

SIERRA LEONE 2015 HUMAN RIGHTS REPORT

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.

Between April 14 and August 7, the government relaxed some of the State of Public Health Emergency restrictions it imposed in August 2014 due to the Ebola epidemic. These restrictions, which limited freedom of assembly, association, and internal movement, included roadside checkpoints, prohibitions on gatherings of more than 50 persons and the activities of so-called "secret societies," and limitations on the operation of clubs, restaurants, markets, public transportation, schools, and universities. The relaxation did not remove the ban on the activities of the "secret societies." On November 7, President Koroma made a public statement that he had commenced discussions with parliament to end these restrictions.

The most significant human rights problems included a lack of universal access to justice; widespread official corruption in all branches of government; and trafficking in persons, including forced child labor.

Other major human rights problems included unlawful killing, torture, and abusive treatment by police; prolonged detention and imprisonment under harsh and life-threatening conditions; discrimination and violence against women and girls, including female genital mutilation/cutting (FGM/C); early and forced marriage; 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 or Unlawful Deprivation of Life

There were some reports the government or its agents committed arbitrary or unlawful killings. For example, on June 14, Operational Support Division (OSD) officer Osman Conteh fatally shot Alimany Kamara at the victim's residence in Freetown. On June 26, the OSD removed Conteh from his position, and on August 14, the matter was referred to the High Court. As of December Conteh was awaiting indictment in the Pademba Road Male Correctional Center.

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, although there were reports police and other security personnel continued to use excessive force. The law allows caning as a form of corporal punishment, although the nongovernmental organization (NGO) Prison Watch noted, as in previous years, sensitization programs on human rights for police and security personnel led to a reduction in such incidents during the year.

Prison and Detention Center Conditions

Prison and detention center conditions were harsh and sometimes life threatening due to food shortages, gross overcrowding, lack of adequate clean water, and inadequate sanitary conditions.

Physical Conditions: As of November the country's 17 prisons, designed to hold 1,785 inmates, held 3,323. The Freetown Correctional Center, designed to hold 324 inmates, housed 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.

Torture and inhuman treatment occurred. According to Prison Watch's 2015 assessment, however, the incidence of torture and inhuman punishment declined in recent years.

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. As of November 24, the Pademba Road Male Correctional Center held five prisoners with disabilities. There was no information available regarding problems of persons with disabilities in the prisons.

The Bureau of Prisons received only 2,500 leones (\$0.46) per prisoner per day for food rations. Furthermore, the failure of the government to pay food vendors resulted in severe food shortages throughout the year.

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, since only five roving magistrates covered the entire country, and some regions did not see a magistrate for several months at a time.

Few prisoners had access to adequate medical facilities, and clinics lacked supplies and medical personnel to provide basic services. The Pademba Road Male Correctional Center had a clinic staffed by one doctor. 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. Sanitation remained poor, with prisons in the municipalities of Freetown, Bo, Kenema, Kono, and Pujehun relying on waste buckets instead of sewer systems.

Prison Watch reported a shortage of prison staff, resulting in a lack of security that endangered prisoners' safety.

Authorities confirmed that 22 prisoners had died in custody as of November. According to Prison Watch, causes of death involved problems attributable to inadequate health care, including malnutrition, severe anemia and related infections, malaria, immunodeficiency, and dehydration.

Authorities held men and women in separate cells in all prisons except those in Kono District. 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 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. Prison Watch reported authorities often sent young adults over 18 to the approved schools, while some children under 18 were sent to prison. On September 10, the NGO Don Bosco Fambul informed the Office of the Director of Public Prosecutions that family members had expressed concerns that the Pademba Road Male Correctional Center held their children under 18 years of age with adults and requested authorities remove these youths from cells housing adult inmates.

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. According to Prison Watch, as of August only 913 persons housed in the prison system had been convicted.

Administration: Prison recordkeeping was inadequate because the system relied exclusively on written ledgers.

There was no alternative sentencing program for nonviolent offenders.

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 because they believed such actions would spur retaliation by judicial authorities.

Prison Watch and other NGOs investigated credible allegations of inhuman conditions.

