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Sierra Leone

Country Reports on Human Rights Practices - [2005](#)

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Sierra Leone is a constitutional republic with a directly elected president and a unicameral legislature. In 2002 the devastating 11-year civil conflict officially ended, and the government, backed by a large United Nations peacekeeping force, asserted control over the whole country. Ahmed Tejan Kabbah was reelected president in 2002, and his Sierra Leone People's Party (SLPP) won a large majority in parliament. Many international monitors declared the elections free and fair; however, there were also numerous reports of election irregularities. In May 2004 the first local government elections in 32 years were held in 311 wards nationwide. National and international monitors declared the elections free and fair; however, evidence of substantial electoral irregularities later emerged. In 2004 the peacekeeping UN Mission in Sierra Leone (UNAMSIL) handed over responsibility for security countrywide to the Republic of Sierra Leone Armed Forces (RSLAF) and Sierra Leone Police (SLP). By year's end UNAMSIL withdrew all remaining peacekeepers. UNAMSIL also handed over residual, non-peacekeeping responsibilities to a follow-on peacebuilding UN mission (UNIOSIL). Civilian authorities generally maintained effective control of security forces throughout the year.

On June 27, the government released a white paper in response to the recommendations contained in the Truth and Reconciliation Commission's (TRC) final report. During the year the UN Special Court of Sierra Leone (SCSL) war crimes tribunal continued trials of three Civil Defense Force (CDF) indictees and three Revolutionary United Front (RUF) indictees, and it began trials of five former members of the Armed Forces Revolutionary Council. The government generally respected the human rights of its citizens; however, there were serious problems in a number of areas.

Widespread poverty, an infrastructure devastated by the civil war, and decades of bad governance influenced the human rights situation. The following human rights problems were reported:

- abuses by security forces, including rape, and use of excessive force with detainees, including juveniles
- police theft and extortion
- poor conditions in prisons and detention centers
- official impunity, including for alleged manslaughter
- arbitrary arrest and detention
- prolonged detention, excessive bail, and insufficient legal representation
- an inefficient and corrupt judiciary
- restrictions on freedom of speech and press
- widespread official corruption
- government and chiefdom arrest and abuse of journalists
- societal discrimination and violence against women
- female genital mutilation (FGM)
- child abuse
- trafficking in persons, including children
- forced labor, including by children
- child labor

The judicial branch took action to improve excessively long pretrial detentions by dismissing charges, releasing detainees on bail, and beginning delayed trials. In an attempt to reduce corruption in the judiciary, the chief justice introduced a code of conduct for judicial officers.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

The government or its agents did not commit any politically motivated killings during the year; however, a

parliamentarian was briefly detained in connection with a beating that led to the death of a newspaper editor (see section 2.a.). In addition during a demonstration police allegedly shot a girl who later died from her injuries (see section 1.d.).

The detention center guard sought in connection with the 2003 beatings of three boys, one of whom was beaten to death, remained at large.

Preliminary investigation by the magistrate court revealed that one of the three RSLAF soldiers accused of beating a businessman to death in 2003 was actually a witness to the crime. The case against the remaining two soldiers was dismissed after no witnesses appeared in court to testify against them.

In April 2004 UNAMSIL soldiers were accused of murdering a prostitute, who was found dead after last being seen with the men. Although UNAMSIL concluded its mandate by year's end, UNIOSIL continued to investigate the case (see section 1.c.).

There were no further investigations into the possible existence of a mass grave in Kamakwie.

b. Disappearance

There were no reports of politically motivated disappearances; however, the Poro Society, a secret male initiation society present throughout the country, reportedly abducted a local imam near Bo following a dispute over the forced ritual initiation, which normally includes circumcision, of a local Muslim man. When the imam did not reappear and others in the community appealed to the SLP to investigate, the SLP referred the case to chiefdom authorities. The imam reappeared after a number of weeks, during which time he had been forcefully initiated into the society. The Freetown-based Council of Imams registered a complaint with the chiefs; the latter apologized to the council for the incident and the matter was not referred to court.

Former RUF rebels continued to hold persons, including women and children, as forced or common law spouses or as laborers. Some women reportedly remained with their captors due to intimidation and a lack of viable options (see section 5). The Ministry of Social Welfare, Gender and Children's Affairs maintained a database, with the help of the UN Children's Fund (UNICEF), which attempted to track children separated from their families during the war. International nongovernmental organizations (NGOs) continued to work, often with government assistance, to secure the release of women and children from their captors.

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

The law prohibits such practices; however, there were reports that security forces beat and raped persons, and that police stole, extorted, and accepted bribes.

The pre-independence Corporal Punishment Act of 1960 allows boys under age 17 to receive up to 12 lashes as punishment. In January a magistrate in Bo sentenced an 11-year-old boy to 6 lashes for stealing a cellular phone. The draft Child Protection Bill, currently being reviewed by the cabinet, contains a provision that would repeal the act.

On March 11, a police officer in Kenema allegedly beat a woman and stole \$3.50 (10 thousand leones) from her while she was in custody. The woman was subsequently released; however, police denied the allegations and took no action against the accused police officer.

Unlike in 2004, there were no reports that security forces beat journalists during the year, although a member of parliament allegedly ordered the beating of a journalist during the year (see section 2.a.). Intimidation and arrest of journalists occurred.

There were reports that security forces raped women and children during the year (see section 5). On April 10, a police officer in Port Loko raped an 11-year-old girl. The girl's father, also a police officer, settled the case out of court for approximately \$68 (200 thousand leones).

The Freetown police officer held in custody at the end of 2004 for raping a 12-year-old girl was released on bail, but the matter was later settled out of court.

In December 2004 the magistrate court in Kenema released and then ordered the re-arrest of a soldier who had been charged during the year with raping an 8-year-old girl in Kailahun. The soldier presented evidence that he was impotent; however, subsequent press reports indicated that he had a pregnant wife and two children, and the magistrate concluded that he had made his original decision based on false evidence. At year's end the SLP had still not executed the re-arrest order for the soldier.

There were no charges filed by year's end against a Kenema police officer accused of impregnating an 18-year-old prisoner in August 2004; however, the officer was assigned to a different location.

There were no reports of action taken in other 2004 and 2003 cases of rape committed by security forces.

There were no reports that UNAMSIL staff or soldiers raped persons during the year. Although UNAMSIL ceased

operations by year's end, UNIOSIL retained a human rights mandate and continued to investigate the alleged 2003 rape by a UNAMSIL soldier of a girl in Makeni.

