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- **Source:**
USDOS - US Department of State
- **Title:**
Country Report on Human Rights Practices 2016 - Sierra Leone
- **Publication date:**
03 March 2017
- **ecoi.net summary:** Annual report on human rights in 2016 [ID 337232]
- **Countries:**
Sierra Leone
- **Original link** <https://www.state.gov/j/drl/rls/hrrpt/2016/af/265298.htm>

Recommended citation:

USDOS - US Department of State: Country Report on Human Rights Practices 2016 - Sierra Leone, 03 March 2017 (available at ecoi.net)

http://www.ecoi.net/local_link/337232/466992_en.html (accessed 21 March 2017)



Country Report on Human Rights Practices 2016 - 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, although the government had not made a formal announcement, all of the state of emergency measures expired on August 7 by virtue of statutory lapse provisions in the constitution. As of the end of October, however, neither President Koroma nor parliament had formally confirmed this.

The most significant human rights problems included unlawful killing and abusive treatment by police, prolonged detention and imprisonment under harsh and life-threatening conditions, and widespread official corruption in all branches of government.

Other major human rights problems included a lack of universal access to justice; discrimination and violence against women and girls, including female genital mutilation/cutting (FGM/C); early and forced marriage; trafficking in persons, including forced child labor; official and societal discrimination against lesbian, gay, bisexual, transgender, and intersex (LGBTI) individuals; and discrimination against persons with disabilities.

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

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 arbitrary or unlawful killings.

On August 16, 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, government agency Human Rights Commission Sierra Leone (HRCSL) asked the United Nations to "put on hold" all international peacekeeping recruitment of members of the Sierra Leone Police (SLP) until investigations into the shootings in Kabala were completed. In September the government requested that the Independent Police Complaint Board conduct an independent investigation into the matter.

On January 22, the High Court released on bail former police officer Osman Conteh in relation to the June 2015 killing of Alimamy Kamara. As of October Conteh remained free on bail.

b. Disappearance

There were no reports of politically motivated disappearances.

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. As of August 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: As of August the nongovernmental organization (NGO) Prison Watch (PW) reported that, with the exception of the Female Correctional Center at the Special Court for Sierra Leone (FCCSL), the country's 17 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.

Unlike in previous years, the Human Rights Commission of Sierra Leone (HRCSL) confirmed that as of October, no prison or detention center facility held male and female prisoners together.

As of November 2015 the country's 17 prisons, designed to hold 1,785 inmates, held 3,323. The Freetown Correctional Center, designed to hold 324 inmates, held 1,545 persons: 713 convicted prisoners, 235 prisoners on remand, and 597 prisoners on trial. In some prisons, cells measuring six feet by nine feet held nine or more prisoners. As of August prison authorities reported 23 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 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 30 nurses in the country's 17 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 that 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 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 the Ministry of Social Welfare, Gender and Children's Affairs, which placed them in foster care.

The Ministry of Social Welfare, Gender, and Children's Affairs 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 Office of the Attorney General reported that as of August, of the 3,341 persons held in the prisons and detention centers, only 1,461 had been convicted.

Administration: Human rights groups reported that recordkeeping was inadequate and performed on ledgers, which could be lost or destroyed. 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.

PW and other NGOs investigated credible allegations of inhuman conditions.

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" (MACP) program, which

authorizes assistance to police in extraordinary circumstances upon request. On August 16, police reportedly fatally shot two youths at a demonstration in Kabala called to oppose the announced relocation of a youth skills center (see section 1.a.).

On July 9, President Koroma instructed the RSLAF to use the MACP to deter political violence that had erupted in by-elections in Kailahun District. NGOs reported the RSLAF and the SLP used force on the civilian population.

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. A 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, and before deployment new recruits received a six-month introductory course, which included a human rights component.

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 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.

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

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

On April 27, at SLPP headquarters in Freetown, authorities arrested and detained for two weeks, before granting bail, 30 SLPP supporters for reportedly holding a public parade without authorization and unruly conduct. On August 29, 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 October the other 22 persons remained on bail, awaiting sentencing.

