated without restriction, there were exceptions.

Violence and Harassment: On July 21, 2016, authorities issued a warrant to arrest al-Jazeera journalist Nena Davies for purportedly making false statements relating to an interview with the musician Emmerson Bockarie. As of August it was understood that Davies had not been arrested.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports the government monitored private online communications without appropriate legal authority. The International Telecommunication Union reported 11.7 percent of citizens used the internet in 2016.

Academic Freedom and Cultural Events

b. Freedoms of Peaceful Assembly and Association

There were no government restrictions on academic freedom or cultural events.

The constitution and law provide for the freedoms of assembly and association, and the government generally respected the right of freedom of association. On March 24, however, police arrested 60 student demonstrators from Njala University and used excessive force to disperse other students.

Freedom of Peaceful Assembly

Due to the need to combat the Ebola epidemic that occurred between May 2014 and November 2015, the government issued in August 2014 and again in August 2015, state of emergency measures that limited freedom of assembly and association. These measures included the activities of "secret societies" that perform traditional cultural initiation and other practices. On August 15, 2016, the Office of the Attorney General reported that, although the government had not made a formal announcement, all of the state of emergency measures had expired on August 7, 2016, by virtue of statutory lapse provisions in the constitution.

As of October 2016, nine persons who were arrested and detained without trial in April 2015 for demonstrating in front of a foreign embassy still awaited a trial date. They remained on bail and were directed to report monthly to the SLP Criminal and Investigations Division.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/ (<http://www.state.gov/religiousfreedomreport/>).

d. Freedom of Movement

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern. Since signing the Abidjan Declaration on the eradication of statelessness, the Ministry of Internal Affairs began implementation and developed an action plan, conducted fact-

finding missions to border areas, widely publicized civil registration exercises that took place April-June, and amended the Citizenship Act, allowing both male and female citizens to confer Sierra Leonean citizenship to their children. After the August 14 flood and mudslide disaster that killed more than 1,000 persons and displaced approximately 4,000, the government worked closely with international organizations to provide a robust humanitarian response for internally displaced persons.

In-country Movement: There were reports police officers operating security roadblocks nationwide as part of routine security checks often extorted money from motorists.

Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. The law provides for refugee status, as defined by international convention, to be granted to eligible asylum seekers. UNHCR worked with government authorities to develop standard operating procedures for refugee status determination.

Durable Solutions: As of August 31, the country hosted 693 refugees, the great majority from Liberia, and one asylum seeker. These individuals were mainly hosted in rural communities in Bo and Moyamba districts. The Liberians' prima facie refugee status expired in 2012 upon implementation of the cessation clause by the government of Sierra Leone, as reconfirmed by UNHCR and the National Commission for Social Action.

Temporary Protection: According to UNHCR the government did not provide temporary protection to certain individuals who may not qualify as refugees under the 1951 convention and its 1967 protocol.

Section 3. Freedom to Participate in the Political Process

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: In peaceful presidential, parliamentary, and local government elections held in 2012, the ruling APC won an expanded majority in parliament, and voters re-elected President Koroma. Domestic and international observers noted the benefits of incumbency gave the APC a significant competitive advantage but still characterized the elections as free, fair, transparent, and credible, commending the 87 percent turnout among registered voters. The opposition SLPP alleged widespread voter fraud and refused to accept the results of the polls until almost a month later.

Political Parties and Political Participation: Political parties are free to register and operate in the country. As of December a total of 14 political parties were registered with the Political Parties Registration Commission, and eight others received provisional registration certificates. Opposition parties complained that the ruling APC engaged in intimidation of other parties. In

June 2016 supporters of opposition party ADP reported that supporters of the ruling APC smeared human waste on the party’s Lunsar office and attacked the vehicle of the leader of the party. As of August 31, police were still investigating the matter.

Participation of Women and Minorities: No laws limit the participation of women and minorities in the political process, and women and minorities participated. Women have the right to vote, but husbands or other patriarchal figures were known to influence their decisions. Of the 124 parliamentarians, 14 were women. As of August women led four of the 23 ministries. On the three highest courts, 11 of the 35 judges were women. Cultural and traditional practices in the northern areas of the country prevented women from holding office as paramount chiefs (a parallel system of tribal government operated in each of the 190 chiefdoms).

