

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	126
Land:	Sierra Leone
Kilde:	U.S. Department of State
Titel:	Country Report on Human Rights Practices - 2007
Udgivet:	11. marts 2008
Optaget på baggrundsmaterialet:	15. april 2008



Sierra Leone

Country Reports on Human Rights Practices - [2007](#)

Released by the Bureau of Democracy, Human Rights, and Labor

March 11, 2008

Sierra Leone is a constitutional republic with a directly elected president, a unicameral legislature, and a population of approximately five million. In peaceful presidential and parliamentary elections held in August and September, the opposition All People's Congress (APC) won a majority in parliament, and citizens elected party leader Ernest Bai Koroma president. Domestic and international observers characterized the elections as credible and free but noted irregularities that did not affect the outcome. In 2002 the devastating 11-year civil conflict officially ended, and the government, backed by a United Nations peacekeeping force (UNAMSIL), asserted control over the whole country. In 2004 UNAMSIL handed responsibility for security countrywide to the Republic of Sierra Leone Armed Forces (RSLAF) and Sierra Leone Police (SLP). In 2005 UNAMSIL withdrew all remaining peacekeepers and transferred nonpeacekeeping responsibilities to a follow-on peacebuilding UN mission (UNIOSIL). Civilian authorities maintained effective control of the security forces.

The government generally respected the human rights of its citizens. However, there were serious problems in a number of areas, including: security force abuse, including rape, and use of excessive force with detainees, including juveniles; police theft and extortion; poor conditions in prisons and jails; official impunity; arbitrary arrest and detention; prolonged detention, excessive bail, and insufficient legal representation; restrictions on freedom of speech and press, although fewer than in the previous year; government and chieftom detention and harassment of journalists; forcible dispersion of demonstrators; harassment of opposition party supporters by ruling party members; widespread official corruption; societal discrimination and violence against women; female genital mutilation (FGM); child abuse; trafficking in persons, including children; forced labor, including by children; and child labor.

During the year the government passed a Child Rights Act that defines children as individuals under 18 years of age, provides for family courts, prohibits forced marriage of girls, prohibits exploitative labor and other harmful practices, and establishes national and local government entities to enforce children's rights. The government also passed three gender acts that prohibit domestic violence, provide for equitable property inheritance, and call for the registration of customary marriages and divorces by protecting women's rights in a divorce.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings during the year.

There were no developments in the 2006 case of police allegedly shooting a student demonstrator who later died from his injuries.

b. Disappearance

There were no reports of politically motivated disappearances.

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

The constitution and law prohibit such practices; however, there were reports that security and police forces used excessive force, including rape, and stole, extorted, and demanded bribes. The Corporal Punishment Act allows up to 36 lashes as punishment. Prison guards reportedly beat prisoners, including journalists, with impunity.

On January 27, police in Freetown reportedly used excessive force on a cab driver accused of illegally purchasing gasoline. An estimated 100 local youths intervened on the cab driver's behalf by stoning the nearby police station. Police responded with teargas, fired gunshots into the air, and arrested an estimated 20 youths who were released after a warning.

On July 21, in the Ross Road Police Station, SLP officers detained and beat a young man for not following police instructions to vacate the building.

No action was taken in the July 2006 beating and robbing of a man by RSLAF soldiers in Bo.

The trial of the police officer who raped a 10-year-old Liberian refugee in July 2006 was ongoing at year's end.

Police use of excessive force to disperse demonstrators resulted in injuries.

During the year men and women were forcibly initiated into tribal secret societies, a process that for women usually involved FGM.

Vigilante justice was common in urban areas, particularly for suspected thieves and unsettled debts. For example, on June 5, local youths attacked the Adelaide Street Police Station in Freetown seeking instant justice for the death of Ishmael Barrie, who was killed by Foday Turay for a debt of \$1.30 (4,000 leones). When police officials refused to release Turay, the crowd pelted the police station with stones.

During the year Guinean forces gradually relocated back to Guinea after occupying the Yenga area, a disputed village in the eastern part of the country. Unlike in the previous year, there were no reports that Guinean troops harassed the local population.

Prison and Detention Center Conditions

Prison conditions remained poor, and overcrowding was a major problem. The Pademba Road Prison, which was designed to house 324 prisoners, held 1,161, according to the Prison Authority. In some cases, cells measuring six feet by nine feet housed five prisoners. According to UNIOSIL's assessment of prisons conducted during the year, corporal punishment, solitary confinement, reduction in diets, loss of visits, and loss of exercise were routine disciplinary measures. In Kabala and Port Loko, UNIOSIL reported that officers in charge were present when guards beat inmates with canes and plastic water pipes.

Human rights observers reported that detention conditions frequently fell below minimum international standards because of overcrowding, lack of access to food, unhygienic conditions, and insufficient medical attention. Prison cells often lacked proper lighting, bedding, ventilation, and protection from mosquitoes. In August human rights observers reported that the Prison Department had been curtailing diets to inmates for several months. Twenty prisoner deaths occurred during the year, allegedly as a result of acute malnutrition, lack of hygienic conditions, malaria, and heart failure.

Few prisoners had access to adequate medical facilities, and clinics lacked supplies and medical personnel. The exclusively male medical clinic at Pademba Road, staffed with only one doctor, treated an average of 50 prisoners a day for malaria, gastrointestinal problems, and hypertension. Only patients with emergency situations were allowed to visit the clinic outside of the assigned schedule. Women were treated as outpatients or were referred to the local hospitals for special care. However, prisoners often were refused treatment or received inferior care from doctors and nurses in these hospitals because of the social stigma associated with assisting criminals.