Independent Monitoring: The government permitted independent monitoring. International monitors, including the UN Integrated Peacebuilding Office in Sierra Leone, had unrestricted access to the prisons, detention centers, and police holding cells. Additionally, some NGOs such as Prison Watch, AdvocAid, Don Bosco Prison Ministry, and Defense for Children International monitored the prisons. The monitors generally reported free access to the prisons and data. Local NGOs generally operated independently and without interference from the government.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, but police occasionally arrested and detained persons arbitrarily. The government allows both the Sierra Leone Police (SLP) and the 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) are responsible for external security but also has some domestic security responsibilities through the “Military Aid to Civil Power” program, which provides additional assistance to police in extraordinary circumstances upon request.

As of November the government continued to enforce partially the president’s August 2014 “Military Aid to Civil Power” order that members of the military augment police efforts to operate roadside checkpoints throughout the country to screen persons for possible Ebola symptoms and to quarantine high-infection areas.

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, cases of 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. A Police Council, which included the vice president, minister of internal affairs, inspector general, and others, accepted written complaints against senior police officers. The CDIID conducted all hearings and trials related to complaints against lower-ranked 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.

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 arrests, but arrest without warrant was common. Prison Watch and the Lawyers' Center for Legal Assistance (LAWCLA) reported most arrests were made without warrants and 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 in order to circumvent the legal restrictions.

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. Only seven state counsels served the entire country, and they were often overburdened, poorly paid, and available only for more serious criminal cases, with few providing legal aid outside of Freetown. Although the law provides for attorneys at state expense, because state attorneys (counsels) were overburdened, indigent detainees did not usually receive legal advice prior to trial.

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

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 August 22, at Lungi airport, authorities arrested, denied bail and access to a lawyer, and for 10 days detained without trial 11 bodyguards of Sierra Leone People's Party (SLPP) presidential aspirant Kandeh Yumkella, reportedly for possessing cannabis, pepper spray, and two-way radio handsets; and for dressing as law enforcement agents. On August 31, authorities released the 11 on bail pending a hearing. As of November a hearing date had yet to be scheduled.

Pretrial Detention: Lengthy pretrial detention was a problem. For example, on September 15, a civil society group informed Acting Chief Justice Valesius Thomas that Abdulai Conteh, charged with manslaughter and unlawful killing in 1999, had been held in pretrial detention in the Pademba Road Male Correctional Center since 1999. As of November authorities had released Conteh, pending further investigation.

Prison Watch 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.

Amnesty: In celebration of Independence Day, President Koroma granted 188 pardons.

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 the dismissal or acquittal of some corruption and electoral 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. Some districts lacked resident magistrates, contributing to lengthy delays in the administration of justice.

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. On August 5, a civilian tribunal found not guilty 18 members of the armed forces who had been arrested in 2013. Despite a constitutional requirement for arraignment within 10 days of arrest, they had been held for eight months without a hearing for allegedly planning a mutiny against the government.

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.

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.

The lack of judicial officers and facilities regularly resulted in repeated long trial delays. Some cases reportedly were adjourned 40 to 60 times. Trials are public, but the accused do not have the right to a trial by jury in the magistrate courts. Juries are drawn from a list maintained by the master and registrar of active and retired civil servants and youth groups, although to expedite cases the attorney general frequently exercised his power to determine that cases be heard by a judge alone. 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 could not afford their own; however, state-appointed attorneys were overburdened and poorly paid, and indigent detainees usually did not receive legal advice prior to trial.

Defendants were not always informed promptly and in detail of the charges against them and did not always have access to free interpretation. 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 citizens.

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 the 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.

f. Arbitrary 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 occasionally used criminal libel provisions of the Public Order Act to impede witness testimony in court cases, including anticorruption matters. While there is no “hate speech” law, at times authorities used “hate speech” as a justification for restricting freedom of speech under criminal libel laws.

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 August 26, the IMC suspended the *Monologue* radio program pending an investigation, on the grounds its broadcasting had “a tendency to infringe upon national peace and security, while inciting violence and public disorder.” Shortly before the suspension, *Monologue* had criticized the Office of Minister of Transport and Aviation’s purchase of 100 public transport buses from China.