In February an SCSL staff member from another country was convicted of raping a young girl in August 2004 and sentenced to an 18-month prison term; however, on October 12, the court of appeal overturned the conviction.

On multiple occasions, police were not present when crowds beat alleged thieves.

During the year Guinean forces continued to occupy the Yenga area in the eastern part of the country, contravening an agreement between the presidents of Guinea and Sierra Leone acknowledging that the town of Yenga was part of Sierra Leone. The government and human rights groups accused the Guinean troops of harassing the local population. In October a joint meeting to officially delimit the boundary between the two countries ended without success, and the issue was unresolved at year's end.

Prison and Detention Center Conditions

Prison conditions improved in some locations during the year, due in large part to a UN Development Program (UNDP)–funded prison reconstruction and rehabilitation program. However, conditions in most facilities, including the maximum security prison on Pademba Road in Freetown, remained poor. After visits to prisons in the Western (Freetown) Area, Kambia, Magburaka, Bo, Bonthe, Moyamba, and Kenema, human rights observers reported that conditions frequently fell below minimum international standards because of overcrowding, lack of access to food, unhygienic conditions, and insufficient medical attention. Unlike in the previous year, there were no reports that such conditions resulted in death during the year.

Many problems resulted from the lack of resources and inefficiency of the judiciary. For instance, case backlogs in the courts, which often led to long pretrial detention, caused severe overcrowding. Government records indicated that there were approximately 1,740 detainees in prisons nationwide, 696 of whom had not completed their trials. This figure did not include detainees in police jails and detention centers. Prison overcrowding was a severe problem at Freetown's maximum security Pademba Road prison, which was designed to house 325 prisoners but held an estimated 930. A Commonwealth judge who inspected Pademba Road Prison in 2004 described conditions as "deplorable." There were 13 district prisons. The UNDP completed the rehabilitation and reconstruction of eight prisons and a training center by year's end.

Conditions in holding cells in police stations were extremely poor, especially in small stations outside Freetown. During the year international monitors visited the SCSL detention facilities and reported that they met acceptable standards.

Unlike during the previous year, the government permitted family visits, but only for brief periods. The International Committee of the Red Cross (ICRC) provided a message delivery service that allowed prisoners housed in all district prisons to communicate with their families.

In April Liberian ex-combatants staying at the Mape and Mafanta internment camps began returning to Liberia with the assistance of the ICRC and the National Commission for Social Action (NaCSA). All internees had returned to Liberia by year's end. The United Nations High Commissioner for Refugees (UNHCR) facilitated the repatriation of the internees' families, many of whom had lived in refugee camps.

Except for pilot "work release" programs offering income (prison wardens collect tips from the community on behalf of detainees for work performed) in Kabala and Pujehun, detainees frequently worked outside of the prison without appropriate compensation.

According to a local NGO report, male and female prisoners shared cells in Bo, Kenema, Moyamba, Kono, and Pujehun prisons. Adults and juveniles were sometimes incarcerated together. Juvenile detainees did not have adequate access to food, education, or vocational training. Pretrial detainees were held with convicted prisoners.

International monitors, including UNAMSIL and the ICRC, had unrestricted access to Pademba Road prison and other detention facilities, including the SCSL detention facilities. Prison Watch, a local human rights group, reported on detention facilities throughout the country but stated that the government did not allow it access to Pademba Road prison.

On October 20, the minister of internal affairs publicly acknowledged the deficiencies in the prison system and encouraged civil society to report problems so that they could be addressed.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention; however, government forces occasionally arrested and detained persons arbitrarily.

Role of the Police and Security Apparatus

The SLP, which has primary responsibility for maintaining internal order, received insufficient resources, lacked

investigative and forensic capabilities, and was widely viewed as corrupt and incompetent. Impunity was a serious problem. During the year there were frequent reports that police officers took bribes at checkpoints, falsely charged motorists with violations, and impounded vehicles to extort money. The Driver's Union complained that police demanded bribes at illegal checkpoints during the year. Police also accepted bribes from criminal suspects in exchange for dropping charges.

The inspector general of police continued efforts to recruit and train police during the year and increased the number of officers from 7,900 in 2004 to 9,300 by year's end.

Police responded, overall professionally, to a number of public demonstrations since the drawdown of UNAMSIL peacekeeping forces; however, some reports indicated that police used live ammunition to quell demonstrators, and at least one of these incidents resulted in the death of a 16-year-old girl (see below).

During the year a formal police training program provided instruction to police in areas such as professional ethics and human rights. A total of 3,500 were trained — new recruits as well as other officers who received refresher training. In November senior police officers participated in a human rights workshop in Freetown.

There were several mechanisms available to investigate police abuses. The Police Complaints Commission and the Complaints, Discipline and Internal Investigations Department (CDIID) both heard complaints against police officers. The CDIID received over 400 complaints during the year and disciplined approximately 150 police officers. There was also a Police Council, composed of the vice president, minister of internal affairs, inspector general, and others who accepted written complaints against police.

On multiple occasions police were not present when crowds beat alleged thieves. Police also were not always able to control violence at public demonstrations (see section 2.b.). For example, during a February 28 to March 1 demonstration, protestors threw stones and bricks and threatened onlookers; a 16-year-old girl was shot in the mouth. There were reports that police brought the girl to a dental clinic for care and told medical personnel they would pay the bill. The girl died two months later, and her father requested a police investigation into the shooting. By year's end, however, the girl's father claimed that no investigation had begun.

On November 7, police in Kenema fired live warning shots to quell a violent demonstration of the Kenema Bike Drivers' Association that began after two motorcyclists were found dead. The shots killed at least one bystander who was not participating in the demonstration.

Arrest and Detention

The law in many cases requires warrants for searches and arrests; however, arrest without warrant was common. The law prohibits arbitrary arrest and detention; however, government forces occasionally arrested and detained persons arbitrarily. Once arrested a detainee must be told the reason for arrest within 24 hours, and a case must be charged to court within 72 hours or, in the case of serious crimes, within 10 days. However, detainees were often held without charge or trial for minor offenses for long periods. Detainees have the right of access to family and counsel; however, access to counsel was often delayed, and family visits to prisoners were restricted. Prison visits are allowed once every two weeks. Prison headquarters must approve all visits, however, so visits are further subject to restriction, and were reportedly very short at Pademba Road prison (see section 1.c.). Indigent detainees usually did not receive legal advice prior to trial.