Prison Watch reported that there was a shortage of prison staff, and sometimes officers were not paid regularly. In Kono seven staff members were not paid for two months, and in Moyamba, an officer had not received his salary in three months. Consequently, guards provided only minimal security, and abuse of prisoners and prison breaks occurred. Prison Watch received reports that prison guards sold prisoner food rations to supplement their meager salaries.

Conditions in holding cells in police stations were poor, especially in small stations outside Freetown. Cells were dark with little ventilation. However, overcrowding in some police cells improved during the year as magistrate judges continued to be deployed to the districts to process cases.

Men and women were held in separate cells; however, in many of the prisons, men and women were held in the same block and shared facilities. In December the Pademba Road Prison held nine infants, most of whom were born in the prison and continued to be detained there with their mothers. While the women's section of the prison in Pademba Road was significantly less crowded with better facilities than the male section, officials detained together persons being tried for petty and serious offenses; the section had no shower facilities, no exercise area, and few rehabilitation programs.

While an effort was made to prevent juveniles from being detained with adults, 73 minors were imprisoned with adult offenders in Pademba, Bo, Makeni, Kambia, Kenema, and Kailahun. Police sometimes released juveniles suspected of committing crimes to avoid incarcerating them with adults. At the same time, when questioned by Prison Watch about detaining juveniles, officers alleged that in some cases, police officers inflated the ages of juveniles to escape blame of detaining and prosecuting minors. In the three juvenile facilities, detainees did not have adequate access to food, education, or vocational training, and sometimes were unable to attend court hearings due to lack of transportation from juvenile detention facilities; violence among youth was a problem.

In most cases pretrial detainees were held with convicted prisoners.

The government permitted family visits, but according to nongovernmental organization (NGO) reports, family members had to bribe prison guards to visit. 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 on a quarterly basis.

International monitors, including UNIOSIL and the ICRC, had unrestricted access to the prisons, detention centers, and police holding cells. Additionally, some NGOs such as Prison Watch and Justice Sector Development Program (JSDP) monitored the prisons. Amnesty International (AI) and Lawyers Center for Legal Assistance (LAWCLA), however, reported that they did not receive permission to visit any of the prisons despite several requests.

d. Arbitrary Arrest or Detention

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

Role of the Police and Security Apparatus

The SLP has primary responsibility for maintaining internal order but was poorly equipped and lacked investigative, forensic, and riot control capabilities. Due to lack of personnel, the SLP often relied on fire forces, prison authorities, and the boy scouts to help provide security. The military is responsible for external security; however, the Military Assistance to the Police Program provided additional assistance to police in extraordinary circumstances, such as during the presidential and parliamentary elections.

There were fewer cases of police brutality during the year, but police corruption was a serious problem, in part exacerbated by poor salaries. There were continued reports that police officers took bribes at checkpoints, falsely charged motorists with violations, and impounded vehicles to extort money. Police also accepted bribes from criminal suspects in exchange for dropping charges or having their rivals arrested and charged with crimes.

Police were frequently not present or chose not to intervene when crowds beat alleged thieves. Following the national elections, for example, demonstrators ransacked and looted the headquarters of the losing party. Although in the vicinity, police forces did not intervene or stop the looting, although they subsequently arrested three individuals involved. There were numerous instances in which police refused to make arrests when warranted, or arrested persons without charge for civil causes, such as alleged breach of contract or failure to satisfy debt, in exchange for kickbacks.

During the year there were still many who feared the SLP, particularly traffic officials who were notorious for harassing motorists, taking bribes at checkpoints, falsely charging motorists with violations, and impounding vehicles to extort money. Police also accepted bribes from criminal suspects in exchange for dropping charges and/or having their rivals arrested and charged with crimes.

According to JSDP, impunity was less of a problem than in the past, and there were several mechanisms available to investigate police abuses. The Police Complaints Commission and the Complaints, Discipline and Internal Investigations Department (CDIID) heard complaints against 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 officers. The CDIID facilitated all hearings and trials related to police officer complaints. An appeals process was available. After disciplinary measures by the CDIID were issued, the SLP officer was subject to the civilian court if criminal action was involved. SLP newsletter published disciplinary action against officers.

Between January and July CDIID received 306 complaints countrywide. Of those complaints, 16 officers were dismissed or asked to resign, 36 received a written letter of reprimand, 16 were fined, and 27 were resolved informally. The remaining cases were at various stages of investigation or review. The most common complaints lodged against police were corruption, unfair treatment, lack of professionalism, and assault. Cases requiring dismissal of an officer most commonly involved criminal cases or officers fraudulently posing as land owners or businessmen to extort money. For example, in one of the CDIID cases an officer was dismissed for extorting \$8,700 (26 million leones). In another case, an SLP officer was dismissed for his involvement in a traffic accident that killed two civilians.

Police continued to receive professional, leadership, and human rights training, and new recruits received a six-month introductory course before deployment. The SLP retained a full-time UN technical advisor and a number of UN Civil Police (UNCIVPOL) police advisors. The SLP was considered corrupt. As a result of training programs during the year and the introduction of community policing conducted by the Department for International Development, the Commonwealth, and the JSDP, professional conduct of the police force improved.

UNIOSIL worked with the JSDP to implement its strategic plan and develop a training program to enhance the SLP's capacity to provide security for the presidential and parliamentary elections.

Arrest and Detention

The law requires warrants for searches and arrests in many cases; however, arrest without warrant was common. According to UNIOSIL's assessment of prison conditions, adjournment dates on some warrants were altered and not endorsed by the magistrate, while other warrants were signed, but not by the presiding magistrate. 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 often were held without charge or trial for minor offenses for long periods.