Radio remained the most important medium for public dissemination of information due to the low level of literacy and the relatively high cost of newspapers and televisions.

Violence and Harassment: As of November authorities continued to hold the passport of radio journalist David Tam-Baryoh. The government noted that the holding of a person’s passport is standard judicial procedure for persons who have been arrested and await trial. Authorities arrested Tam-Baryoh in November 2014 for statements “likely to incite public hatred and instability.” Shortly before his arrest, Tam-Baryoh had made several strong political statements regarding the president’s actions relating to Ebola eradication, the former vice president, and a possible extension of the president’s term in office.

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 2.1 percent of citizens used the internet in 2014.

Academic Freedom and Cultural Events

Until April 14, under the August 2014 State of Public Health Emergency declared due to the Ebola epidemic, the government prohibited the operation of academic institutions.

b. Freedom of Peaceful Assembly and Association

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, the government in August 2014 issued certain measures that affected freedom of assembly and association. Between April 14 and August 7, it relaxed some of the restrictions, which limited freedom of assembly, association, and internal movement, including by means of roadside checkpoints, prohibitions on gatherings of more than 50 persons, and limitations on the operation of clubs, restaurants, markets, public transportation, schools, and universities. The relaxation did not rescind the ban on the activities of “bondo” and other so-called secret societies. On November 7, the date the World Health Organization declared that the Ebola outbreak was over, President Koroma stated in a public address that he had “commenced discussions with the leadership of parliament to end the State of Public Emergency.” As of December there was no further information available regarding the status of these discussions.

On April 16, several persons demonstrated in front of a foreign embassy against President Koroma’s March 17 dismissal of Vice President Samuel Sam-Sumana. Police arrived and demanded demonstrators provide their names. On April 18, authorities arrested nine of the demonstrators and detained them in police custody for 10 days before granting bail, even though the law provides that detention should not exceed 72 hours unless the detainee is charged. On April 28, authorities released the nine persons on bail, with charges pending. As of December the nine were awaiting a trial date.

Freedom of Association

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

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: In August 2014, due to the Ebola outbreak, the president declared a public-health emergency, deploying security forces to restrict movement to and from the epicenters of the outbreak. As of December the government continued to enforce the president's order that members of the military and police operate roadside checkpoints throughout the country to screen and detain persons for possible Ebola symptoms and to quarantine high-infection areas.

There were reports police officers operating security roadblocks outside the capital often extorted money from motorists.

Foreign Travel: Generally the borders shared with Liberia and Guinea were officially open, and authorities generally allowed refugees, returnees, and other persons to move regularly between the countries. Due to the Ebola outbreak, however, increased screening at land borders with Guinea and Liberia began in March 2014. As of December the government continued to enforce these measures.

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 November the country hosted 429 refugees, the great majority from Liberia, and 1,726 asylum seekers. The Liberians' prima facie refugee status expired in 2012 upon implementation of the cessation clause by the government, as recommended by UNHCR.

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 change their government through free and fair periodic elections based on universal and equal suffrage, and citizens exercised that ability.

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 poll until almost a month later.

Participation of Women and Minorities: 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 November women led two of the 24 ministries. Five of the 22 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 November, Northerners occupied 75 percent of cabinet offices, ministers from the South and East occupied 20 percent, and ministers from the western peninsula held the remaining 5 percent.

Section 4. Corruption and Lack of Transparency in Government

Substantial corruption existed in the executive (including the security sector and in 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: As of November the Anti-Corruption Commission (ACC) had indicted Mohamed Osman Sesay and Dennis Jones for conspiracy to commit a corruption offense and deceiving a principal. According to the indictment, Sesay and Jones allegedly forged the signatures of the minister and the deputy minister of information and communications to defraud a British national of money.

Financial Disclosure: The law requires public officers, their spouses, and children to declare their assets and liabilities. 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 (\$3,700) 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 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 law also provides for establishment of an information commission to facilitate enforcement of its provisions. Applicants for information may appeal a disclosure denial to the information commission and subsequently to the courts. The law was not, however, effectively implemented.