There were provisions for bail, and there was a functioning bail system; however, the TRC recommended that the law concerning bail provisions be revised.

Incommunicado detention was generally not a problem; however, jailed *For di People* editor Paul Kamara was sent to solitary confinement and not allowed to communicate with his family for a brief period (see section 2.a.).

There were numerous instances of arrest without charge for strictly civil offenses; arrests for alleged breach of contract or failure to satisfy debt were the most common.

The SLP sometimes acted on individual informal complaints outside the established chain of command and scope of duty. In July an SLP officer in Freetown illegally forced a woman to pay a "summons fee" to a chief who had asked him for assistance. The officer would not allow the woman to sell food from her street stall until she went to see the chief and paid the fee.

During the year police arrested demonstrators (see section 2.b.).

Trials were in progress at year's end for approximately one hundred ex-combatants who fought for the RUF, the rebel group which started the country's 11-year civil war; the Armed Forces Revolutionary Council (AFRC) junta; and the West Side Boys, a splinter group of the AFRC. All combatants were represented by a legal assistance NGO.

In October 2004 the final report of the TRC noted that the government still illegally held at least 16 detainees in "safe custody" without charge, several of them since 2000. The government released all known prisoners remaining in safe custody during the year; however, the procedures remained flawed and the process was not transparent. In September a woman from Rokupr claimed that her husband remained in safe custody detention, where he had been

for several years.

Lengthy pretrial detention was a problem. Authorities held many criminal suspects for months and some for years before courts examined their cases or filed formal charges. According to government records, approximately 40 percent of the country's 1,740 detainees in prison were in pretrial detention. There were reports that the percentage of pretrial detainees at Pademba Road prison exceeded 70 percent.

Amnesty

The law provides the president with the power to grant amnesty by the "prerogative of mercy," which the president traditionally exercises on Christmas Day (December 25) and Independence Day (April 27). During the year President Kabbah did not grant any releases using this power.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, and the government generally respected this provision in practice; however, the judiciary at times was subject to government influence and corruption.

The judicial system consists of the Supreme Court, court of appeal, high court of justice, and magistrate courts. The president appoints and parliament approves justices for the three courts. Local chieftaincy courts administer customary law with lay judges; appeals from these lower courts are heard by the superior courts.

Judicial presence outside the capital district remained limited, which contributed to excessive delays in the justice system. Although magistrate courts functioned in all 12 judicial districts, an insufficient number of magistrates resided permanently outside the capital. Justices of the peace or customary law partially filled the gap, and magistrates periodically visited districts with judicial vacancies.

Trial Procedures

The law provides for a fair trial; however, in practice the lack of judicial officers and facilities often produced long delays in the judicial process. Persons accused of crimes have a limited right to a trial by jury in the magistrate courts. Juries were drawn from a list maintained by the master and registrar of active and retired civil servants and youth groups; however, the attorney general frequently exercised his power to determine that cases be heard by a judge only. Defendants have the right to be present and to consult with an attorney in a timely manner; however, access to counsel was often delayed. The law directs that attorneys be provided at public expense if defendants could not afford their own; however, state-appointed attorneys were often overburdened and poorly paid, and indigent detainees usually did not receive legal advice prior to trial. Defendants can confront or question witnesses against them, present witnesses on their own behalf, and access government-held evidence relevant to their cases. Defendants enjoy a presumption of innocence as well as a right to appeal. Trials were usually fair; however, there was evidence that corruption influenced some cases. A majority of cases on the magistrate level were prosecuted by police officers, many of whom had little or no formal legal training.

Traditional justice systems continued to extensively supplement the central government judiciary, especially in rural areas, in cases involving family law, inheritance, and land tenure. There were reports that local chieftains at times exceeded their mandates and administered harsh punishments. For example chiefs often judged criminal cases, such as rape, and there were reports that chiefs ordered rape victims to marry their attackers (see section 5).

The law does not limit the rights associated with a fair trial to any group; however, there are a number of civil laws and customary law that discriminate against women.

In April 2004 Freetown Port employees severely beat a port authority official who was investigating corruption. During the trial the port authority director allegedly bribed all 12 jurors, and the suspects who had been arrested for the beating were subsequently acquitted and released. The jurors later were arrested and charged with conspiracy to impede the cause of justice. Trials were ongoing at year's end.

Political Prisoners

There were no reports of political prisoners.

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

The law prohibits such practices, and the government generally respected these prohibitions in practice.

Unlike in the previous year, there were no reports that Liberian combatants conducted cross border raids or forced villagers to be porters.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and of the press; however, the government at times limited these rights in

practice. The press frequently published stories critical of the government; however, self-censorship may also have occurred.

More than 25 newspapers were published in Freetown during the year, covering a wide spectrum of interests and editorial opinion. Most of the newspapers were independent, and several were associated with opposition political parties. Reporting was often politicized and inaccurate, in large part because of poor journalistic skills, insufficient resources, and lack of professional ethics. Corruption among journalists was widespread. The number of newspapers fluctuated weekly. Newspapers openly and routinely criticized the government and its officials, as well as opposition parties and former rebel forces, but they also were accused of libeling individuals.

On May 10, five individuals beat Harry Yansaneh, the acting editor of *For di People* newspaper, who died on July 28 from his injuries. Police detained a parliamentarian, Fatmata Hassan Komeh, who allegedly ordered and oversaw the beating, and two others on August 26, and on August 30 police released them on bail pending trial. (Three suspects, who were Komeh's children, returned to their residence in the United Kingdom after the beating so arrest warrants for them could not be executed.) The beating took place soon after the parliamentarian served an eviction notice on several newspapers operating in a building she owned. At a press conference on November 7, the attorney general said that because the coroner in charge of the government inquest had not followed correct procedures, the case could not be charged to court. By year's end the government had taken no further action to move the case forward.

No action was taken against the police officers who assaulted two journalists in September 2004, nor against SLPP members who beat a journalist the same month.

Due to low levels of literacy and the relatively high cost of newspapers and televisions, radio remained the most important medium for public dissemination of information. Several government and private radio and television stations broadcast, featuring domestic news coverage and political commentary. UN Radio provided additional coverage of news and other current events.

The Public Order Act of 1965 criminalizes both defamatory and seditious libel; however, the law was infrequently applied and only in cases involving top officials. Punishment for first-time offenders can be up to three years' imprisonment, and subsequent seditious libel convictions can bring terms of up to seven years.