Pretrial Detention: The Office of the Attorney General reported that, as of August, of the 3,341 persons held in prisons and detention centers, only 1,461 had been convicted, 926 were on remand, and 954 were on trial. PW reported that due to a severe shortage of legal professionals, 70 percent of prisoners were waiting to be

charged or tried, or their trials were not completed. 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. In May the Legal Aid Board secured the release in tranches of more than 500 inmates who had been held in prisons and detention centers for lengthy periods and had not been indicted, or were held on flimsy charges.

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 relation to corruption 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 decision 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 the sentencing recommendation. The court-martial heard an average of four cases per year. As of October 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 growing numbers of paralegals to rural areas to provide access to justice and training for chieftain 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 January 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 legal advice prior to trial or effective counsel effective.

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, present witnesses and evidence on their own behalf, and access government-held evidence relevant to their cases. 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

There were no reports of political prisoners or detainees.

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 Speech and 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 Speech and 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, police arrested and jailed for two days Boakai Kokofele and university student Theresa Mbomaya, who reportedly sent messages on WhatsApp on November 17 which the government deemed were directed at "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 protestors. On November 21, a magistrate court granted Mbomaya and Kokofele bail, and, as of December 8, both remained on bail awaiting trial.

Press and Media Freedoms: International media could operate freely but were required to register with the Ministry of Information and Communications and the government-funded Independent Media Commission (IMC) 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. On June 17, the High Court acquitted radio journalist David Tam Baryoh of defamation under the POA of 1965; Baryoh had asked the minister of transport and aviation on a radio broadcast about the minister's purchase of 100 buses from China.

On June 6, the IMC suspended 11 media houses for reportedly not paying fines the IMC Board had imposed in relation to complaints about their news coverage.

Violence and Harassment: During July police questioned and detained four journalists in relation to several libel and defamation-related complaints by ministers or members of parliament. Among those detained was journalist Sam Lahai, following a complaint from the Office of the Deputy Minister of Internal Affairs about an article in which Lahai questioned whether the deputy minister had interfered with the sovereignty of a local district council. On July 23, police questioned and detained Lahai but on July 25, released him on bail. On July 21, 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.

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 2.5 percent of citizens used the internet in 2015.

Academic Freedom and Cultural Events

b. Freedom 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.

Freedom of 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 August 2015 state of emergency measures that limited freedom of assembly and association, including the activities of “secret societies” that perform traditional cultural initiation and other practices. On August 15, 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, by virtue of statutory lapse provisions in the constitution. As of October 31, neither President Koroma nor parliament had formally confirmed the end of the state of emergency.

As of October, nine persons arrested and detained without trial in April 2015 for demonstrating in front of a foreign embassy were awaiting a trial date; they were directed to report monthly to the SLP Criminal and Investigations Division (CID).

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

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.

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 July the country hosted 782 refugees, the great majority from Liberia, and 17 asylum seekers. The Liberians' prima facie refugee status expired in 2012 upon implementation of the cessation clause by the government, 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 the 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 August, 11 political parties were registered with the Political Parties Registration Commission. Opposition parties complained that the ruling APC engaged in intimidation of other parties. In June supporters of the opposition Alliance Democratic Party reported that supporters of the ruling APC smeared feces on the party's Lunsar office and attacked the vehicle of the leader of the party.

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. Seven of the 26 judges on the three highest courts 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 149 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, Northerners occupied 66 percent of cabinet offices, ministers from the South and East 17 percent, and those from the Western Peninsula held the remaining 17 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: For example, as of August the Anti-Corruption Commission (ACC) had indicted two officials of the Ministry of Agriculture, Forestry, and Food Security for conspiracy to commit a corruption offense and misappropriation of public property.

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 (\$2,740) and one year in prison. The particulars of individual declarations were not available to the public without a court order.