All citizens have the right to vote, but citizenship at birth is granted only to persons of “Negro-African” descent, thus disenfranchising the significant number of Lebanese and other “non-Negro-African” persons who were born and continued to reside in the country. Persons of non-Negro-African groups may apply to be naturalized. If naturalized, they are eligible to vote in all national and local elections, but no naturalized citizen may run for public office.

Ethnic affiliations strongly influenced political party membership for the two dominant ethnic groups, the Mende and Themne, each of which accounted for approximately 30 percent of the population. The Mende traditionally supported the SLPP and the Themne the APC. Other than the Limba, the third most populous ethnic group, who traditionally supported the APC, the other ethnic groups had no strong political party affiliations. Opposition parties regularly accused President Koroma of giving preference to Northerners in filling government positions. As of August 31, Northerners occupied 56 percent of cabinet offices, ministers from the South and East 22 percent, and those from the Western Peninsula held the remaining 22 percent.

Section 4. Corruption and Lack of Transparency in Government

Substantial corruption existed in the executive (including the security sector and migration management), legislative, and judicial branches. The law provides criminal penalties for corruption by officials. The government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. Police and prison staff regularly extorted or solicited bribes from detainees and convicted prisoners. The World Bank’s most recent Worldwide Governance Indicators reflected that corruption was a severe problem.

Corruption: In August 2016 the Anti-Corruption Commission (ACC) indicted two officials of the Ministry of Agriculture, Forestry, and Food Security for conspiracy to commit a corruption offense and misappropriation of public property. One of the officials was convicted and fined 30 million leones (\$4,000), and the other case was continued. As of August 31, the ACC also charged officials from NGOs PLAN International Sierra Leone and The Needy Today with misappropriating Ebola survivor funds.

Financial Disclosure: The law requires public officers, their spouses, and children to declare their assets and liabilities within three months of assuming office. It also mandates disclosure of assets by government ministers and members of parliament. The ACC is empowered to verify asset disclosures and may publish in the media the names of those who refuse to disclose and petition

the courts to compel disclosure. Failure to disclose also carries a penalty of up to 20 million leones (\$2,700) and one year in prison. The particulars of individual declarations were not available to the public without a court order.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

The government, including security forces, was generally responsive to human rights concerns raised by the HRCSL but was at times slow to support the HRCSL or implement its recommendations. In 2016 the government granted access to Belgian officials and Sierra Leone and international NGOs, including the Center for Accountability and Rule of Law, to visit crime scenes and conduct investigations related to the war crimes prosecution of Michelle Desadeleer for his role in the wartime diamond trade. A number of domestic and international human rights groups generally operated without government restrictions, investigating and publishing their findings on human rights cases. Government officials often were cooperative and responsive to the views of local and international NGOs and generally acknowledged the problems presented. They often scheduled forums in conjunction with NGOs to discuss such topics as women’s rights and the rights of persons with disabilities.

Most domestic human rights NGOs focused on human rights education. A few NGOs, including the Campaign for Good Governance, Lawyers’ Center for Legal Action, Timap for Justice, the Center for Accountability and Rule of Law, and Access to Justice, monitored and reported on human rights abuses.

Government Human Rights Bodies: The Parliamentary Human Rights Committee operated without government or party interference. It focused on keeping human rights issues on the parliamentary agenda, paving the way for the passage of amended laws and ratification of international conventions and doing public outreach.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: The law criminalizes rape for which conviction is punishable by between five and 15 years’ imprisonment. Rape was common and viewed more as a societal norm than a criminal problem. The law specifically prohibits spousal rape. Indictments were rare, especially in rural areas. A reluctance to use the judicial system by both victims and law enforcement officials, combined with women’s lack of income and economic independence, helped perpetuate violence against women and impunity for offenders. Despite the establishment of the Family Support Unit (FSU) of the SLP and the existence of applicable legislation, reports of rapes and sexual penetration, especially involving child victims, steadily increased. For data on the incidence of rape and domestic violence, see the HRCSL website at www.hrsl.org (<http://www.hrsl.org/>).

The HRCSL observed that the incidence of sexual and gender-based violence continued to rise while arrests and convictions of perpetrators were negligible.

Defense for Children International reported that between January and June 2016, sexual penetration and molestation accounted for more than 60 percent of abuse cases reported at police stations. Girls were the main victims of sexual exploitation. A majority of victims were between ages 11 and 14, and an estimated 20 percent were between ages six and 10.