During the year officials used libel laws to suppress criticism of political or other leaders, and ordered security forces to arrest journalists. For example, on February 11, police arrested a newspaper editor after he published an article that criticized President Kabbah for failing to dismiss a minister accused of corruption. The editor was initially accused of seditious libel and held for three days, after which he was released.

On May 24, police arrested a newspaper editor and a reporter following the publication of an article that quoted an unnamed source that reportedly said that President Kabbah was angered by earlier reports alleging that the attorney general had accepted bribes. On May 27, a judge granted the defendants bail, and on June 7, both were acquitted.

Paul Kamara, the newspaper editor found guilty of seditious libel against President Kabbah in October 2004, was released from prison on November 29 after winning an appeal of his conviction. Kamara served just over one year of a two-year sentence, at times in solitary confinement.

The Independent Media Commission regulated independent media organizations. Although still subject at times to government influence, the commission took steps to increase its independence. In October the commission sponsored a workshop advocating the repeal of the criminal libel provisions of the Public Order Act.

Registration fees for radio stations ranged from approximately \$170 (500 thousand leones) for a 100-watt community radio station to \$2 thousand dollars (5.9 million leones) for approval to rebroadcast international programming such as that of Voice of America and the British Broadcasting Corporation. Annual renewal fees ranged from \$85 to 2 thousand dollars (250 thousand to 5.9 million leones). Newspapers were charged an annual registration fee of approximately \$35 (103 thousand leones). Although some newspapers had not paid the fees, none had been banned by year's end.

The paramount chief of Bo threatened to close down a radio station and banish a radio commentator after a September 12 broadcast in which the commentator charged that the recent ruling SLPP convention was rigged. The radio station manager sent the commentator on one month's leave, dispatched a letter of apology to the paramount chief, and paid the chief \$45 (130 thousand leones).

There were no government restrictions on the Internet or academic freedom.

b. Freedom of Peaceful Assembly and Association **Freedom of Assembly**

The law provides for freedom of assembly, and the government generally respected this right in practice.

Police in Bo arrested 11 individuals who were allegedly associated with a November 18 demonstration in support of presidential hopeful Charles Margai, including Margai himself. The spontaneous demonstration occurred at a school

alumni event to which both Margai and Vice President Berewa had been invited. Margai supporters crowded the streets when Margai left the school and briefly blocked the vice president's advancing motorcade. Authorities charged them with violations of the Public Order Act. By year's end a trial had not begun.

Members of the Chief Sam Hinga Norman Help Line, a group in Bo that supports the former CDF chief who was standing trial for war crimes at the SCSL, complained that local authorities denied group members the right to assemble in Bo to commemorate the third anniversary of Norman's arrest on March 10.

Unlike in the previous year, there were no reports that police harassed local groups that met in Kono to discuss mining practices.

Several large demonstrations took place during the year, including opposition party political rallies. Although some demonstrations were marred by violence, most were relatively peaceful, and security forces generally did not seek to prevent them from taking place.

On February 28 and March 1, police used tear gas to disperse a protest by the Fourah Bay College Student Union that became violent; one demonstrator died from gun shot injuries. Protesters threw stones, burned tires, attacked cars, and held policemen hostage. Police reportedly arrested 40 demonstrators, although press reports indicated that the number may have been as high as 52. There were reports of gunfire, and a 16-year-old girl, who was shot in the mouth, died two months later from her injuries (see section 1.d.).

Freedom of Association

The law provides for freedom of association, and the government generally respected this right in practice.

Although the law requires political parties to register with the Political Parties Registration Commission (PPRC), the commission was not operational by year's end. As a result two new political parties were unable to register during the year (see section 3).

c. Freedom of Religion

The law provides for freedom of religion, and the government generally respected this right in practice.

Societal Abuses and Discrimination

On April 21, a Muslim public holiday, a group of Muslims in Rokupr burned the *igbala* (hut or shrine) where the local hunting society stored its traditional hunting masks so that the group could not stage its traditional parade. A local newspaper reported and police confirmed that the Muslims burned the masks because they believed that the tradition was a desecration of the Prophet Muhammad's birthday. Police arrested several persons, but the case was resolved out of court.

On May 19 and 20, an altercation in Freetown that began when a group of Anglican schoolchildren harassed a Muslim woman trying to cross the street escalated when a group of Muslims wielding sticks, knives, and copies of the Koran went to the children's church. The group threw objects at the church and broke most of its windows. After the incident church leaders cancelled Sunday services and closed the school. The Inter Religious Council hosted a series of meetings between the two groups to mediate the problem. On May 29, church services resumed, and the school re-opened on June 2.

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

For a more detailed discussion, see the 2005 [International Religious Freedom Report](#).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for these rights, and the government generally respected them in practice; however, there were reports that police officers who operated security roadblocks outside of the capital often extorted money from motorists.

The law does not provide for forced exile, and the government did not use it.

The border shared with Liberia was officially open, and authorities permitted refugees, returnees, and other persons to move regularly between the two countries; however, there were reports that police, customs, and army personnel demanded bribes at border crossing points.

Since 2000 approximately 271 thousand refugees have repatriated to the country. An estimated 13,500 persons have remained in refugee camps or integrated locally outside the country.

Internally Displaced Persons (IDPs)

Combatants from all sides targeted civilians during the country's 11-year civil war. Estimates of the number of IDPs in past years varied from 750 thousand to 2 million people.

No officially registered IDPs remained; however, one camp for war-wounded persons and their families remained open in Grafton. At year's end the camp population was approximately 520. Unlike in the previous year, there were no reports that refugees and IDPs returned to find their homes occupied.

Protection of Refugees

The law does not provide for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol; however, in practice, the government provided protection against *refoulement*, the return of persons to a country where they feared persecution. The government granted refugee status and asylum and cooperated with the UN High Commissioner for Refugees (UNHCR) and other organizations in assisting refugees.

The government also provided temporary protection to individuals who may not qualify as refugees under the 1951 Convention Related to the Status of Refugees and its 1967 protocol. During the year the government continued to provide temporary protection to Liberians who had fled the conflict in their country. At year's end, according to the UNHCR, there were approximately 47 thousand Liberian refugees living in refugee camps in the country and an additional 12 thousand living outside of the camps.