Three notable pretrial treason detainees--Omrie Gollie, former Revolutionary United Front (RUF) spokesman, Mohamed Alpha, and David Kaitongay--were denied bail and kept in a separate section of the Pademba Road Prison, with poor, but significantly better conditions than other prisoners. On November 1, the three were released unconditionally after being detained for nearly two years on charges of treason and the attempted assassination of former vice president Solomon Berewa. A press release from the Office of Attorney General and Minister of Justice stated that the court had found no evidence to sustain the allegations.

Detainees have the right of access to family and legal representation; however, due to a lack of financial resources, only 10 percent of inmates had access to legal representation. Regular family visits were permitted with the frequency and duration of the visits varying from prison to prison. According to NGO reports, however, family members were required to pay bribes to gain visitation rights. Lawyers were allowed unrestricted access to detainees. Although the constitution provides for legal aid, there were only six state counsels serving the entire country, and they were only available in the more serious criminal cases.

There were provisions for bail, and there was a functioning bail system; however, the bail regime was rigorous, excessive, and inconsistent. For example, bail was set at approximately \$68,000 (200 million leones) for the release of newspaper editor Philip Neville, who was arrested during the year for libel.

Security forces arbitrarily arrested demonstrators and a journalist.

Lengthy pretrial detention was a problem. According to AI, as a result of case backlogs in the courts, 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 Makeni a juvenile was in remand (being tried in magistrate court for petty offenses) for two years on the allegation of stealing six cups of rice. Approximately 60 percent of the country's detainees in prison were in pretrial detention. According to the Open Society Initiative for West Africa, remand prisoners frequently changed their pleas from "not guilty" to "guilty" to be removed from the remand section to the better areas of the prison.

Amnesty

The law provides the president with the power to grant amnesty by the "Prerogative of Mercy," which former president Kabbah exercised on Independence Day (April 27) and his last day in office prior to national elections (August 9). The former president released 82 prisoners using this power.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, and the government generally respected this provision; 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. There was also one juvenile court. The president appoints and parliament approves justices for the 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 increased during the year, and magistrate judges were assigned to all provincial capitals. The newly established rotation system between wards in specific districts continued to improve magistrate presence. However, with inexperienced new magistrates, high court fees, and fewer than 10 lawyers practicing outside of Freetown, access to justice remained limited for most citizens.

Traditional justice systems supplemented the central government judiciary, especially in rural areas. Paramount chiefs maintained their own police and courts to enforce uncoded local laws, which acted in parallel with the government's own civil police and court system. Chieftaincy police and courts exercised the authority to arrest, try, and incarcerate individuals.

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. Trials are public. 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 alone. While defendants have the right to be present and to consult with an attorney in a timely manner, access to counsel often was delayed. The law provides for attorneys at public expense if defendants could not afford their own; however, state-appointed attorneys often were 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 and evidence on their own behalf, and access government-held evidence relevant to their cases. Defendants generally enjoyed a presumption of innocence. Although the law provides defendants with the right to appeal, in practice, the appeals process was excessively delayed, sometimes over two years. Trials were generally fair; however, there was credible evidence that corruption influenced many cases. A majority of cases on the magistrate level were prosecuted by police officers, many of whom had little or no formal legal training.

In May UNIOSIL noted wide disparities in sentencing patterns from district to district. There were numerous cases in which the sentences imposed were grossly disproportional to the offenses. Many prisoners were serving excessively long sentences for non-capital offenses, such as sacrilege (50 years), larceny (25 years), and larceny and burglary (45 years). For example, a 12-year-old boy was sentenced to two years imprisonment for stealing a plastic chair. In April a magistrate court issued a sentence of 10 years' imprisonment and a \$10,000 (30 million leones) fine for the possession of marijuana, according to LAWCLA.

Traditional justice systems continued to supplement extensively the central government judiciary, especially in rural areas, in cases involving family law, inheritance, and land tenure. However, the customary law guiding these courts is not codified, causing decisions in similar cases to be inconsistent. Paramount chiefs acting as judges were notorious for accepting bribes and favoring wealthier defendants. During the August 11 elections, paramount chiefs in Kono, Kailahun, and other districts in the north were accused of coercing persons to support preferred candidates. Local chieftains at times exceeded their mandates and administered harsh punishments; however, unlike in the preceding year, there were no reports that paramount chiefs ordered rape victims to marry their attackers.

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 laws that discriminate against women.

During the year the remaining former combatants who fought for the RUF, the rebel group that 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, were sentenced to death and were on death row at year's end.

Trials continued before the Special Court for Sierra Leone (SCSL) of those bearing the greatest responsibility for crimes against humanity, war crimes, and other serious violations against international law committed during the civil war.

Political Prisoners and Detainees

There were no reports of political prisoners.

Civil Judicial Procedures and Remedies

Both the central government judiciary and customary law courts handled civil complaints; however, there was evidence that corruption influenced some cases. Customary law is not codified, and decisions in similar cases often were inconsistent. Administrative and judicial remedies were available for alleged wrongs, but enforcement was difficult, and there are a number of civil laws and customary laws that discriminate against women.

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

The constitution and law prohibit such actions; however, there were multiple reports of such interference, particularly based on political party affiliation

There were fewer, and unconfirmed, reports than in the previous year that the former Sierra Leone People's Party (SLPP) government punished members of the opposition by firing them from jobs, removing them from public housing, suspending their salaries, or threatening to demolish their houses. Reports of similar activity by the new APC government appear to be unjustified claims regarding bona fide political appointments.

There were reports, however, that under the former ruling SLPP, membership in the party was required to obtain certain government benefits, particularly micro-credit and other development assistance.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and of the press; however, the government at times restricted these rights in practice. The press frequently published stories critical of the government; however, self-censorship occurred.