Public Access to Information: The law requires public authorities to grant citizens access to government-held information. The law, which was effectively enforced, incorporates a sufficiently narrow list of nondisclosure exceptions, a reasonably short timeline for disclosure, and reasonable processing fees. It includes civil and criminal sanctions for noncompliance. The Right to Access Information Commission is tasked with enforcing the law in relation to access to information. Applicants for information may appeal a disclosure denial to the commission and subsequently to the courts.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations 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. 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, LAWCLA, 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, which 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. Cases of rape continued to be greatly underreported, and 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. FSU data of 2015, the most recent available, reported 2,398 cases of rape and sexual penetration. The Western (Freetown) Area and Eastern Province recorded the highest numbers of cases. Local and international NGOs, such as the Defense for Children International, reported a lack of public willingness to report instances of sexual abuse.

Don Bosco Fambul and the Campaign for Good Governance operated a hotline and psychosocial services for victims of sexual violence. Defense for Children International reported that between January and June, sexual penetration/abuse accounted for more than 60 percent of abuse cases reported at police stations. Girls were

the main victims of sexual exploitation. A majority of these victims were between the ages of 11 and 14, and an estimated 20 percent were between six and 10 years of age.

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 International Rescue Committee Rainbo centers in Freetown, Kenema, and Koidu helped to perform medical examinations, provide counseling for victims of sexual assault, and offer legal assistance for victims who wanted to prosecute their cases. These Rainbo centers were the only such centers in the country, and many victims had no access to medical attention or services. 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.

Domestic violence is an offense, punishable by a fine not exceeding five million leones (\$685) and two years' imprisonment. Nevertheless, violent acts against women, especially wife beating and spousal rape, were common and often surrounded by a culture of silence. Between January and July, the FSU reported 698 cases of sexual violence against women, out of 1,720 cases of domestic violence, a figure thought to understate greatly the true prevalence of the abuse. Domestic violence goes largely unreported 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. UN Children's Fund (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 on August 7, 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.

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. Sexual harassment is punishable by a fine not exceeding leones 14.3 million (\$1,960) or imprisonment not exceeding three years. Through August, the FSU reported 698 cases of sexual harassment offenses. No reliable data was available on the prevalence of sexual harassment, but it was thought to be widespread and greatly underreported.

Reproductive Rights: Couples and individuals have the right to decide the number, spacing, and timing of children free from discrimination, coercion, or violence, but they often lacked the information and means to do so. Many parents refused to allow their sexually active teenage children to have contraceptives due to traditional beliefs that contraceptives cause sterility. According to the World Health Organization, the mortality rate was approximately 1,360 maternal deaths per 100,000 live births, with only 61 percent of births attended by skilled health professionals, and women had a lifetime maternal mortality risk of one in 17. The UN Population Fund reported that 38 percent of women aged 20-24 had given birth before the age of 18. Factors influencing maternal mortality included lack of prenatal care, inadequate nutrition of mothers, inadequate medical services, and the high rate of adolescent pregnancy. With support from the international donor community, the government continued to implement the free health-care initiative launched in 2010, and the number of women and girls seeking prenatal care and giving birth in medical facilities increased. Nonetheless, the program continued to be plagued by corruption and difficulties in delivering drugs and other supplies to rural areas. Few hospitals offered full obstetric and postpartum services. Most women did not have access to transportation to undertake regular doctor's visits or lived in locations with few services. Women also rarely had equal access to family finances, and male partners often did not see pre- and postnatal care as priorities.

The UN Population Division estimated that only 15 percent of girls and women aged 15-49 used a modern method of contraception in 2015. Most couples who practiced family planning made independent decisions, while some reported other influences and pressures, such as family and religion, were determinant factors in family-planning decisions. Family-planning services, including long-term and permanent methods (intrauterine devices, tubal ligation, contraceptive implants, and injections), oral contraceptives, and male and female condoms, were available. Although the Ministry of Health and Sanitation and NGOs made efforts to meet the demand for family planning services, outreach teams rarely served rural women and families.

Discrimination: The law provides for the same legal status and rights for men and women under family, labor, property, and inheritance laws but 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. According to the Sierra Leone Citizenship Act 1973, as amended in 2006, a Sierra Leonean mother can only confer nationality on her child born abroad if the child would otherwise be stateless. Sierra Leonean fathers confer their nationality on children born abroad at birth.

Although the Employer and Employee Act identifies “discrimination as any distinction, exclusion or preference, including based on sex, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation,” the Ministry of Labor and Social Security reported that the law mandates equal remuneration for equal work without discrimination based on gender.