Unlike in 2004 there were no reports that refugees were sexually exploited in camps by locally employed staff of international NGOs in exchange for extra food and aid materials; however, there were reports that Liberian refugees were victims of sexual abuse (see section 5).

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides citizens the right to change their government peacefully, and citizens exercised this right in practice through generally free and fair elections held on the basis of universal suffrage; however, the 2002 and 2004 elections were marred by irregularities, although many observers judged them to be generally free and fair.

Elections and Political Participation

Eleven political parties participated in the May 2002 presidential and parliamentary elections. President Kabbah of the SLPP was re-elected with 70 percent of the popular vote. The Revolutionary United Front Party, the political successor to the RUF rebel forces, fielded presidential and parliamentary candidates, but it won only 1.7 percent of the vote. In parliament, the SLPP won 83 of the total 112 seats; only 2 other parties won seats. Only the SLPP was represented in the cabinet after two cabinet members, who were earlier considered to be independent, joined the SLPP following the elections. Many international monitors declared the elections free and fair; however, there were credible reports of significant abuse of incumbency, uneven voter registration, manipulation of vote counting, and partisan action by the National Electoral Commission (NEC). There also were reports of voter coercion by party bosses and traditional leaders.

In May 2004 the first local elections in 32 years were held. International and domestic monitors judged them to be generally free and fair at the time; however, evidence of widespread electoral fraud by both the SLPP and the All People's Congress (APC) emerged after voter turnout numbers were analyzed and found in many districts to exceed the total number of registered voters. A UNAMSIL electoral consultant concluded, however, that fraud did not alter the outcome of the elections because it was equally spread across party lines.

During the year the NEC began a reform campaign with a new commissioner, civil society activist Christiana Thorpe, at its head. With the assistance of the donor community, the NEC dismissed all staff that had been seconded from other ministries, hired and trained new staff, formed a committee to review and streamline electoral legislation, and prepared for a nationwide electoral district boundary demarcation in preparation for the presidential and parliamentary elections scheduled for 2007.

Although there were no formal government restrictions on the political opposition, the incumbent party enjoyed significant advantages. Opposition MPs complained that they did not receive television coverage. Members of the APC, the main opposition to the ruling SLPP, successfully captured the majority of seats on the Freetown City Council, but the city's APC mayor complained that for political reasons the council did not receive SLPP-controlled government funds, a charge that the government and some independent observers disputed.

The law calls for a Political Parties Registration Commission (PPRC); however, the commission was not operational. During previous election cycles, political parties registered with the NEC; however, the NEC discontinued that function during the year as part of its reform efforts. President Kabbah swore in the first group of PPRC members on December 19, but the commission was not operational by year's end. As a result, at least two new political parties were unable to register, thus could not legally engage in political activities.

The basic unit of local government is the paramount chief, who is elected for a life term. Candidates for the position are limited to members of local ruling houses. Only tribal authorities were allowed to vote for paramount chief, and in the north only men could be designated as tribal authorities. Although paramount chiefs' authority exists independently

of the central government, they frequently displayed party affiliations and were influenced by the party in power.

There were 16 women in the 112-seat parliament, 3 women in the 28-minister cabinet, 4 female judges out of a total of 7 on the high court, and 3 female judges out of 6 on the court of appeal. A significant number of women worked as civil servants.

Only citizens can vote, and the Citizenship Act restricts the acquisition of citizenship at birth to persons of "patrilineal Negro-African descent." Legal requirements for naturalization effectively denied citizenship to many long-term residents, and a large number of persons of Lebanese ancestry, who were born and resided in the country, could not vote (see section 5). While a small percentage of the Lebanese population had been naturalized and did vote, others insisted that naturalization implied second-class citizenship and did not seek it.

Government Corruption and Transparency

Corruption in the executive, legislative, and judicial branches was common. Official corruption was exacerbated by low salaries and a lack of accountability. The president continued to publicly support the Anti-Corruption Commission (ACC). Since the ACC's inception in July 2000, approximately 10 percent of the 551 cases investigated were charged to court. At year's end there were 16 cases in court, and 21 of the 35 completed cases had resulted in a conviction. No high-level government officials were convicted by year's end, however, and some observers complained that cases against corrupt high-level officials were not prosecuted because the ACC lacked the authority to refer cases directly to court. During the year the ACC focused on improving transparency at "hot spot" ministries where opportunities for corruption were most pronounced.

There is no provision in the law for public access to government information; however, the government at times provided access to both citizens and non-citizens, including foreign media.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated with few government restrictions, investigating and publishing their findings on human rights cases. Government officials generally were cooperative and responsive to their views.

The National Forum for Human Rights (NFHR) served as an umbrella organization for human rights groups in the country. There were 41 human rights NGOs registered with the NFHR at year's end, and all were reportedly active. The majority of domestic human rights NGOs focused on human rights education. A few NGOs, including the Campaign for Good Governance, the Lawyers' Center for Legal Assistance, and Access to Justice, actively monitored and reported on human rights abuses.

Human rights monitors traveled freely throughout the country. Intensive reporting, data collection, and investigations continued. During the year representatives of international NGOs, foreign diplomats, the ICRC, and UN human rights officers were able to monitor trials and to visit prisons and custodial facilities; however, government authorities did not grant permission to at least one human rights NGO to visit Pademba Road prison during the year (see section 1.c.).

UNAMSIL operated eight provincial human rights offices in addition to the UNAMSIL Human Rights Section in Freetown, which conducted training, monitoring, reporting, and advocacy throughout the year. During 2003 the UNAMSIL Human Rights Section led a campaign to establish a National Human Rights Commission as mandated by the 1999 Lome Peace Accord. At year's end advertisements had run in newspapers for commission positions, but a civil society panel of screeners found the first round of applicants unqualified for presidential consideration.

During the year the Parliamentary Human Rights Committee took a proactive role in protecting human rights. It passed legislation against trafficking in persons, held public discussions on human rights issues, and worked with international organizations to advance other human rights-related initiatives.

The SCSL was established in 2002 to try those who "bear the greatest responsibility for the commission of crimes against humanity, war crimes, and serious violations of international humanitarian law."

Trials began in March of AFRC leaders Alex Tamba Brima, Brima Bazzy Kamara, and Santigie Borbor Kanu. Trials of CDF leaders Sam Hinga Norman, Moinina Fofana, and Allieu Kondewa, begun in June 2004, and trials of RUF leaders Issa Sesay, Morris Kallon, and Augustine Gbao, begun in July 2004, also were ongoing at year's end.