Civil society organizations, such as Legal Aid and Timap for Justice, provided free legal services for victims of gender-based and domestic violence. Inefficiencies and corruption in the judicial system, however, resulted in many cases settled out of court or without going to trial. Most perpetrators, including teachers, family friends, relatives, traditional leaders, and neighbors, were known to their victims.

Medical and psychological services for rape victims were limited. Police often required victims to obtain a medical report for the filing of charges, examinations, reports, and court appearances, and most government doctors charged fees that were prohibitively expensive for most victims. The law provides that the victim of a sexual offense shall be entitled to free medical treatment and a free medical report, but in reality many victims had to pay for medical services.

Violent acts against women, especially wife beating and spousal rape, were common and often surrounded by a culture of silence. Conviction of domestic violence is punishable by a fine not exceeding five million leones (\$685) and two years' imprisonment. Domestic violence was seldom reported due to victims' fear of social stigma and retaliation.

Female Genital Mutilation/Cutting (FGM/C): The law does not prohibit FGM/C for women and girls. UNICEF data from 2014, the most recent available, reported that nine of 10 women and girls had undergone the procedure. As a result of the statutory lapse of the Ebola state of emergency measures in August 2016, suspension of activities, including FGM/C, by the “bondo” and other secret societies was no longer in force. Beginning in January there were again reports FGM/C was being perpetrated. In July the Ministry of Social Welfare, Gender, and Children's Affairs signed a memorandum of understanding with the Soweis and other traditional leaders who practice FGM/C, whereby the traditional leaders committed not to initiate minors under 18 years of age. The FSU reported that of six recorded cases of FGM/C during initiation of girls under 18 years of age between January and August, four were investigated, but no charges were filed. A renewed call to end the practice began following international attention to the death of 19-year-old Fatmata Turay after she underwent FGM/C.

For more information, see data.unicef.org/resources/female-genital-mutilation-cutting-country-profiles/ (<https://data.unicef.org/resources/female-genital-mutilation-cutting-country-profiles/>).

Sexual Harassment: The law criminalizes sexual harassment, but the law was not always effectively enforced. It is unlawful to make unwanted sexual advances, repeatedly follow or pursue others against their will, initiate repeated and unwanted communications with others, or engage in any other “menacing” behavior. Conviction of sexual harassment is punishable by a fine not exceeding 14.3 million leones (\$1,960) or imprisonment not exceeding three years. No reliable data was available on the prevalence of sexual harassment.

Coercion in Population Control: There were no reports of coerced abortion, involuntary sterilization, or other coercive population control methods. Estimates on maternal mortality and contraceptive prevalence are available at:

www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/
(<http://www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/>).

Discrimination: The law provides for the same legal status and rights for men and women under family, labor, property, and inheritance laws, but it does not provide the same legal status for women and men in relation to religion and personal status. Women continued to experience discriminatory practices. Their rights and positions are largely contingent on customary law and the ethnic group to which they belong. The law provides for both Sierra Leonean fathers and mothers to confer nationality to children born abroad.

The law provides for equal remuneration for equal work without discrimination based on gender. Either spouse may acquire property in their own right and women may obtain divorce without being forced to relinquish dowries.

The Ministry of Social Welfare, Gender, and Children's Affairs reported that women faced widespread societal discrimination, particularly in matters of marriage, divorce, property, and inheritance, which are guided by customary law in all areas except the capital. Formal laws apply in customary as well as formal courts, but customary judges had limited or no legal training and often were unaware of formal laws or chose to ignore them. Women's rights and status under customary law varied significantly depending upon the ethnic group to which they belonged, but such rights and status were routinely inferior to those of men. Under customary law women's status in society is equal to that of a minor. A woman was frequently perceived to be the property of her husband, to be inherited on his death with his other property.

Discrimination occurred in access to credit, equal pay for similar work, and the ownership and management of a business. Women did not have equal access to education, economic opportunities, health facilities, or social freedoms. In rural areas women performed much of the subsistence farming and had little opportunity for formal education. Women also experienced discrimination in access to employment, and it was common for an employer to dismiss a woman if she became pregnant during her first year on the job. The law does not prohibit dismissal of pregnant workers based on pregnancy.

The Ministry of Social Welfare, Gender, and Children's Affairs has a mandate to protect the rights of women, but most international and domestic NGOs asserted the ministry did not have the resources, infrastructure, and support of other ministries to handle its assigned projects effectively. The ministry routinely relied on the assistance of international organizations and NGOs to help combat women's rights violations.