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 Human Rights Commission of Sierra Leone (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

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.” Neither the constitution nor law prohibits discrimination based on sexual orientation, gender identity, national extraction, citizenship, social origin, age, language, disability, HIV-positive status, or having other communicable diseases.

The government did not effectively enforce the prohibition of discrimination based on gender as it affected women and girls, and a number of legal acts and customary laws contravened the constitutional provision. The other prohibitions on discrimination were generally enforced.

Women

Rape and Domestic Violence: The law prohibits rape, which is punishable by up to 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 were greatly underreported, and indictments were rare, especially in rural areas. A reluctance to use the judicial system on the part of both victims and law enforcement, combined with women’s lack of income and economic independence, helped perpetuate violence against women and impunity for offenders. Despite the establishment of family support units and the existence of applicable legislation, reports of rapes, especially involving child victims, steadily increased. NGOs reported a rise in rape and sexual violence, especially against girls, during school closures driven by the Ebola epidemic.

Rape cases frequently were settled out of court or did not make it to trial because of inefficiencies and corruption in the judicial system. Most legal advisors assigned to prosecute rape cases had only three weeks’ training in this type of case and could not compete against well trained defense lawyers. Most perpetrators were known to their victims and included teachers, family friends, relatives, traditional leaders, and neighbors.

Medical and psychological services for rape victims were limited. Authorities historically required victims to obtain a medical report for the filing of charges, examinations, reports, and court appearances, and most government doctors charged 10,000 to 70,000 leones (\$1.85 to \$13.00), fees that were prohibitively expensive for most victims. The International Rescue Committee ran Rainbo 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. 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 of up to five million leones (\$943) and up to two years in prison. Nevertheless, violent acts against women, especially wife beating and spousal rape, were common and often surrounded by a culture of silence. Between January and November, the Family Support Unit (FSU), a division of the SLP, reported 825 cases of sexual violence against women. The FSU assists victims of sexual assault and harassment. As of December no information was available on domestic violence cases. Police were unlikely to intervene in domestic disputes except in cases involving serious injury or death. The SLP used mediation as its primary tool for handling domestic violence. As of November authorities reported police had not received training during the year to address the needs of victims of sexual violence. Don Bosco Fambul operated a hotline and psychosocial services for victims of sexual violence. NGOs observed in many cases women withdrew rape or other complaints of violence due to social stigma, fear of retaliation, or acceptance of payment in lieu of pressing charges. The lack of convictions resulted in a high degree of impunity for rape and other violence. Awareness of the law resulted in an increase in reporting of cases in urban areas; most human rights organizations noted domestic violence continued to be most prevalent and underreported in the Northern Province.

Female Genital Mutilation/Cutting (FGM/C): FGM/C was a problem, with the UN Children's Fund (UNICEF) reporting in 2014 that nine of 10 women and girls had undergone the procedure and 13 percent of girls under age 14 underwent the procedure during 2013. Through the State of Public Health Emergency issued in August 2014 and by-laws issued in 2015 to control the spread of Ebola, the government continued to prohibit the activities of secret societies, including placing a moratorium on practicing FGM/C on women and girls. On August 19, Chief Executive Officer of the National Ebola Response Center Palo Conteh reiterated the ban on secret society activities had not been lifted and anyone violating the ban would "face the full force of the law." Through December there was anecdotal information FGM/C was being performed in some remote areas, despite the government moratorium. UN agencies and local and international NGOs sought to address cultural attitudes that promoted FGM/C and raise

awareness about long-term health consequences to women who had undergone the procedure.

Sexual Harassment: The law criminalizes sexual harassment. 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. As of December the FSU reported 15 cases of sexual harassment. No reliable data was available on the prevalence of sexual harassment, but it was thought to be widespread and greatly underreported.

Reproductive Rights: According to the UN Population Fund, the maternal mortality rate was approximately 1,100 maternal deaths per 100,000 live births, with only 61 percent of births being attended by skilled health professionals between 2006 and 2013. 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 seeking prenatal care and giving birth in medical facilities increased. Nonetheless, the program continued to be plagued with problems delivering drugs and other supplies to rural areas.