The law provides that either spouse has the right to acquire property and stipulates that gifts, payments, or dowries upon marriage are nonrefundable, allowing women in unhappy marriages to divorce without being forced to return dowries. Since the law defines “property” as mutually owned land and because land outside of Freetown is generally communal or family property, however, it was difficult to prove a couple owned the land together and that a widow thus had a right to it.

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. Chiefs sometimes colluded with men to evict women and children forcibly from their homes or subject them to arbitrary detention. In some cases chiefs imposed arbitrary and exorbitant fines, imprisoned women unlawfully in their homes or “chiefdom jails,” and expelled them from the community. 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. In rural areas polygyny was widespread. All women in the Western (Freetown) Area, which is governed by general law, have a statutory right to own property in their own names. The law provides that land in the provinces (outside of the Western Area) cannot be bought or sold but, rather, is communal land under the custodianship of paramount chiefs and inherited by families from their ancestors. The law does not provide protections to ensure women inherit communal land on an equal basis with men. In the Themne ethnic group, women could not become paramount chiefs, subordinate chiefs, or chiefdom authorities. On the other hand, in the Mende ethnic group there were several female leaders. Every local council in the country had at least one female representative.

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 on the basis of 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.

Women were active in civic and philanthropic organizations. 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.

Education: Education is tuition free and universal at the primary level for all children. At the junior/secondary level, however, education is tuition free only for girls, based on a government policy to encourage female education. As of October the government had not reported statistics on enrollment numbers for boys and girls. The government continued to prohibit pregnant girls from attending classes and taking examinations in the same classrooms with other students on the grounds that pregnant girls were a “bad moral influence” on other students. The law allows girls to return to school after giving birth, but there were reports that some communities did not permit readmission to school for these girls.

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.

Although authorities charged and convicted perpetrators in many of these cases, a large number of cases were withdrawn or resolved through informal negotiation.

Child rights laws also provide for the creation of family courts and child committees at the local government level, but NGOs reported significant work remained to establish such entities nationwide. There were many child-welfare committees across the country, but they were fully functioning only at the district and chiefdom level and not at the village level.

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. On August 17, the Office of the First Lady launched the Campaign to End Child Marriage, with government agencies, religious and traditional leaders, and civil society organizations, which pledged support to eradicate early child marriage and punish those who perpetrated the practice. 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.

Female Genital Mutilation/Cutting (FGM/C): See information provided in women’s section above.

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. Sexual exploitation of children, including rape and sexual penetration, was a serious 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. Many children were exploited in prostitution or engaged in petty trading and other economic activities to survive, rendering them vulnerable to trafficking and other exploitative practices. A joint report of the Ministry of Social Welfare, Gender, and Children’s Affairs and British NGO Street Child of Sierra Leone, published in 2012, the most recent available, found that two-thirds of street children were engaged in some type of income-generating activity. The survey specifically categorized child laborers as participants in fixed businesses, moveable businesses, casual workers, beggars, or victims of commercial sexual activity.

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. For information see the Department of State’s *Annual Report on International Child Abduction* at 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/.

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, and it calls for free health care and education for persons with disabilities, equal access to government buildings, housing, and public transportation, and provision of rehabilitation services. The law does not specifically prohibit discrimination against persons with disabilities in relation to air travel. 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 Sierra Leone Psychiatric Hospital in Kissy, the only inpatient psychiatric institution, served persons with mental disabilities. The government did not provide adequate funding for the hospital, which relied on donations from private charities. The hospital had only one consulting psychiatrist, patients were not provided sufficient food, and restraints were primitive and dehumanizing. The hospital did not have running water and only sporadic electricity. Basic medications were available, but many drugs to treat specific problems were lacking. The vast majority of persons with mental disabilities remained untreated and received no public services.

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 National Committee for Social Action provided some support through limited programs to vulnerable communities. 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.

Some of the many individuals maimed in the civil war, including those who had their limbs amputated, 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, although other amputees complained they did not receive sufficient assistance.

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).