Domestic NGOs such as 50/50, the Forum for African Women Educationalists, the Women's Forum, and the All Political Parties Women's Association raised awareness of gender inequality and other women's issues and encouraged women to become involved in running for mayoral positions and local councils.

Children

Birth Registration: Although the constitution states that it prohibits discrimination based on race, tribe, gender, place of origin, political opinion, color, and religion, the constitution denies citizenship at birth to persons who are not of "Negro-African descent." Non-Africans who have

lived in the country for at least eight years (two years for foreigners married to Sierra Leonean citizens) may apply for naturalization, subject to presidential approval. Citizenship derived by birth is restricted to children with at least one parent or grandparent of Negro-African descent who was born in Sierra Leone. Children not meeting the criteria must be registered in their parents' countries of origin.

Birth registration was not universal due to outdated birth registration laws and inadequate staffing of government registry facilities. Lack of registration did not affect access to public services or result in statelessness. For additional information, see Appendix C.

Education: Education is tuition free and universal at the primary level for all children. At the secondary level, however, education is tuition free only for girls, based on a government policy to encourage female education. Pregnant girls were prohibited from attending classes and taking examinations with other students on the grounds that they were a “bad moral influence.”

Child Abuse: A pattern of violence against and abuse of children existed, and according to the FSU, it increased between January and August compared with previous years. The FSU reported the following forms of child abuse to be on the increase: sexual violence, abandonment, and trafficking. FSU personnel were trained in dealing with sexual violence against children, and cases of child sexual abuse generally were taken more seriously than adult rape cases. Substantial enforcement problems remained, and conviction numbers remained low. In many cases of sexual assault on children, parents accepted payment instead of taking the perpetrator to court due to difficulties dealing with the justice system, fear of public shame, and economic hardship.

Early and Forced Marriage: Although the law prohibits marriage of boys and girls under the age of 18, including forced marriage, the Ministry of Social Welfare, Gender, and Children's Affairs reported the practice of early and forced child marriages continued to be a problem, especially in rural areas. The International Center for Research on Women reported that 44 percent of girls in the country were married before 18 years of age, and 14 percent were wed before 14 years of age. UNICEF supported the government in addressing child marriage at the local level through awareness raising and training of communities and stakeholders. Prevalence of early marriage was highest in the North. For additional information, see Appendix C.

Sexual Exploitation of Children: Although, the law criminalizes sexual exploitation of children, the sale of children, and child trafficking, including child pornography, enforcement remained a problem. The FSU reported 698 cases of sexual exploitation of children between January and August, with only 142 cases taken to court. The minimum age of consensual sex is 18. Children under the age of 18 engaged in prostitution.

Displaced Children: The NGO Needy Child International reported during the year that approximately 50,000 children worked and lived on the street, with 45,000 of them engaged in artisanal gravel production in the Western Area.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Child Abduction* at travel.state.gov/content/childabduction/en/legal/compliance.html (<http://travel.state.gov/content/childabduction/en/legal/compliance.html>).

Anti-Semitism

There was no Jewish community, and there were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/ (<https://www.state.gov/j/tip/rls/tiprpt/>).

Persons with Disabilities

The Persons With Disabilities Act prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment and provision of state services, including judicial services. The government did not effectively implement laws and programs to provide access to buildings, information, and communications. The government-funded Commission on Persons with Disabilities is charged with protecting the rights and promoting the welfare of persons with disabilities. Given the high rate of general unemployment, work opportunities for persons with disabilities were few, and begging by them was commonplace. Children with disabilities were also less likely to attend school than other children.

There was considerable discrimination against persons with mental disabilities. The vast majority of persons with mental disabilities received no treatment or public services. The Sierra Leone Psychiatric Hospital in Kissy, the only inpatient psychiatric institution that served persons with mental disabilities, was underfunded. It had only one consulting psychiatrist, patients were not provided sufficient food, and restraints were primitive and dehumanizing. The hospital lacked running water and only sporadic electricity. Only basic medications were available.

The Ministry of Health and Sanitation is responsible for providing free primary health-care services to persons with polio and diabetic retinopathy as well as those who are blind or deaf. The ministry did not provide these services consistently, and organizations reported many persons with disabilities had limited access to medical and rehabilitative care. The Ministry of Social Welfare, Gender, and Children's Affairs has a mandate to provide policy oversight for issues affecting persons with disabilities but had limited capacity to do so.