In 2003 the SCSL indicted 13 persons, including former Liberian President Charles Taylor, who had accepted an offer of asylum in Nigeria in 2003. All of those indicted were charged with crimes against humanity, violations of Article 3 common to the Geneva Conventions and of Additional Protocol II, and other serious violations of international humanitarian law. Specific charges included murder, rape, extermination, acts of terror, sexual slavery, conscription of children into an armed force, attacks on UN peacekeepers, and looting and burning of homes from 1997 to 1999.

In October 2004 the TRC, established in 2002 to provide a forum for publicly airing the grievances of victims and the confessions of perpetrators during the civil war, completed its activities and delivered its final report and recommendations to the government. The full version of the final report was distributed to the public in August. The

report contained a separate child-friendly version, since children played such large roles as both victims and perpetrators of violence during the war. The report concluded that years of bad governance, endemic corruption, and denial of basic human rights created the conditions that made the conflict inevitable. The commission offered a number of recommendations on legal, political, and administrative reforms, including elimination of the death penalty. The government released a white paper in June accepting some and rejecting or ignoring other recommendations. Civil society groups criticized the government's response and called the white paper too vague.

The UN and numerous NGOs, both domestic and international, continued to educate and sensitize the population about the TRC and the SCSL, and the government generally supported these efforts.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution prohibits discrimination on the basis of race, tribe, sex, place of origin, political opinions, color, or creed; however, the government did not enforce this prohibition effectively, and a number of legal acts and customary laws contravene these constitutional provisions.

Women

The law does not specifically prohibit domestic violence and the government rarely enforced the provisions contained in the 1861 Offenses Against the Persons Act for violent acts against women, including assault, wounding, and rape. Domestic violence against women, especially wife beating and forced sexual intercourse, was common. The police were unlikely to intervene in domestic disputes except in cases involving severe injury or death. In rural areas, polygyny was widespread. Women suspected of marital infidelity often were subjected to physical abuse; frequently, women were beaten until they divulged the names of their partners. Because husbands could claim monetary indemnities from their wives' partners, beatings often continued until the women named several men, even if there were no such relationships. There also were reports that women suspected of infidelity were required to undergo animistic rituals to prove their innocence.

In 2000 the government established the Family Support Unit (FSU) to deal with gender-based violence. The SLP had FSU offices at 18 police stations around the country. Although some international human rights workers complained that the FSU lacked basic infrastructure and communications support, the UN reported that the FSU was increasingly playing a leading role in investigating cases of violence against women and children. It was also engaged in community education and sensitization through radio and television programs.

The law prohibits rape, which was punishable by up to 14 years' imprisonment; however, rape was viewed as a societal problem. Rape cases were frequently settled out of court, and rape victims were sometimes ordered to marry their attackers. There were reports that some women and girls abducted during the war remained with their captors due to intimidation and a lack of options. Unlike in the previous year, there were no reports of the sexual abuse of refugees in refugee camps by locally employed staff of international NGOs in exchange for extra food and aid materials; however, there were reports that Liberian refugees were victims of sexual abuse. Cases of rape were underreported and indictments were rare, especially in rural areas. Since the establishment of the FSU, however, reports of rapes, especially involving child victims, have steadily increased. In 2003 the FSU reported that 83 percent of rape cases reported involved girls under the age of 18. Rapes have been documented involving children as young as a few months old. An NGO reported that 87 percent of perpetrators were known to rape victims, and included teachers, family friends, relatives, and neighbors.

Medical and psychological services for rape victims were very limited. Rape victims were required to obtain a medical report to file charges; however, government doctors charged \$20 (approximately 60 thousand leones) for such an exam, which was prohibitively expensive for most victims. Since 2003 human rights monitors have urged the government to eliminate or lower the cost of medical reports. The International Rescue Committee ran centers in Freetown, Kenema, and Koidu to perform medical examinations, provide counseling for victims of sexual assault, and offer legal assistance for victims who wanted to pursue their cases in court. Although approximately 90 percent of female victims chose to go to court, most cases did not make it to trial because of inefficiencies in the judicial system.

No law prohibits FGM, and it was practiced widely at all levels of society. In past years prominent government officials openly supported the practice. The less severe form of excision was practiced. UNICEF and other groups estimated that 80 to 90 percent of women and girls had undergone the practice; however, some local groups believed that this figure was overstated. FGM was practiced on girls as young as five years old.

Although a number of NGOs worked to eradicate FGM and to inform the public about its harmful health effects, active resistance by women's societies, in which FGM was commonly a part of initiation rites, countered efforts to stop the practice.

Although police occasionally detained practitioners on accusations of forced mutilation or manslaughter, human rights workers reported that police remained hesitant to interfere in cultural practices. When police in Lunsar attempted to investigate a case of forced circumcision of a woman and her daughter in September, the men's secret society and the local paramount chief reportedly intervened to stop the investigation.

On June 6, an eight-year-old girl from Tainkatopa died after her circumcision ceremony. Although the case was reported to the police, they made no arrests by year's end.

On August 15, a six-year-old girl from Calabatown died after her circumcision ceremony. The case was reported to the police; however, they made no arrests by year's end.

In August 2004 a secondary-school student died from complications from female circumcision. Police completed an investigation, but by year's end no indictments had been filed.

There has been some progress in reducing the practice. An anti-FGM NGO reported that by year's end 700 *digbas* (practitioners) had agreed to "lay down their knives" and abandon the practice and that 500 others were prepared to do so.

Prostitution was widespread and not prohibited by law; however, prostitutes sometimes were arrested and charged with loitering or vagrancy. Many women and girls, particularly those displaced from their homes and with few resources, resorted to prostitution as a means to support themselves and their children.

Trafficking in women for prostitution was a problem (see section 5, Trafficking).

Sexual harassment is not specifically prohibited by law and it was widespread. In 2002 a women's parliamentary conference identified sexual harassment as a barrier to women standing for office.

The law provides for equal rights for women; however, in practice women faced both legal and societal discrimination. In particular, their rights and status under traditional law varied significantly depending upon the ethnic group to which they belonged. All women born in the Western (Freetown) Area, which is governed by general law, had a statutory right to own property in their own names. Many women born in the provinces, which are governed by customary laws that vary from chiefdom to chiefdom, did not. In the Temne tribe, women could not become paramount chiefs; however, in the Mende tribe, there were several female leaders. 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.