A small percentage of the Lebanese population (naturalized in the past) enjoyed the full rights of citizenship, such as suffrage, access to health care and education, and the right to purchase freehold land. Naturalized citizens not of Negro-African descent cannot transmit citizenship to their children born in the country; these children must apply for naturalization if they want to become citizens. While not entitled to the rights of citizens, nonnaturalized persons born in the country are entitled to a Sierra Leonean passport, and many Lebanese Sierra Leoneans traveled on one without difficulty.

The Lebanese community reported no cases of overt discrimination based on race or nationality. Community leaders stressed, however, that many Lebanese families felt alienated from the indigenous population, even though persons of Lebanese descent have resided in the country since the 1880s.

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 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 and the local chapter of Pride Equality, supported LGBTI persons, but they maintained low profiles. LGBTI groups claimed police were biased against them.

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

Societal discrimination based on sexual orientation or gender identity occurred in nearly every facet of life for known LGBTI persons, and many chose to have heterosexual relationships and family units to shield them. 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. Unions have the right to strike. The government can require, however, that workers provide written notice to the 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.

There were no reports of violence, threats, or other abuses targeting union leaders and members by government or employers. Although employers did not always respect freedom of association, there were no reports that employers prevented workers from joining a union. There were concerns that some union leadership did not effectively represent the interests of members. 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. There were no reports employers refused to bargain, bargained with unions not chosen by workers, or used hiring practices allowing them to avoid hiring workers with bargaining rights.

Most industrial actions were taken against the government, primarily to protest unpaid salaries and reduced benefit packages. For example, on April 5, 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. The maximum penalty for both sex and labor trafficking is a fine of 50 million leones (\$6,850) and 10 years' imprisonment. Under a provision of the Chiefdom Councils Act, however, 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, 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 antitrafficking-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, 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 that it was aware of trafficking, domestic service, mining, or other activities, but had no specific data on these forms of forced or compulsory labor. As of August the FSU reported four trafficking cases, with investigations ongoing.

In remote villages children were forced to carry heavy loads as porters, which was a contributory factor 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/.

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 18 between 8 p.m. and 6 a.m. While the law does not stipulate specific conditions of work, such as health and safety standards, it prohibits children under the age of 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.

As of the end of August, authorities reported that the Magistrate Court dismissed for "administrative issues" the case involving the trafficking of six minors in October 2015 to the Gambia for exploitation as "cultural dancers."

The Child Labor Unit of the Ministry of Labor and Social Security is responsible for enforcing child labor laws and monitoring compliance. The Ministry of Mines and Mineral Resources is in charge of enforcing regulatory prohibitions against the worst forms of child labor in the mining sector. The ministry also is charged with protecting children working in the diamond-mining areas. The Ministry of Labor and Social Security employed 20 labor inspectors, whose duties included addressing child labor. Through August 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 is a fine of 10 million leones (\$1,370) or two years in prison.

Efforts to mitigate child labor had mixed results. Some international NGOs were reluctant to advocate too strongly against children working for school fees, since without those fees the children would not be able to attend school. In addition, local civil society organizations reported that families and individuals often resisted attempts to mitigate this problem because of a sense that outsiders were trying to impose alien "Western" values on traditional African society.

Child labor remained a widespread problem. 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.

Tradition requires that children work to help generate income for the family or village even if it means missing school. In subsistence farming families, many children did not attend school in order to work as field laborers. Others worked part time to earn money necessary to pay school fees. This was equally true in the sand and stone quarries in the Western Area surrounding Freetown; while these children attended school, they were effectively denied the time and energy to study and complete homework during their off-hours.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings/.

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination based on race, tribe, sex, place of origin, political opinion, color, creed, or disability. 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 October 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 living condition 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 was no prohibition on excessive compulsory overtime or a requirement for paid leave or holidays.

Initially a union could make a formal complaint about a hazardous working condition; if the complaint was rejected, the union could 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. As of August the ministry reported having 15 labor officers and six factory inspectors who worked to ensure labor law compliance across the country.

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. No further information on working conditions in the artisanal and small-scale gold and diamond mining sector was available, due to its informal and ad hoc nature. 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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