National/Racial/Ethnic Minorities

The population included 18 ethnic groups of African origin. In addition there were significant Lebanese and Indian minorities and small groups of European and Pakistani origin. Little ethnic segregation was apparent in urban areas, where interethnic marriage was common. The two largest ethnic groups were the Themne in the North and the Mende in the South. Each group constituted approximately 30 percent of the population. The Krio, 2 percent of the population, historically dominated the civil service and judiciary. Strong ethnic loyalties, bias, and stereotypes existed among all ethnic groups. The Themne and Mende vied historically for political power, and violence during the 11-year civil war had some ethnic undertones. Ethnic loyalty remained an important factor in the government, the armed forces, and business. Complaints of ethnic discrimination in government appointments, contract assignment, and military promotions were common.

Residents of non-African descent faced some institutionalized discrimination, particularly in the areas of citizenship and nationality (see sections 3, Participation of Women and Minorities, and 6, Children, Birth Registration).

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

A law from 1861 prohibits male-to-male sexual acts (“buggery” and “crimes against nature”), but there is no legal prohibition against female-to-female sex. The 1861 law, which carries a penalty of life imprisonment for “indecent assault” upon a man or 10 years for attempting such an assault, was not enforced. The constitution does not offer protection from discrimination based on gender identity or sexual orientation. Sexual orientation and gender-identity civil society groups alleged that because the law prohibits male-to-male sexual activity, the law limits lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons from exercising the freedoms of expression and peaceful assembly. The law, however, does not restrict the rights of persons to speak out on LGBTI issues. No hate crime laws cover LGBTI persons. The law does not address transgender persons.

A few organizations, including Dignity Association, supported LGBTI persons, but they maintained low profiles. LGBTI groups claimed police were biased against them.

Dignity Association reported that in May 2016 police disrupted and shut down an LGBTI social event in Aberdeen; officers arrested 18 participants and held them in custody overnight. LGBTI groups reported that LGBTI persons feared going to the SLP to report violations, including societal discrimination.

On March 30, police in Waterloo arrested four participants attending a workshop on HIV/AIDS for Men who Sex Men, accusing them of promoting gay activities in the community. They were released on March 31 after being humiliated and denounced.

In the areas of employment and education, sexual orientation or gender identity was a basis for abusive treatment, which led individuals to leave their jobs or courses of study. It was difficult for gays and lesbians to receive health services due to fear their right to confidentiality would be ignored if they disclosed their ailments; many chose not to be tested or treated for sexually transmitted infections. Obtaining secure housing was also a problem for LGBTI persons. Families frequently shunned their LGBTI children, leading some to turn to prostitution to survive. Adults could lose their leases if their sexual orientation became public. Women in the LGBTI community reported social discrimination from male LGBTI persons and the general population. On June 9, authorities expelled two female secondary school students for kissing each other in public. The NGO Dignity Association reported that after NGOs expressed concerns to school authorities about the expulsions, the authorities agreed to allow the girls to return to the school.

As of August there was no information regarding any official action by government authorities to investigate or punish public entities or private persons complicit in abuses against LGBTI persons.

HIV and AIDS Social Stigma

The law prohibits discrimination based on actual, perceived, or suspected HIV status, but society stigmatized persons with HIV/AIDS. There was no official discrimination against persons with HIV/AIDS, but NGOs reported children were denied access to education because of their HIV status. Adults with HIV/AIDS lacked employment and promotion opportunities. There were also reports men often divorced their wives due to HIV/AIDS status, leaving them without financial support. Through August, Dignity Association and the government agency National AIDS Secretariat reported receiving no specific complaints from persons regarding workplace discrimination or stigma based on HIV/AIDS status. Dignity Association reported, however, that persons with HIV/AIDS expressed concerns that nurses at hospitals discriminated against them in the provision of medicines and medical care.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law allows workers in both the public and private sectors to join independent unions of their choice without prior authorization, bargain collectively, and conduct legal strikes, but it prohibits police and members of the armed services from joining unions or engaging in strike actions. The law allows workers to organize but does not prohibit antiunion discrimination against union members or prohibit employer interference in the establishment of unions. The government can require that workers provide written notice to police of intent to strike at least 21 days before the planned strike. The law prohibits workers at certain specified public utilities from going on strike. Labor union officials, however, pointed out that public utility workers frequently went on strike (and were in fact among those union employees most likely to strike), the legal prohibition notwithstanding.