Individuals who criticized the government occasionally experienced government reprisals. Unlike in previous years, there were no reports that security forces intimidated journalists.

More than 35 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. Newspapers openly and routinely criticized the government and its officials, as well as opposition parties, but also libeled individuals.

Due to the low level of literacy and the relatively high cost of newspapers and televisions, radio remained the most important medium for public dissemination of information. During the year over 30 government and private radio and television stations provided domestic news and political commentary. The APC and the SLPP set up radio stations; however, there were calls from different sectors of the society to ban them as they broadcast propaganda that could incite violence such as libeling electoral candidates and political party leaders. UN Radio provided additional coverage of news and other current events.

International media could operate freely but were required to register with the Ministry of Information and Broadcasting and the Independent Media Commission (IMC) to obtain a license. There were no cases of local or international media being denied registration.

On May 24, parliament passed an amendment to the media code of practice that provides for the media to be guided by the following principles: democratization, popular participation, equity and access to information and communication, freedom of expression, pluralism and diversity, cultural promotion and preservation, responsibility and communication rights, and coherence with other social/sectorial policies. The media also signed a code of conduct on electoral reporting to refrain from publishing or broadcasting any matter likely to promote or incite racial, tribal, or regional hatred, bias or contempt, public disorder, or pose or become a threat to the security of the nation. The media also agreed to refrain from ridiculing, stigmatizing or demonizing individuals on the basis of gender, race, class, ethnicity, language, sexual orientation, or physical or mental ability, and to guarantee equal coverage of women and men candidates.

During the year one radio station was closed after criticizing the government. The station in Yele was briefly shut down for broadcasting anti-SLPP materials. There were also a number of disk jockeys harassed for expressing antigovernment sentiments. On June 29, Ansu KaiKai, a member of parliament, shut down Pujehun District Community Radio after a broadcast criticized the SLPP for being corrupt and inept. KaiKai claimed that the radio was being operated by amateurs who were not objective.

The Public Order Act of 1965 criminalizes both defamatory and seditious libel; however, the law was rarely applied. Punishment for first-time offenders can be up to three years' imprisonment, and subsequent seditious libel convictions are punishable by prison terms of up to seven years. The IMC continued to lobby parliament to amend the act without success.

In early February the attorney general ordered security forces to arrest Philip Neville, editor of the *Standard Times* and vice-president of the Sierra Leone Association of Journalists, on libel charges; Neville was fined \$167 (500,000 leones). On June 28, Neville was arrested again, detained at the Criminal Investigations Department (CID), and charged under the Public Order Act 1965 with "libel, malicious propaganda, and publishing false news," after printing an inaccurate article that was critical of the president. The CID also raided the *Standard Times* office in search of seditious material. Bail was set at approximately \$68,000 (200 million leones), and on July 6, the *Standard Times* printed a retraction.

The extradition request for those who attacked Harry Yansaneh, the former newspaper editor who died in 2005 after being beaten, remained pending at year's end. Yansaneh allegedly was attacked by the children of then-SLPP member Fatmata Hassan. The children, who held British passports, fled to Great Britain.

The IMC regulated independent media organizations and demonstrated independence from government influence. During the year the IMC considered 31 complaints claiming libel and false reporting in various newspapers.

Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. There were at least five Internet service providers in the country. In Freetown there were many Internet cafes but few in rural areas due to infrastructure constraints.

Academic Freedom and Cultural Events

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

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution and law provide for freedom of assembly, and the government generally respected this right in practice; however, there were numerous reports that the former SLPP government monitored meetings of opposition political parties. Civil servants who attended such meetings were at risk of losing their jobs or government housing. Opposition political parties also had difficulty obtaining permission from traditional chiefs to hold meetings, especially in remote areas.

As they campaigned for the September 8 Presidential runoff election, party leaders Charles Margai and Ernest Koroma of the People's Movement for Democratic Change (PMDC) and APC respectively, were prevented from entering Segbwema in the Kailahun District by alleged SLPP supporters. Some of their vehicles were destroyed, and the traveling party had to be escorted by the UK-led International Military Advisory and Training Team and SLP to Kenema.

Occasionally, police forcibly dispersed demonstrators, resulting in injuries. Police were sometimes unable to control demonstration violence, and demonstrators at times attacked police stations.

Freedom of Association

The constitution and law provide for freedom of association, and the government generally respected this right; however, there were reports that civil servants, traditional leaders, and others affiliated with opposition political parties lost jobs and faced other forms of discrimination.

During the year no new parties were registered by the Political Parties Registration Commission (PPRC).

c. Freedom of Religion

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

Societal Abuses and Discrimination

There were no reports of discrimination against members of religious groups.

There reportedly was a very small Jewish community; there were no reports of anti-Semitic acts. An application filed in 2006 to the Inter-Religious Council for official recognition of the approximately 20 Jews in Makeni remained pending at year's end.

For a more detailed discussion, see the [2007 International Religious Freedom Report](#).

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

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

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 750,000 to two million persons.

No officially registered IDPs remained; however, one settlement for war-wounded persons and their families unofficially remained open in Grafton. The National Commission for Social Action estimated the camp population at 200.

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 or its 1967 protocol, but the government has established a system for providing protection to refugees through the UN High Commissioner for Refugees (UNHCR). The government granted refugee status or asylum and cooperated with UNHCR and other organizations in assisting refugees.

In practice the government provided protection against "refoulement," the return of persons to a country where there is reason to believe they feared persecution.

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.

The Refugee Protection Act, passed May 3, provides for refugee status, as defined by international convention, to be granted to eligible asylum seekers. Female asylum seekers have the right to be interviewed by female officers. Asylum seekers may appeal decisions not to grant refugee status.

