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SIERRA LEONE

Sierra Leone is a constitutional republic with a directly elected president and a unicameral legislature; however, due to continuing civil conflict, the democratically elected government did not control the whole country effectively at any time during the year. This situation continued even after a cease-fire went into effect on May 24, following talks in Lome, Togo, and the July 7 signing of a peace accord by the Government and insurgents led by the Revolutionary United Front (RUF), who had fought successive governments since 1991. The President's party, the Sierra Leone People's Party, has had a majority in the Parliament since the 1996 elections. In May 1997 RUF forces and those of the Armed Forces Revolutionary Council (AFRC) overthrew the elected government in a coup, driving it into exile in Guinea. The RUF/AFRC junta was itself driven out of Freetown by forces of the Economic Organization of West African States (ECOWAS) Monitoring Group (ECOMOG), led by the armed forces of Nigeria, in February 1998. The Government was restored to power in March 1998, but fighting between government and RUF/AFRC elements continued. In January after months of increasingly serious skirmishes, particularly in the northern and eastern parts of the country, rebels attacked Freetown once again. According to U.N. and health officials' estimates, between 5,000 and 6,500 combatants and civilian residents were killed in and near the capital before the rebels were driven out by government and ECOMOG forces. Rebel forces abducted additional thousands of persons, mostly women and children, during their retreat; the insurgents wounded or maimed hundreds of others. Large sections of central and eastern Freetown were destroyed, and tens of thousands of persons were left homeless. Government-insurgent fighting, albeit on a significantly reduced scale, continued after the July Lome Accord. After the accord was signed, there was growing tension and some fighting between the AFRC and RUF rebel factions; even the October 3 return to Freetown of the RUF and AFRC leaders did not end it. During the last months of the year there were several armed clashes between forces of the former RUF and AFRC and between elements of each. In late December, RUF field commander Sam Bockarie fled from Kailahun to Liberia after claiming that RUF leader Foday Sankoh had targeted him for death. By the end of the year only some 4,000 of the estimated 45,000 former

combatants had disarmed and entered the demobilization process. The U.N. Security Council approved a 6,600 member peacekeeping operation, the U.N. Mission in Sierra Leone (UNAMSIL). Kenyan and Indian peacekeeping forces began arriving in December, even as the Nigerian, Guinean, Ghanaian, and Malian ECOMOG components were preparing to leave Sierra Leone. The disarmament, demobilization, and reintegration program called for in the Lome Accord includes provisions to protect the human rights of the former combatants. The officially independent judiciary functioned only in part of the country and only during part of the year but demonstrated substantial independence in practice when it did function.

Among the Government's security forces, the police officially had primary responsibility for internal order. However, due to the continuing insurgency, the newly constituted army, the Civil Defense Forces (CDF), and ECOMOG shared de facto responsibility with the police in security matters. Both government and ECOMOG forces committed serious human rights abuses.

Sierra Leone is an extremely poor country, with a market-based economy and a per capita income of less than \$100 per year. Only an estimated one-fifth of adults are literate. Although the country is rich in natural resources and minerals (particularly diamonds, gold, rutile, and bauxite) and has large areas of fertile land suitable for farming, the 9-year insurgency brought mineral extraction and agricultural production almost to a standstill. There is little manufacturing, and there are few exports; approximately 70 per cent of the Government's budget comes from foreign assistance. Years of fighting, corruption, and mismanagement resulted in a crumbling infrastructure.

The Government's human rights record was characterized by serious problems. Both government forces and ECOMOG forces operating in support of the Government committed extrajudicial killings and summarily executed suspected rebels and their collaborators. Government, CDF, and ECOMOG forces at times beat noncombatants. Prison and jail conditions remained harsh and sometimes life threatening. Government and ECOMOG forces continued occasionally to arrest and detain persons arbitrarily. Prolonged detention and long delays in trials, due to the inability of the judicial system to function, remained problems. The Government restricted freedom of speech and of the press, and harassed, arrested, and detained journalists for their coverage of security-related issues. Violence and discrimination against women and prostitution remained problems. Prior to the Lome Accord, CDF units inducted child soldiers. Female genital mutilation continued to be a widespread practice. Discrimination against ethnic minorities persists. There was some forced labor in rural areas. Child labor persists. There were a few cases of vigilante-style extrajudicial killings by citizens, particularly in Freetown following the January attack.