The country was a point of origin, transit, and destination for internationally trafficked persons. The majority of victims were women and children (see section 5, Trafficking).

The Ministry of Social Welfare, Gender and Children's Affairs has a mandate to protect the rights of women; however, the ministry was under-financed and relied on the assistance of international organizations and NGOs to help its efforts to fulfill its mandate.

Women were active in civic and philanthropic organizations. Domestic NGOs, such as 50/50, the Forum for African Women Educationalists, and Women's Forum raised awareness of the lack of gender equality and other women's issues, and they encouraged women to enter politics as candidates for parliament.

Children

The government was committed to improving children's education and welfare; however, it lacked the means to provide them with basic education and health services.

Public education is available up to the university level. The law requires school attendance through primary school; however, only 41 percent of primary school-aged children were enrolled in school, according to UNICEF. Schools, clinics, and hospitals throughout the country were looted and destroyed during the 11-year insurgency, but the majority have been rebuilt. A large number of children received little or no formal education. Formal and informal fees largely financed schools, but many families could not afford to pay them. The average educational level for girls was markedly below that of boys, and only 20 percent of women were literate. At the university level, male students predominated.

Government medical care was extremely limited throughout the country, but boys and girls had equal access.

Sexual violence against children was a problem. At a Freetown sexual assault service center, 83 percent of the clients were between 6 and 15 years old. There were reports that children as young as three months were raped.

FGM was commonly performed on girls (see section 5, Women).

Child prostitution was a problem (see section 5, Trafficking).

To address the issue of child prostitution in the capital, the Freetown City Council discussed the introduction of a regulation that would bar minors from nightclubs, a common venue for commercial sex transactions, but by year's end the city council had taken no action to pass such a regulation.

Child labor, including forced child labor, occurred. An estimated 57 percent of children between the ages of 5 and 14 were engaged in some form of child labor (see section 6.d.).

Street children were a problem.

Trafficking in Persons

In August President Kabbah signed a law prohibiting trafficking in persons; however, there were reports that persons were trafficked to, from, and within the country.

A person convicted of trafficking can be sentenced to up to 10 years in prison. Although there were no prosecutions or convictions by year's end, on August 22 police arrested two people in Makeni for suspected trafficking of eight children. By year's end, the police investigated the case and delivered the results to the public prosecutor's office; however, preliminary indications revealed that the suspects were likely engaged in US-related adoption fraud rather than trafficking.

A number of government agencies are responsible for combating trafficking, including the SLP, Ministry of Social Welfare, Gender, and Children's Affairs, the Immigration Department, and the Office of National Security. The government assisted in reintegrating trafficking victims when requested; however, there were no known requests for assistance with international investigations or extraditions.

The country continued to be a source, transit point, and destination for internationally trafficked persons. The majority of victims were women and the majority of traffickers were thought to be family members or friends who lured victims from their home villages with promises of education, caretaking, or employment.

There were no specific figures on the number of persons trafficked. However, anecdotal reports indicated the following: children were trafficked from the provinces to work in the capital as laborers and commercial sex workers and to diamond areas for labor and sex work; persons were trafficked from neighboring countries for domestic and street labor and for commercial sex work; persons were trafficked out of the country to destinations in west Africa, including Nigeria, Cote d'Ivoire, Guinea, and Guinea-Bissau for labor and sex work; persons were also trafficked to Lebanon, Europe, and North America; and the country served as a transit point for persons trafficked from elsewhere in west Africa and possibly the Middle East.

In an effort to combat trafficking in persons, government authorities became slightly more vigilant in their efforts to scrutinize minors leaving the country without their parents. The government also publicized trafficking issues through government-sponsored radio programs and in official statements to the press.

Document fraud was common and there were frequent reports that government registry officials, police, immigration officials and border guards accepted bribes, in some cases to facilitate traffickers.

The government worked closely with NGOs on trafficking-related issues to develop training programs, but was hampered by a lack of resources and an incomplete understanding of the problem. The government supported prevention programs, including community education initiatives. During the year members of the Parliamentary Human Rights Committee traveled to the provinces to discuss trafficking with their constituencies.

Persons with Disabilities

The law does not prohibit discrimination against persons with physical and mental disabilities. No law mandates accessibility to buildings or assistance to such persons. There was no government policy or program to assist persons with disabilities; public facility access and discrimination against persons with disabilities were not considered public policy priorities. A few private agencies and organizations provided job training for such persons.

There was no outright discrimination against persons with disabilities in employment, education, access to health care, or in the provision of other state services; however, given the high rate of general unemployment, work opportunities for such persons were very limited.

Despite the sizeable numbers of persons disabled by polio, there was little government assistance to this group. In September 2004 the SLP evicted residents without notice from a facility for polio victims.

Some of the many individuals maimed during the civil war, or who had their limbs amputated by rebel forces, received special assistance from local and international humanitarian organizations. Such programs involved reconstructive surgery, prostheses, and vocational training to help victims acquire new work skills; however, amputees complained that they did not receive sufficient assistance compared to ex-combatants, who received aid through the demobilization process. In its white paper reply to the recommendations of the final TRC report, the government accepted in principle the need to work towards an aid program for war wounded, amputees, and victims of sexual violence; however, assistance to these groups remained limited and mostly funded by outside entities.

National/Racial/Ethnic Minorities

The ethnically diverse population consists of about 18 ethnic groups of African origin, many of whom speak distinct primary languages and who were concentrated outside urban areas. In addition there are significant Lebanese and Indian minorities. Little ethnic segregation was apparent in urban areas, where interethnic marriage was common. The

two largest ethnic groups were the Temne in the North and the Mende in the South. These groups each constituted an estimated 30 percent of the population; however, the Krio, which constituted 1 percent of the population, have historically dominated the civil service and judiciary. Strong ethnic loyalties, bias, and stereotypes existed among all ethnic groups. The Temne and Mende have historically vied for political power and the violence during the 11-year civil war had some ethnic undertones. For example the Minorities At Risk Project reported that although the RUF did not specifically advocate for Temne issues, ethnic Temnes predominated in RUF leadership and ranks. After the SLPP victory in the 1996 elections, the RUF objected to what they claimed was Mende hegemony and claimed that the Mende-dominated SLPP government used ethnic criteria in appointing ministers to marginalize non-Mendes. Although the SLPP actively worked to counter this perception (President Kabbah himself is Mandingo), most citizens viewed the SLPP as a predominantly Mende party. Ethnic loyalty remained an important factor in the government, armed forces, and business. Complaints of ethnic discrimination in government appointments, contracts, military commissions, and promotions were common.