While the law provides for collective bargaining, it must take place in trade group negotiating councils, each of which had an equal number of employer and worker representatives. There were no other limits on the scope of collective bargaining or legal exclusions of other particular groups of workers from legal protections.

While labor unions reported that the government generally protected the right of workers in the private sector to form or join unions, the government has never been called upon to enforce applicable laws through regulatory or judicial action.

The government generally respected freedom of association and the right to collective bargaining. All unions were independent of political parties and the government. In some cases, however, such as the Sierra Leone Teachers' Union, the union and government had a close working relationship, and the Sierra Leone Labor Congress enjoyed a cordial relationship with the government.

The government did not adopt provisions with sufficiently effective penalties for the protection of workers and workers' organizations against acts of antiunion discrimination and acts of interference.

The government generally protected the right to bargain collectively. Collective bargaining was widespread in the formal sector, and most enterprises were covered by collective bargaining agreements on wages and working conditions.

Most industrial actions were taken against the government, primarily to protest unpaid salaries and reduced benefit packages. For example, in April 2016 lecturers at the University of Sierra Leone went on strike over payment of back wages and poor working conditions. In industrial matters involving private-sector employment, the government generally did not interfere with peaceful demonstrations and attempted to negotiate with workers and labor unions in good faith.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced and compulsory labor, including by children. Penalties for both sex and labor trafficking include fines and imprisonment, but enforcement was insufficient to deter violations. Under a provision of the Chiefdom Councils Act, individual chiefs may impose forced labor (compulsory cultivation) as punishment and have done so in the past. Although there were no reports chiefs imposed this form of punishment, as of the end of August 2016, officials at the Ministry of Labor and Social Security believed the practice occurred in some rural areas. Chiefs also required villagers to contribute to the improvement of common areas. There is no penalty for noncompliance. In addition to forced labor, confinement and arbitrary fines are punishments available under the chiefdom law, but there were no available statistics on the frequency of their application.

The government did not effectively enforce the anti-trafficking-in-persons law, hindered by judicial inefficiencies and procedural delays.

The government's Anti-Trafficking-in-Persons Task Force (Task Force) was composed of senior representatives from concerned ministries, the security forces, development partners, and NGOs. In an effort to combat trafficking in persons, the Task Force met on a monthly basis to coordinate government efforts to combat human trafficking. The task force continued implementation of its program to raise awareness of trafficking in persons and its illegality, with the aim of enhancing enforcement efforts.

The Office of National Security reported that as of August 31, 2016, the International Organization for Migration had facilitated the repatriation of 14 women who had been trafficked in previous years to Kuwait to work as domestic workers.

Men, women, and child victims of forced labor originated largely from rural provinces within the country and were recruited to urban areas for artisanal and granite mining, petty trading, portering, rock breaking, and begging (see also section 7.c. and section 6, Sexual Exploitation of Children). The Ministry of Social Welfare, Gender, and Children's Affairs reported it was aware of trafficking, domestic service, mining, or other activities, but it had no specific data on these forms of forced or compulsory labor. As of August the FSU reported four trafficking cases, with investigations continuing.

In remote villages children were forced to carry heavy loads as porters, which contributed to stunted growth and development. There were reports that children whose parents sent them to friends or relatives in urban areas for education were forced to work on the street, where they were involved in street vending, stealing, and begging.

Also see the Department of State’s *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt (<http://www.state.gov/j/tip/rls/tiprpt/>).

c. Prohibition of Child Labor and Minimum Age for Employment

The law limits child labor, allowing light work at age 13, full-time nonhazardous work at 15, and hazardous work at age 18. The law states that children under age 13 should not be employed in any capacity. Provided they have finished schooling, children age 15 may be apprenticed and employed full time in nonhazardous work. The law also proscribes work by any child under age 18 between 8 p.m. and 6 a.m.; however, the law does not limit the number of hours of light work. While the law does not stipulate specific conditions of work, such as health and safety standards, it prohibits children under age 18 from being engaged in hazardous work, that is, work that poses a danger to the health, safety, and “morals” of a person, including going to sea; mining and quarrying; portage of heavy loads; chemicals manufacturing; work in places where machines are used; and work in places such as bars, hotels, and places of entertainment where a child may be exposed to “immoral behavior.” The prohibitions on hazardous work for children do not adequately cover the sectors where child labor is known to occur.