There were reports that two Liberian refugee minors were victims of sexual abuse perpetrated by adult members of the refugee community. The victims sought legal action through the UNHCR lawyer, and their cases were pending at year's end.

There were two reported cases of rape by refugees against members of the host community in Tobanda Refugee Camp. The victims were children from the host community, and the alleged perpetrators were male refugees. In both cases the girls had been entrusted to the men to assist them with farm work. One case resulted in a conviction, with the perpetrator currently serving a three-year sentence. The second case was being tried in the High Court in Kenema at year's end.

At the Jimmi Bagbo Refugee Camp, a refugee woman was assaulted allegedly by three juvenile males. The assumed perpetrators were remanded at the juvenile facility and subsequently returned to their villages, while the woman was relocated to the Gondoma Refugee Camp. The second case, involving the alleged rape of a refugee girl by a refugee adult male, was closed by the magistrate court due to lack of evidence.

Two lawyers were employed by UNHCR during the year to represent victims of rape; however, few were willing to pursue legal action because of cultural pressure from elders and community members. UNHCR worked closely with the Network Movement for Justice and Democracy in educating refugees and the host community through educational workshops focused on sexual and gender-based violence.

The police officer who raped a 10-year-old Liberian refugee near the Liberian border at Zimmi in 2006 remained in custody, and his case was pending at year's end.

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

The constitution and law provide citizens the right to change their government peacefully, and citizens exercised this right during presidential and parliamentary elections held during the year.

Elections and Political Participation

On August 11, presidential and parliamentary elections took place. Since no candidate received the requisite 55 percent of the vote, a runoff was held on September 8, during which the opposition APC candidate Ernest Bai Koroma won the presidency, and the APC ousted the ruling SLPP as majority members of parliament. The APC won 59 seats, the SLPP 43, and the PMDC 10.

Paramount Chiefs hold 12 seats and were selected through a separate process. During the year there were multiple reports of harassment and intimidation of members of opposition parties. There also were reports of voter coercion by party bosses and traditional leaders. However, observers characterized the elections as generally free and fair, adding that irregularities did not affect the final outcome.

In advance of national elections in August, the two major opposition political parties complained that their members were harassed. Before the elections the government used informer systems and tried to coerce or forbid membership in political organizations. There were reports that SLPP members monitored opposition political party meetings. Civil servants who attended such meetings risked losing their jobs or government housing. There also were reports that the government pressured paramount chiefs (who in turn pressured subordinate chiefs) to discourage the activities of opposition political parties in the provinces, particularly in remote areas.

In July a paramount chief in Kono suppressed various political activities associated with the APC by using the police to prevent their supporters from assembling.

Although there were no formal government restrictions on the political opposition, there were numerous reports that under the former ruling SLPP, party members of opposition parties were denied government jobs and government benefits. There were similar reports and allegations leveled at the new ruling APC party.

The PPRC, which governed the behavior of political parties, did not sanction any political party for inappropriate behavior despite numerous complaints of abuse.

A parallel 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 (those who collected local taxes from at least 20 taxpayers) 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 and local councils, they frequently displayed party affiliations and were influenced by the party in power. The election of paramount chiefs at times exacerbated ethnic tensions.

Of the 124 parliamentary members, 16 were women. The minister of foreign affairs also was a woman. There were four female judges out of seven judges on the High Court, and three out of six judges on the Court of Appeal were women.

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. While a small percentage of the Lebanese population was naturalized, some insisted that naturalization implied second-class citizenship and refused to vote.

Ethnic affiliations have traditionally been a strong influence in political party membership for the country's two dominant ethnic groups, the Mende and Temne, each of which included approximately 30 percent of the population. The Mende traditionally supported the SLPP and the Temne the APC. Other than ethnic Limbas, the third most populous ethnic group who have traditionally supported the APC, the country's other ethnic minority groups had no strong political party affiliations. The new cabinet consisted of 12 Temnes, four Mendes, two Fullahs, one Krio, and one Limba.

Government Corruption and Transparency

Corruption in the executive, legislative, and judicial branches was widespread. Official corruption was exacerbated by low salaries and a lack of accountability. The World Bank's Worldwide Governance Indicators reflected that corruption was a severe problem.

The Anticorruption Commission (ACC) made little progress in curbing corruption during the year or in improving transparency. Many observers complained that the work of the ACC's investigations department was politicized, ineffective, lacked a political will to prosecute. On May 11, the UN secretary general's fourth report on UNIOSIL criticized the government's efforts on anticorruption, noting "the failure to prosecute alleged offenders on the grounds of insufficient evidence raises questions of investigative capacity of the ACC and, more importantly, of political will." The ACC investigated and recommended seven cases to the Attorney General's Office, but only one was charged in court.

The ACC continued its focus on corruption prevention by sponsoring "integrity clubs" at 27 schools across the country, and anticorruption community theater performances in 64 communities to help citizens identify and discuss corrupt practices that prevailed in their communities.

There is no provision in the law for public access to government information; however, the government at times provided access to citizens and noncitizens, 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, and all reportedly were active. Most domestic human rights NGOs focused on human rights education. A few NGOs, including the Campaign for Good Governance, LAWCLA, and Access to Justice actively

monitored and reported on human rights abuses. During the year the Human Right Commission became operational.

Human rights monitors traveled freely throughout the country. Representatives of international and domestic NGOs, foreign diplomats, the ICRC, and UN human rights officers were able to monitor trials and to visit prisons and custodial facilities during the year; however, AI and LAWCLA reported that despite several attempts requesting permission to visit the prisons, they were unable to receive a response.

