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SIERRA LEONE: Tier 2

Sierra Leone is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Victims originate largely from rural provinces and are recruited to urban and mining centers for the purposes of exploitation in prostitution, domestic servitude, and forced labor in artisanal diamond and granite mining, petty trading, portering, rock breaking, street crime, and begging. Trafficking victims may also be found in the fishing and agricultural sectors or subjected to sex trafficking or forced labor through customary practices, such as forced marriages. During the reporting period, transnational trafficking to and from Sierra Leone increased. Nationals from other countries, such as Kenya, endured domestic servitude in the country. Sierra Leonean girls were subjected to trafficking in Guinea and traffickers attempted to exploit boys and girls from Sierra Leone as "cultural dancers" in The Gambia. 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 experience forced labor and forced prostitution. Sierra Leonean women continued to be subjected to trafficking in Kuwait and Lebanon as in previous years. Children from neighboring West African countries have been exploited in forced begging, forced labor, and prostitution. Indian, Sri Lankan, and Chinese men have been subjected to forced labor within Sierra Leone.

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. During the reporting period, an outbreak of Ebola and its aftermath continued to severely affect the country and overwhelmed the government's resources and capacity to effectively address a variety of issues, including trafficking in persons. Trafficking in persons data collection and victim identification remained weak. The 2005 Anti-Trafficking in Persons Act (ATPA) includes sentences of only fines, which is not sufficiently stringent and not commensurate with penalties for other serious crimes, such as rape. However, the government's national anti-trafficking taskforce, which resumed activities in May 2015, approved a national action plan on trafficking in persons and began implementing a monitoring and reporting framework and national referral mechanisms for protecting and assisting trafficking victims. The government also finalized a trafficking in persons database and began reviewing the ATPA, with a view to raising penalties for trafficking offenses. During the reporting period, the government prosecuted six trafficking cases. The government also met with representatives of an international organization and the Government of Kuwait to discuss procedures for repatriating 40 Sierra Leonean women who had been subjected to trafficking in

previous years to Kuwait and Lebanon, and repatriated nine women subjected to forced labor in Kuwait during the last reporting period.

RECOMMENDATIONS FOR SIERRA LEONE:

Increase efforts to prosecute trafficking offenses and convict and punish trafficking offenders using the ATPA; continue efforts to review and strengthen the ATPA, to include amending the law to restrict the ability of judges to make a person convicted of trafficking liable to a fine in lieu of prison time; in collaboration with civil society organizations, train police and prosecutors to identify, investigate, and prosecute trafficking cases; sufficiently fund anti-trafficking activities in the national budget and begin allocating funds to relevant entities, such as the national anti-trafficking taskforce, to assist in implementing the national action plan on combating trafficking in persons; train law enforcement officers and social workers to identify trafficking victims proactively among vulnerable populations, such as women in prostitution, unaccompanied minors, or undocumented migrants, and provide victims with protective services; improve coordination among government agencies responsible for combating trafficking in persons; increase partnerships with NGOs providing assistance to trafficking victims and support their efforts either financially or through in-kind support; continue to improve efforts to collect data on anti-trafficking law enforcement and victim assistance efforts; in collaboration with civil society organizations, increase efforts to raise public awareness about the dangers of trafficking, including adult trafficking; and take steps to address procedural delays in trafficking cases, which place undue burden on victims and often result in prosecutors dropping criminal charges against alleged offenders.

PROSECUTION

The government modestly increased its anti-trafficking law enforcement efforts. The ATPA prohibits all forms of human trafficking and prescribes a maximum penalty of 10 years' imprisonment or a fine of 50 million leones (\$6,000) for both sex and labor trafficking offenses. The ATPA's provision allowing convicted traffickers to be sentenced to just a fine provides for a penalty that is insufficiently stringent and not commensurate with the penalties for other serious crimes, such as rape. The government's national anti-trafficking taskforce reviewed the ATPA with an aim to revise the law, including by strengthening penalties for the trafficking of adults. The Sexual Offenses Act of 2012 prohibits child sex trafficking, prescribing penalties of a maximum of 15 years' imprisonment without the option of a fine, and requires the police to assist victims after receipt of a trafficking complaint and protect vulnerable witnesses.

During the reporting period, the government reported 54 investigations, six prosecutions, and no convictions of traffickers, compared with 21 investigations, one prosecution, and no convictions reported during the previous reporting period. Judicial inefficiency and procedural delays required victims to travel frequently to the capital for court appearances, which was difficult and costly; as a result, the vast majority of trafficking cases were not prosecuted. In addition, some victims were unwilling to testify. Rather than pursue cases in court, the government allowed some trafficking cases to be settled through mediation. Data collection remained weak, particularly within the judiciary; therefore, the Ministry of Justice was unable to provide comprehensive law enforcement statistics. The government did not report whether it provided training for police, prosecutors, or other law enforcement officials on trafficking in persons during the reporting period. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses during the reporting period; however, corruption, particularly within the judiciary, remained a problem.

PROTECTION

The government sustained modest efforts to protect trafficking victims. Although the government did not gather comprehensive victim identification data, it reported the identification of 65 new trafficking victims during the reporting period; the majority of victims were women. NGOs assisted 85 trafficking victims (including nine whom they continued to assist from the previous reporting period), 65 new victims referred by the government, and 11 victims referred by other entities during the reporting period. In October 2015, the government requested from the Government of Lebanon the repatriation of two Sierra Leonean female domestic workers it believed were subjected to trafficking in Lebanon. The women remained in Lebanon at the conclusion of the reporting period. The government also worked to repatriate 40 Sierra Leonean women who had been subjected to trafficking in previous years in Kuwait and Lebanon and worked with an international organization and the Government of Kuwait to repatriate nine women subjected to forced labor in Kuwait during the last reporting period. There are no state-run shelters for trafficking victims and the government did not provide funding to any NGO shelters for their assistance to trafficking victims. However, government social workers and prosecutors continued to provide psychosocial services and legal representation to victims residing in NGO-run shelters. During the reporting period, the government and NGO partners began to use a national referral mechanism for trafficking victims adopted during the last reporting period. The law provides alternatives to removal to countries in which victims would face retribution or hardship, including temporary residency; however, no cases were identified during the reporting period whereby victims could benefit from this provision. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a direct result of being subjected to trafficking.

PREVENTION

The government sustained modest efforts to prevent trafficking. During the reporting period, government personnel who would otherwise focus on trafficking issues were seconded to assist in Ebola response and recovery efforts. Nonetheless, the government included awareness-raising about trafficking in persons in its nationwide programs to sensitize local communities about Ebola. The national anti-trafficking taskforce approved and implemented, as of August 2015, the national action plan on combating trafficking in persons. In an effort to expand protections for migrant laborers, including foreign workers employed in Sierra Leone and Sierra Leoneans going abroad, the Ministry of Labor and Employment continued to conduct investigations of all recruitment agencies and implemented strict licensing procedures; during the last reporting period, the government banned the use of recruitment fees and prohibited foreign nationals from operating recruitment agencies within the country.

As a result of a government investigation in June 2014, the government publicly declared a recruitment agency to be disreputable for engaging in fraudulent transactions with persons seeking to obtain jobs in other countries, and shut down the company. The government continued investigating the company during the current reporting period. The government did not provide anti-trafficking training for its diplomatic personnel. The government took no discernible efforts to reduce the demand for commercial sex or forced labor during the reporting period.

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