Women and men generally were free to decide responsibly the timing, number, and spacing of their children, manage their reproductive health and have access to the information and means to do so, free from discrimination, coercion, and violence. Adolescent pregnancy among girls and women aged 15 to 19 was reported to be 125 per 1,000 between 1999 and 2012. Many parents refused contraceptives for their sexually active teenage children because of a misunderstanding that contraceptives would prevent pregnancy later in life. Overall only 35 percent of the demand for contraception was met, with only 14 percent of girls and women ages 15-49 using modern contraception. 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) and 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.

Before the Ebola outbreak in May 2014 and throughout 2015, the proportion of women who gave birth in hospitals and in “peripheral health units,” located primarily in rural areas, increased. Few hospitals, however, 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 post-natal care as priorities.

Discrimination: The law provides for the same legal status and rights for men and women under family, labor, property, and inheritance laws. 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 law does not mandate equal remuneration for equal work or prohibit 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.

Women faced widespread legal and 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, but many women in the provinces, which are governed by customary laws that vary from chiefdom to chiefdom, did not.

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.

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. According to a 2008 government survey, 66 percent of women had never attended school, compared with 50 percent of men. 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. Further discrimination occurred in access to credit, equal pay for similar work, and the ownership and management of a business.

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 enter politics as candidates 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. In 2012 Plan Sierra Leone, in collaboration with the Ministry of Health and Sanitation, National Births and Death Office, District Health Management Teams for Western Sierra Leone, and

the Christian Brothers, launched a three-year universal birth registration campaign under the Count Every Child program.

Birth registration was not universal due to inadequate staffing and resources. Lack of registration did not affect access to public services or result in statelessness.

Education: Although no tuition was charged, many parents were unable to put their children through primary school because they could not afford school uniforms, books, and fees charged by school authorities. According to UNICEF's 2013 data, only 52 percent of girls and young women (ages 15-24) were literate, compared with the male rate of 71 percent. In July the Office of the Minister of Education reiterated a public pronouncement made in March, prohibiting pregnant girls from taking school examinations in the same classrooms with other students, on that grounds that pregnant girls were a "bad moral influence" on the general student population. The law allows girls to return to school after giving birth, but many communities did not respect that right.

Child Abuse: Sexual violence against children was a widespread and growing problem. NGOs reported that sexual exploitation and violence against children, particularly girls, increased during the Ebola epidemic, resulting in a rising number of cases of teenage pregnancies. Rapes of children under one year old were documented. In spite of government efforts to address the problem, including passage of the Sexual Offenses Act, substantial enforcement challenges remained. 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. 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. Between January and June, the FSU reported 3,702 cases of violence against children, with 762 involving sexual penetration. Conviction numbers, however, remained very low.

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, early and forced child marriage continued to be problems.

Forty-four percent of women reported being married by the age of 18, and 18 percent by the age of 15. Prevalence of early marriage was highest in the North. UNICEF supported the government in addressing child marriage issues at the local level through awareness raising and training of communities and stakeholders, and supporting the development of by-laws.

Female Genital Mutilation Cutting (FGM/C): See information for girls under 18 in the Women's FGM/C section above.

Sexual Exploitation of Children: The law explicitly criminalizes child pornography, although there was no record of any charges or convictions for child pornography. The law prohibits commercial sexual exploitation of minors. The minimum age of consensual sex is 18. Child prostitution continued to be a problem. The Ministry of Social Welfare, Gender, and Children's Affairs and the British NGO Street Child of Sierra Leone (SCoSL) in 2011 completed a four-month headcount of street children in 17 cities and towns, ultimately involving more than 60 domestic NGOs in the counting process. The survey results, published in 2012, identified nearly 50,000 street children and indicated more than 11 percent of female street children were forced into prostitution.

Displaced Children: Several NGOs expressed concern over the potential displacement of children orphaned by the Ebola crisis.

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. The Ministry of Social Welfare, Gender, and Children's Affairs and SCoSL report 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 exploitation.