On June 21, UNIOSIL released a critical report on what it characterized as abysmal conditions in the country's prisons.

On May 11, the UN secretary general's fourth report on UNIOSIL strongly criticized the government's lack of effort to curb official corruption.

The National Human Rights Commission, which the government established during the year, generally operated without government interference; however, government agencies were slow to support the commission, and it was also hampered by lack of funds. In July the commission appealed for the release of a detainee who was sentenced to a period less than his pretrial detention. Three weeks after his court date, the detainee remained in prison.

The Parliamentary Human Rights Committee took an active role in protecting human rights during the year. It operated without government or party interference. The committee's resources were limited, but it received support from the UNDP and the UNHCR. The Human Rights Committee was one of the more effective oversight committees in parliament, and it enjoyed government cooperation. The committee also passed legislation on women's and children's rights.

The SCSL was established in 2002 to try those, including former Liberian president Charles Taylor, who "bear the greatest responsibility for the commission of crimes against humanity, war crimes, and serious violations of international humanitarian law." The trial in The Hague of Charles Taylor was scheduled to resume in January 2008. During the year Taylor boycotted the proceeding alleging that he was not ensured a fair and impartial trial. The judge ordered legal aid to be substantially increased to \$100,000 a month, and a new defense team was put in place.

On July 19, the SCSL sentenced Alex Brima, Brima Kamara, and Santigie Kanu, senior commanders of the AFRC, to 50 years, 45 years, and 50 years respectively. The three were found guilty on 11 of 14 charges, including murder and extermination, the recruitment of child soldiers, sexual violence and rape, malicious mutilation and amputation, slavery, and pillage during the country's civil war. The court's sentencing was the first in the SCSL's history for the crime of the recruitment and use in hostilities of child soldiers.

On October 9, the SCSL sentenced Moinina Fofanah and Allielu Kondewa of the Civil Defence Force (CDF) to six and eight years imprisonment, respectively, for unlawful killings, physical violence and mental suffering, pillage, and collective punishment. In addition, Kondewa was found guilty of enlisting child soldiers. Fofanah and Kondewa were sentenced to six and eight years in prison respectively. Former CDF leader Sam Hinga Norman, who had also been indicted for war crimes, died on February 22 during a trip overseas for medical treatment.

The case of RUF leaders Issa Sesay, Morris Kallon, and Augustine Gbao was in the defense stage at year's end.

While important recommendations have yet to be implemented, the country continued to make progress in implementing the recommendations of the Truth and Reconciliation Commission (TRC), established to provide a forum for publicly airing the grievances of victims and the confessions of perpetrators during the civil war. The National Human Rights Commission broadened the Judicial and Legal Service Commission, adopted a binding code of conduct for judges and magistrates, and passed the Child Rights Bill and three gender bills. The government also took steps to implement a reparations program for the victims of the conflict, as recommended by the TRC. Efforts were underway to establish a trust fund for war victims. Many NGOs were disappointed with the slow progress of the government in implementing many the TRC recommendations, such as the trust fund, identification database of war victims, and splitting of the attorney general and minister of justice positions, requiring constitutional reform.

The UN and numerous NGOs, 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 law prohibits discrimination on the basis of race, tribe, sex, place of origin, political opinions, color (although citizenship is generally limited to persons of "patrilineal Negro-African descent"), or creed; however, the government did not effectively enforce these provisions, and a number of legal acts and customary law contravene these constitutional provisions.

Women

The law prohibits rape, which is punishable by up to 14 years' imprisonment; however, rape was common and viewed more as a societal than a criminal problem. The law did not specifically prohibit spousal rape. Rape cases frequently were settled out of court, and rape victims sometimes were ordered to marry their attackers. Cases of rape were underreported and indictments were rare, especially in rural areas; this reluctance to pursue justice for women, combined with a lack of income and economic independence, helped perpetuate a cycle of violence and a culture of impunity for violence against women. Since the establishment of the Family Support Units (FSUs), however, reports of rapes, especially involving child victims, steadily increased. In 2006 the FSUs reported that 91 percent of sexual assaults reported during the year involved girls under the age of 18. Rapes were documented of children as young as a few months old. The most recent FSU statistics available recorded 823 cases of sexual assault reported during

2006. Of these cases, 311 perpetrators were charged, of whom five were convicted. Most perpetrators were known to their 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 (50,000 leones) for such an exam, which was prohibitively expensive for most victims. In 2006 the Ministry of Social Welfare, Gender, and Children's Affairs concluded agreements with doctors at some government hospitals to waive the fee. 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 prosecute their cases; however, most cases did not make it to trial because of inefficiencies in the judicial system. Some improvements were made for the protection of victims in court. Although perpetrators had the opportunity to cross-examine victims directly, judges more frequently heard such cases privately.

On June 14, parliament unanimously passed the Domestic Violence Bill and two other bills related to gender issues. The bill provides a comprehensive definition of domestic violence, including physical and sexual abuse, emotional, verbal, and psychological abuse, economic abuse, intimidation, harassment and stalking, damage to property, entry into residence without consent, and any abusive or threatening confrontation. The bill also provides mechanisms to address domestic violence, including mediation, punishment of the perpetrator through criminal law, and protection of victims through civil law.

Domestic violence against women, especially wife beating and rape, was common and often surrounded by a culture of silence. The police were unlikely to intervene in domestic disputes except in cases involving injury or death. The most recent statistics available from FSUs in 2006 showed that 990 women reported domestic violence. Of these cases, 153 perpetrators were charged, but only 13 were convicted. These crimes reportedly occurred more frequently in the northern provinces but were prevalent throughout the country. According to the UN Children's Fund (UNICEF), 85 percent of women felt that domestic beating was justified for actions such as going out without telling a husband, neglecting the children, arguing with a husband, refusing sex, or burning food. 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.