Through August 2016 neither the Ministry of Labor and Social Security nor the Ministry of Mines and Mineral Resources provided training for labor inspectors to monitor child labor. The government did not effectively enforce applicable child labor-related laws, in part due to lack of funding and limited numbers of labor inspectors in areas where child labor is prevalent. The penalty for employing children in hazardous work or violating the age restrictions under the Child Rights Act was not sufficient to deter violations.

Child labor remained a widespread problem. According to the National Commission for Children, almost one-half of the children who resided in rural areas were engaged in child labor, compared with 36 percent of urban children. Children engaged in exploitive labor activities, including petty trading, carrying heavy loads, breaking rocks, harvesting sand, begging, deep-sea fishing, agriculture (production of coffee, cocoa, and palm oil), domestic work, commercial sexual exploitation, scavenging for scrap metal and other recyclables, and other age-inappropriate forms of labor under often hazardous conditions. Larger companies enforced strict rules against child labor, but it remained a pressing issue in small-scale informal artisanal diamond and gold mining.

As in previous years, many children worked alongside parents or relatives and abandoned educational or vocational training. In rural areas children worked seasonally on family subsistence farms. Children also routinely assisted in family businesses and worked as petty vendors. There also were reports that adults asked orphanages for children to work as household help. Because the adult unemployment rate remained high, few children were involved in the industrial sector or elsewhere in the formal economy.

Also see the Department of Labor’s *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings/ (<http://www.dol.gov/ilab/reports/child-labor/findings/>).

d. Discrimination with Respect to Employment and Occupation

The law prohibits most discrimination with respect to employment and occupation. The constitution does not prohibit discrimination based on religion, national origin or citizenship, social origin, age, language, HIV-positive status or having other communicable diseases, sexual orientation, or gender identity. While there were no firm statistics, NGOs at times expressed concerns that discrimination appeared to occur based on sex, disability, sexual orientation, and gender identity with respect to employment and occupation.

As of August 31, there was no information available on whether the government enforced the applicable provisions regarding combatting discrimination at workplaces.

e. Acceptable Conditions of Work

There is a national minimum wage, including in the informal sector, of 500,000 leones (\$68) per month, which falls below the basic poverty line in Sierra Leone. The Ministry of Labor and Social Security is responsible for enforcing labor laws, including the minimum wage.

Although not stipulated by law, the standard workweek was 40 hours (60 hours for security personnel). Employers negotiated work hours and overtime with employees at the time of hiring. There is no statutory definition of overtime wages to be paid if an employee's work hours exceeded the standard workweek. There is no prohibition on excessive compulsory overtime or a requirement for paid leave or holidays.

Initially a union can make a formal complaint about a hazardous working condition; if the complaint is rejected, the union may issue a 21-day strike notice. The law also requires employers to provide protective clothing and safety devices to employees whose work involves "risk of personal safety or potential health hazard." The law protects both foreign and domestic workers. The law does not provide workers with the right to remove themselves from situations that endangered their health or safety without jeopardy to their employment, and the government took no steps to protect employees who so acted.

The workplace health and safety regulations were outdated and under review. The government did not effectively enforce these standards in all sectors. The small number of labor inspectors was insufficient to enforce compliance.

According to the Ministry of Labor and Social Security, labor laws and standards continued to be violated primarily due to lack of resources, corruption, and lack of law enforcement, rather than the deterrent effect, or lack thereof, of the penalties. Minimum wage compliance was particularly difficult to monitor in the informal sector. According to the World Bank and Statistics Sierra Leone, 91.9 percent of the workforce worked in the informal sector. Most workers supported an extended family. It was common to pool incomes and to supplement wages with subsistence farming and child labor.

Violations of wage, overtime, and occupational safety and health standards were most frequent within the artisanal diamond-mining sector. Violations were common in the case of street vendors and market-stall workers, rock crushers, and day laborers, many of whom migrated to Freetown to seek employment but, desperate to earn enough for a meal, were vulnerable to exploitation.

There were numerous complaints of unpaid wages and lack of attention to injuries sustained on the job, but victims often did not know where to turn for recourse, or their complaints went unresolved.

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