Residents of non-African descent faced institutionalized political restrictions (see section 3). Legal requirements for naturalization, such as continuous residence in the country for 15 years, or the past 12 months and 15 of the previous 20 years, effectively denied citizenship to many locally born residents, notably members of the Lebanese community.

Other Societal Abuses and Discrimination

There was no official discrimination based on persons being HIV/AIDS positive; however, persons with HIV/AIDS were stigmatized in society.

The law prohibits homosexual acts, and there was both official and societal discrimination based on sexual orientation. On November 29, the Ministry of Social Welfare, Gender, and Children's Affairs condemned same-sex marriage at an Inter-Religious Council meeting.

In October 2004 a prominent gay activist was killed in her office. The activist's recently-dismissed domestic employee was arrested and charged with the crime. On July 11, the defendant, along with approximately 24 other prisoners, escaped custody. At year's end the defendant was still at large.

Section 6 Worker Rights

a. The Right of Association

The law provides for the right of association, and in practice workers had the right to join independent trade unions of their choice. Police and members of the armed services are prohibited from joining unions. Approximately 30 to 60 percent of workers in the formal sector in urban areas, including government workers, were unionized, but attempts to organize agricultural workers and mineworkers were largely unsuccessful. In general, labor unions joined the Sierra Leone Labor Congress (SLLC), but membership was voluntary. There were no reliable statistics on union membership.

The law does not prohibit antiunion discrimination against union members or organizers and does not prohibit employer interference in the establishment of unions; however, there were no reports of such incidents during the year. An employee fired for union activities could file a complaint with a labor tribunal and seek reinstatement. Complaints of discrimination against trade unions were made to a tribunal.

b. The Right to Organize and Bargain Collectively

The law allows unions to conduct their activities without interference, and the government generally protected this right; however, by year's end the government had not yet granted a bargaining certificate to the Civil Servant's Union, whose application has been on file since 1986. The law provides for collective bargaining, and the government protected this right in practice. Collective bargaining must take place in trade group negotiating councils, each of which had an equal number of employer and worker representatives. According to the International Confederation of Free trade Unions, collective bargaining was widespread in the formal sector, and most enterprises were covered by collective bargaining agreements on wages and working conditions. Unions have the right to strike, although the government could require 21 days' notice, and workers exercised this right in practice.

There were no export processing zones.

No law prohibits retaliation against strikers, even for a lawful strike. The government did not take action against strikers during the year; however, there were reports that a Freetown hotel fired two SLLC-affiliated employees after a one-day strike in February to protest poor working conditions.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced and compulsory labor, including by children; however, forced labor remained a problem. Under the Chiefdom's Council Act, individual chiefs may impose forced labor as punishment, and have done so in the past. They also may require members of their villages to contribute to the improvement of common areas, a practice that occurred only in rural areas. There is no penalty for noncompliance. There were reports of bonded labor in rural areas, and debt bondage was common among the thousands of alluvial diamond diggers and miners.

Forced and compulsory labor by children occurred (see section 6.d.).

d. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits forced and bonded labor by children; however, child labor remained a problem due to strong tradition and high levels of poverty, which averaged 80 percent in rural areas. The Ministry of Mineral Resources enforced regulatory prohibitions against the worst forms of child labor. The ministry also was charged with protecting children working in the diamond mining areas; however, enforcement was not always effective.

The law allows children as young as 12 to engage in "light" labor, and employers have the authority to determine working hours.

The law does not limit working hours for children; however, it does set health and safety standards. The law only requires school attendance through primary school, which children generally complete by age 12 (see section 5).

In rural areas children worked seasonally on family subsistence farms. Children also routinely assisted in family businesses and worked as petty vendors. Adults engaged a large number of street children to sell, steal, and beg. Because the adult unemployment rate remained high, few children were involved in the industrial sector or elsewhere in the formal economy.

There were reports that foreign employers hired local children to work as domestic laborers outside the country at extremely low wages and in poor conditions. The Ministry of Social Welfare, Gender and Children's Affairs was responsible for reviewing the issuance of passports to minors, but did not do so effectively, and the prevalence of document fraud made effective government oversight difficult.

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. There also were reports that adults asked orphanages for children to be used as household help.

Many girls, particularly those displaced from their homes and with few resources, resorted to prostitution as a means to support themselves (see section 5).

The international NGO World Vision continued to help child prostitutes (girls between the ages of 14 and 20) by paying their school fees, providing them with educational materials, and caring for girl mothers. Out of 304 girls assisted, 86 were full-time sex workers.

Children continued to work in alluvial diamond mining, particular in areas that were less accessible to government monitors. In many cases children worked alongside parents or relatives. Children who engaged in diamond mining often abandoned educational or vocational training and, according to a recent study, the work was inherently exploitative.

Bonded child labor was not prevalent in alluvial diamond mining.

Some of the children who were hired by employers outside the country may have been victims of trafficking (see section 5).

The Ministry of Labor was responsible for enforcing child labor laws. Ministry of Mines and Mineral Resources mine monitoring officers enforced rules against child mining in diamond mining areas. Authorities did not have adequate resources to effectively enforce child labor policies.

e. Acceptable Conditions of Work

The national minimum wage, covering all occupations, was set at \$14 (40 thousand leones) per month, which did not provide a decent standard of living for a worker and family. The Ministry of Labor was responsible for enforcing the minimum wage, but it lacked the resources to effectively execute its mandate. Most workers supported an extended family, often including relatives who were displaced by the insurgency in the countryside. It was common to pool incomes and to supplement wages with subsistence farming and child labor (see section 6.d.).

Although not stipulated by law, the standard workweek was 40 hours (60 hours for security personnel). Employers negotiated work hours with employees at the time of hire, and overtime was to be paid if an employee's work hours exceeded the standard workweek.

The Ministry of Health and Sanitation was responsible for setting and enforcing health and safety standards. Although the government set these standards, it lacked the funding to properly enforce them. Trade unions provided the only protection for workers who filed complaints about working conditions. Initially, a union could make a formal complaint about a hazardous working condition; if this complaint was rejected, the union could issue a 21-day strike notice. If workers were to remove themselves from dangerous work situations without making a formal complaint, they risked being fired.

The law protects both foreign and domestic workers; however, there were fewer protections for illegal foreign workers.



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