Some international NGOs complained that the FSUs lacked basic infrastructure and communications support, and that FSU officers often told female victims of domestic abuse to go back to their families, to the chief, or to simply survive on their own; however, the UNIOSIL reported that the FSUs played a leading role in investigating cases of violence against women and children. They also engaged in community education and sensitization through radio and television programs.

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 to support themselves and their children.

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.

On June 14, parliament passed the bill on customary marriages and divorce, which empowers either spouse to acquire property and guarantees that gifts, payments, or dowries upon marriage are non-refundable, allowing women suffering from unhappy marriages to divorce without being forced to make decisions based on paid dowries.

On June 14, parliament passed the Devolution of Estate Act, which provides for intestate succession including the transmission of property to the deceased's spouse and/or children. The new act also recognizes 'spouse' to signify persons legally married to the deceased as well as single persons who cohabited with the deceased for 10 or more years.

In practice women faced both widespread legal and societal discrimination. They faced discrimination in matters of marriage, divorce, property, and inheritance, which are guided by customary law that applies in all areas except for the capital. Chiefs sometimes colluded with men to forcibly evict women and children 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. Their rights and status under customary law varied significantly depending upon the ethnic group to which they belonged, but was routinely inferior to that of men. Under customary law women's status in society is equal to that of a minor. Legally, the formal law, including this act, applies also in customary court. However, in practice, customary judges have no legal training and may ignore or be unaware of many formal laws. 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; UNICEF estimated 43 percent of women were involved in polygynous unions. All women in the Western (Freetown) Area, which is governed by general law, had a statutory right to own property in their own names. Women in the provinces, which are governed by customary laws that vary from chiefdom to chiefdom, did not.

In the Temne ethnic group, women could not become paramount chiefs, subordinate chiefs, or chiefdom authorities; 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 Ministry of Social Welfare, Gender and Children's Affairs has a mandate to protect the rights of women; however, the ministry was underfinanced and 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, 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 basic education and health services.

Public education is available up to the university level. The law requires school attendance through primary school. Primary school education is tuition-free countrywide, and secondary school education is tuition-free for girls in the north. However, many parents were unable to put their children through primary school because they could not afford school uniforms, books, and other fees charged by school authorities. According to UNICEF, the attendance rate of primary school-aged children was 69 percent; the attendance rate for secondary school was 19 percent. Many 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 25 percent of women were literate.

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

Sexual violence against children was a problem. The government took no steps to address the problem.

No law specifically prohibits female FGM, and it was practiced widely and supported by politicians and community members. UNICEF and other groups estimated that 80 to 90 percent of women and girls had been victims of 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 secret societies, in which FGM commonly occurred as part of initiation rites, hindered these efforts. However, there was progress in reducing the practice. In 2006 an anti-FGM NGO reported that by year's end, 1,800 "degas" (practitioners) had agreed to "lay down their knives." However, many practitioners still engaged in the practice because it represented their sole source of income. As a result, multiple programs were created to help former practitioners find alternative sources of income. The Amazonian Initiative Movement, another anti-FGM NGO, reported 35 practitioners ceased performing FGM in Lunsar to conduct agricultural projects.

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.

Unlike the previous year, there were no reports that girls had died following FGM; however, no arrests were made by year's end in connection with such deaths.

On June 6, the parliament passed the Child Rights Act, which makes it illegal to subject anybody under the age of 18 to harmful treatment, including any cultural practice which dehumanizes or is injurious to the physical and mental welfare of the child; however, the act does not explicitly address FGM. The act prohibits marriage of girls under the age of 18, including forced marriage, which was a problem. The bill also provides for the creation of family courts and child committees at the local government level. UNICEF estimated that 62 percent of females under the age of 18 were married.

The June 14 act on registration of customary marriages and divorce prohibits the marriage of girls under the age of 18 without their consent.

Child prostitution continued to be a problem. A UNICEF analysis of Freetown and Bo indicated that over half of the street children survived through prostitution.

The number and plight of street children were problems.

Trafficking in Persons

The law prohibits trafficking in persons; however, there were reports that persons were trafficked to, from, and within the country.

The country continued to be a source, transit point, and destination for internationally trafficked persons. The majority of victims were women and children, and the majority of traffickers were family members or friends who lured victims from their home villages with false promises of education, caretaking, or employment. Approximately 11.3 percent of children were orphans and were the most vulnerable population for trafficking. There was no evidence of trafficking through employment agencies, organized crime, or marriage brokers.

Anecdotal reports indicated that women and 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 Liberia, Nigeria, Cote d'Ivoire, Guinea, Guinea-Bissau, and the Gambia 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. According to a center for street children, 80 to 90 percent of the cases they dealt with involved internal trafficking.

A person convicted of trafficking can be sentenced to up to 10 years in prison. The most recent statistics from FSU in 2006 reported that 21 cases of human trafficking were reported, of which more than half were girls under the age of 16. Of the 21 cases reported, 11 individuals were charged with trafficking, but only one was convicted. On July 19, Nasiru Mustapha was arrested for abducting a five-year-old boy for the purpose of child trafficking. On July 31, two minors, Abu Bakarr Koroma and Nasira Mansaray, were arrested for trafficking a five-year-old boy in the provinces. At year's end the case was being tried. In 2006 a woman from Goderich was convicted of trafficking and sentenced to five years in prison. This was the first conviction under the new antitrafficking law, and occurred in a community whose parliamentary representative--also a member of the Parliamentary Human Rights Committee--had hosted a training session on trafficking for members of the community. Concerned community members had reported the woman's actions to the police.