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 report on compliance 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, and 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. Mustapha Bai Attila, a vision-impaired person, appointed by President Koroma in 2013, continued to work as deputy minister of social welfare, gender, and children's affairs. 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 only 200 patients. The government did not provide adequate funding for the hospital, which relied on donations from private charities. The hospital had 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. Many spoke distinct languages and were concentrated outside urban areas. 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. These groups each 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 lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons from exercising the freedoms of expression and peaceful assembly. The law, however, does not restrict the rights of persons to speak out on LGBTI issues. The constitution prohibits various forms of discrimination but does not prohibit discrimination based on sexual orientation or gender identity. 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.

As of November there were no reports police or other government agents perpetrated violence or other abuse against LGBTI persons. LGBTI advocates alleged, however, that authorities did not take stringent action against perpetrators of crimes against LGBTI persons.

Social 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

confidentiality rights would be ignored if they were honest about their ailments; many chose not to be tested or treated for sexually transmitted infections. Obtaining secure housing was also a problem for LGBTI persons. A 2013 study released by the NGO Global Rights reported that more than half of medical practitioners surveyed were unwilling to provide medical services to LGBTI patients. 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. Lesbian girls and women were also victims of “planned rapes” initiated by family members in an effort to change their sexual orientation. Religious groups reportedly promoted discrimination against the LGBTI community.

As of September 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. The HRCSL, however, undertook outreach sessions in July and September in Freetown, Makeni, and other urban areas to inform LGBTI persons of the HRCSL and other mechanisms that could assist them in submitting complaints and request investigation of and follow-up on bias-motivated crimes and other incidents of discrimination against members of the LGBTI community.

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. As of November the government agency National AIDS Secretariat and the NGO Dignity Association Sierra Leone, however, reported receiving no specific complaints of workplace discrimination or stigma based on HIV/AIDS status during the year.

Reports of violence against persons with HIV/AIDS were uncommon. Instead, families were more likely to abandon them. NGOs noted that, due to discrimination and stigmatization, those with HIV/AIDS sometimes chose suicide rather than continue to suffer rejection and stigma.

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. 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, although the government can require 21-day prior notice. 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.

Freedom of association and the right to collective bargaining were respected. All unions were independent of political parties and the government. In some cases, however, such as the Sierra Leone Teachers' Union, the union and the 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. There were concerns some union leadership did not effectively represent the interests of members. In some private industries, particularly the private security and domestic workers sectors, employers were known to intimidate workers to prevent them from joining a union. Since 1992 the International Labor Organization (ILO) continued to note the government's failure to adopt specific 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 collectively bargain. 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, in October health-care workers ended a work stoppage they began in August against the National Ebola Response Center in relation to demands for more resources. On September 19, workers at the Shandong Iron and Steel Group Co. Ltd. iron ore mine declared an “unlimited strike,” alleging dissatisfaction with severance packages and that company management did not pay social security benefits. As of November negotiations with management to resolve the dispute had begun. Between September 10 and 11, workers at the Sierra Leone Bottling Company protested to management against alleged salary disparities and worker allowances. As of November the workers’ union and the Ministry of Labor and Social Security had resolved the dispute. 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 (\$10,000) and 10 years’ imprisonment. Under a provision of the Chieftdom Councils Act, however, individual chiefs may impose forced labor as punishment (compulsory cultivation) and have done so in the past, although there were no reports of it 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. In addition to forced labor, confinement and arbitrary fines are punishments available under the chieftdom 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, composed of senior representatives from concerned ministries, the security forces, development partners, and NGOs and which had been suspended in November 2014 due to the

Ebola crisis, resumed its formal meetings in July. 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.

In conjunction with the Solidarity Center and the International Trade Union Confederation, Africa, the Sierra Leone Labor Congress undertook a project to combat child and forced labor in the informal economy.

The Office of National Security (ONS) reported that during the year nine of 13 persons who had been trafficked to Kuwait in previous years had returned to the country with international organization assistance. As of November the ONS reported no further information regarding the whereabouts of the other four victims. The government's Transnational Organized Crime Unit (TOCU) is responsible for combatting trafficking in persons.