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.

Document fraud was common and government registry officials, police, immigration officials, and border guards frequently accepted bribes. Although there was no proof that forged documents were used to facilitate trafficking, government officials who forged documents such as birth, marriage, and death certificates rarely suffered punishment.

A shelter for trafficking victims, run by the International Office of Migration, has been operational since late 2006 and provided support in the form of safe haven, medical care, counseling, and reintegration for over 60 victims of trafficking during the year.

Government officials continued to work with NGOs on trafficking-related issues and attended NGO training sessions on trafficking. The Ministry of Social Welfare, Gender, and Children's Affairs and the SLP publicly supported NGO antitrafficking efforts.

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 disabled 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 persons with disabilities were few. Despite the sizeable numbers of persons disabled by polio, there was little government assistance to this group.

Some of the many individuals maimed in 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 former combatants, who received aid through the demobilization process. In response to the recommendations of the TRC, the government accepted in principle the need to develop 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.

The president of the Amputees and War-Wounded Association located in the Jui Amputee Camp complained that many of the services and reparations promised by the government were never implemented.

National/Racial/Ethnic Minorities

The ethnically diverse population consists of about 18 ethnic groups of African origin, many of whom spoke distinct primary languages and were concentrated outside urban areas. In addition there are 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 Temne in the north and the Mende in the south. These groups each constituted an estimated 30 percent of the population; however, the Krio, who constituted 10 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 vied historically 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 the RUF leadership and ranks. Ethnic loyalty remained an important factor in the government, armed forces, and business. Complaints of ethnic discrimination in government appointments, contract assignment, and military promotions were common both with the former SLPP and current APC ruling parties.

Unlike in the previous year, there were no reports of injuries due to ethnic clashes between Limbas and Mandingos.

Residents of non-African descent faced institutionalized political restrictions. 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, most notably members of the Lebanese community.

Other Societal Abuses and Discrimination

The Prevention and Control of HIV/AIDS Act of 2007 prohibits discrimination based on actual, perceived, or suspected HIV status; however, persons with HIV/AIDS were stigmatized in society. There was no official discrimination against HIV/AIDS positive persons.

The law prohibits homosexual acts, and there was official and societal discrimination based on sexual orientation. There was societal discrimination based on sexual orientation, but homosexual concealed their sexual orientation.

Section 6 Worker Rights

a. The Right of Association

The law allows workers to join unions of their choice without previous authorization or excessive requirements; however, civil service, police, and members of the armed services are prohibited from joining unions. According to the Ministry of Labor, approximately 35 to 40 percent of workers were unionized, including mainly agricultural workers, mineworkers, and health workers.

The law does not prohibit antiunion discrimination against union members and does not prohibit employer interference in the establishment of unions; however, during the year there were no reports of such occurrences.

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 granted a bargaining certificate to the Civil Servant's Union, whose application had 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. 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. The law does not prohibit retaliation against strikers, even for a lawful strike. The government did not take action against strikers during the year.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced and compulsory labor, including by children; however, the government did not effectively enforce the law, and forced and bonded child 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; however, there were no reported occurrences during the year. Chiefs also may require villagers to contribute to the improvement of common areas, a practice that occurred 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.

d. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits forced and bonded labor by children; however, the government did not effectively enforce the law, and child labor remained a problem due to strong tradition and high levels of extreme poverty--defined as income of less than \$1 (3,000 leones) a day--which averaged 80 percent in rural areas. Almost half of children aged 15-14 years were engaged in some form of child labor, but the rate varied from 27 percent in urban areas to 57 percent in rural areas. On June 6, parliament passed the Child Rights Act aimed at protecting children under 18 from early marriage, conscription into the armed forces, trafficking, domestic violence and exploitation. It also severely limits child labor, allowing light work at age 13, full-time work at age 15, and hazardous work at age 18. The law states that children under 13 should not be employed in any capacity. 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 effective.

Children aged 15 may be apprenticed (provided they have finished schooling) and employed full-time in non-hazardous work. The law also proscribes work by any children under 18 between 8 p.m. and 6 a.m. The law sets health and safety standards and requires school attendance through the age of 15, but the government did not enforce this. Many of the laws were not enforced because of lack of knowledge, societal perception of children's roles, and poverty.

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.

Children continued to work in alluvial diamond mining, particularly in areas that were less accessible to government monitors, although the Ministry of Mines and Mineral Resources did not effectively enforce rules against child labor in diamond mining areas. In many cases, children worked alongside parents or relatives. Children who engaged in diamond mining often abandoned educational or vocational training. In October 2006 the Network Movement for Justice and Development reported that mine work was inherently exploitative and that 49 percent of the 267 children interviewed no longer attended school.

Bonded child labor occurred in alluvial diamond mining. Some of the children who were hired by employers outside the country may have been victims of trafficking.

The Ministry of Labor was responsible for enforcing child labor laws.

e. Acceptable Conditions of Work

The national minimum wage, covering all occupations, including in the informal sector, was set at \$16 (48,000 leones) per month, which did not provide a decent standard of living for a worker and family. The Ministry of Labor is responsible for enforcing the minimum wage, but it lacked the resources to effectively do so, and compliance was difficult to monitor in the informal sector. Most workers supported an extended family, often including relatives who had been displaced by the insurgency in the countryside. It was common to pool incomes and to supplement wages with subsistence farming and child labor.

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 hiring, and overtime was to be paid if an employee's work hours exceeded the standard workweek. There was no prohibition on excessive compulsory overtime.

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 enforce them properly. 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; however, no such actions were reported during the year. 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.