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 due to the Ebola crisis, although it was aware of trafficking, domestic service, mining, or other activities, it had no specific data on these forms of forced or compulsory labor.

In remote villages children were forced to carry heavy loads as porters, resulting in 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 age 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 most recent report on Convention 138 of the ILO's Committee of Experts on the Application of Conventions and Ratifications indicated that the provisions in the Child Rights Act conflict with provisions in the

Employers and Employed Act with regard to minimum wage for light work, the minimum age for hazardous work, and the age for apprenticeships. 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.”

On October 15, TOCU arrested at the Sierra Leone border and charged with conspiracy and engaging in trafficking in persons, Sierra Leone nationals Albert Musa and Albert Koroma, who were reportedly trafficking four boys and two girls (between 11 and 14 years of age) to the Gambia for exploitation as “cultural dancers.” At year’s end a magistrate had adjourned the case to a date to be decided in January 2016, authorities had released on bail Musa and Koroma, who had been held at the Pademba Road Male Correctional Center in Freetown, an NGO was sheltering the two girls, and the Ministry of Social Welfare, Gender and Children’s Affairs had handed over the boys to a family member of Musa.

The Child Labor Unit (CLU) 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 laws were not effectively enforced. Lack of funding hindered the CLU’s functionality. Inspectors from the CLU completed a three-month training program and were deployed to the provinces.

The Ministry of Labor and Social Security addressed previous logistics problems, providing computers, vehicles for inspectors, and generators to support employment promotion and other labor issues throughout the country. The ministry cited lack of funding and difficulty in monitoring child labor in the informal sector as major hindrances. As of November the ministry deployed into the provinces 27 labor inspectors, who had completed a three-month training program to ensure compliance with child labor laws.

Efforts to mitigate child labor had mixed results. Some international NGOs were reluctant to advocate against children working for school fees too strongly, 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 half of the children who resided in rural areas were engaged in child labor compared with 36 percent who lived in urban areas. 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, palm oil), domestic work, the sex trade, 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.

On July 1, the Ministry of Labor and Social Security and the International Program on the Elimination of Child Labor, with ILO funding, released the *Report on National Child Labor in Sierra Leone 2011*, based on a nationwide cross-sector survey on child labor in mid-2011. Major findings of the report included that there were an estimated 895,428 child laborers between five and 17 years of age, which constituted 46 percent of the children of that age group in the country, and that child laborers were more common in rural areas (74 percent), compared with urban areas (26 percent).

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 constitution 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, or sexual orientation or gender identity.

The government generally enforced those provisions.

Discrimination occurred based on sex, disability, sexual orientation, and gender identity with respect to employment and occupation. As of November there was no information available on discrimination against internal or foreign migrant workers.

e. Acceptable Conditions of Work

As of January authorities put into effect for all occupations, including in the informal sector, the national minimum wage of 500,000 leones (\$ 94) per month. The Ministry of Labor and Social Security is responsible for enforcing the minimum wage. In 2013 Sierra Leone and the World Bank established a poverty line of approximately 133,000 leones (\$25) per month. A May 2014 World Bank report *A Poverty Profile for Sierra Leone* stated that 53 percent of the population lived at or below the poverty level.

Although not stipulated by law, the standard workweek was 40 hours (60 hours for security personnel). Employers negotiated workhours with employees at the time of hiring and overtime. There is no statutory definition of overtime wages to be paid if an employee's workhours 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 Ministry of Health and Sanitation is responsible for setting and enforcing safety and health standards. The Ministry of Labor and Social Security is responsible for setting and enforcing workplace health and safety standards. The regulations were outdated and under review. The government did not effectively enforce these standards in all sectors. As of December the Ministry of Labor and Social Security reported employing 27 labor officers as both factory and labor inspectors to ensure employee health and welfare and that factories met minimum technical safety standards.

According to government and NGO sources, laws and standards continued to be violated primarily due to lack of 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 unorganized artisanal diamond-mining industry. No information on working conditions in the artisanal 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 out of desperation, were vulnerable to exploitation in order to earn enough for a meal. 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.

Through December the Ministry of Labor and Social Security reported one workplace accident during the year.