Before the signing of the Lome Accord, AFRC and RUF rebels committed numerous egregious abuses, including brutal killings, abductions, deliberate mutilations, and rape. The rebels continued the particularly vicious practice of cutting off the ears, noses, hands, arms, and legs of noncombatants as a deliberate terror tactic and to punish those unwilling to cooperate with the insurgents. The victims ranged from small children to elderly women; in some cases, one limb was cut off, in others two limbs, typically two hands or arms. Many died from their wounds before they could obtain any form of medical treatment. Rebel forces abducted civilians, missionaries, aid workers from nongovernmental agencies, U.N. personnel, and journalists; ambushed humanitarian relief

convoys; raided refugee sites; and extorted and stole food. Junta forces continued the longstanding practice of abducting villagers (including women and children) and using them as forced laborers, as sex slaves, and as human shields during skirmishes with government and ECOMOG forces. Boys were forced to become child soldiers. Rebel forces used rape as a terror tactic against women. Rebel atrocities prompted the internal displacement of hundreds of thousands of civilians. As many as half a million persons have fled to neighboring countries to escape the civil conflict and remain outside the country on their own or in refugee camps, primarily in Guinea and Liberia. After the May cease-fire, insurgents committed similar abuses, particularly in the north and northwest of the country. Although the number of such reported abuses decreased, they still included murder, rape, mutilation, and abduction.

RESPECT FOR HUMAN RIGHTS

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

a. Political and Other Extrajudicial Killing

Both government/CDF forces and ECOMOG forces operating in support of the Government summarily executed suspected rebels and suspected rebel collaborators. These abuses were particularly serious during the January attack on Freetown and the ultimately successful effort to drive rebel forces from the city. During the fighting in Freetown, on January 13 ECOMOG troops summarily executed 22 rebel captives on Aberdeen bridge, and CDF members executed 6 alleged rebels in Kingtom. In early February ECOMOG forces summarily shot at least six suspected rebel collaborators in Freetown. At least several others were killed in the course of house-to-house checks by ECOMOG for rebel collaborators and infiltrators in Freetown. On February 3, an ECOMOG officer summarily executed Abdulai Jumah Jalloh, news editor of the African Champion newspaper, in central Freetown, after a CDF officer identified him as an arsonist responsible for setting houses on fire in Kissy.

Hundreds of civilians killed by AFRC and RUF insurgent forces in the conflict were executed deliberately for political motives. Insurgent forces targeted government officials, human rights activists, religious leaders, and lawyers as they entered Freetown. Journalists were also particular targets. On January 10, Associated Press television producer Myles Tierney was shot to death in the center of Freetown, while a colleague, West Africa bureau chief Ian Stewart, was wounded. In addition to Tierney, Sierra Leonean journalists James Ogo, Jenner Cole, Mohamed Kamara, Paul Abu Mansaray, Alpha Amadu Bah Bash, Muniru Turay, and Mabay Kamara were sought out and killed during the January battles in Freetown. Surviving journalists told the Paris-based Reporters Without Borders that in some cases, when rebels failed to find journalists at home, they killed close relatives instead.

In early February, the bodies of two cabinet Ministers, Minister of State for Public Affairs Mohamed B. Sesay and Minister of State for the Northern Region, Y.M. Koroma, were found in Kissy; they had been identified and abducted by rebel forces in January. Also in January, rebels killed the manager of the fund-raising center for the Sierra Leone Red Cross, S.W. Smith.

Police were also particular targets. Insurgents executed over 250, by some estimates as

many as 500, police and some members of their families in Freetown in January. When Lunsar was recaptured by ECOMOG forces in February, they discovered that over 130 of the 170 police in the city were executed, most on the town football field.

Deliberate mutilations by rebel forces, mostly during their withdrawal from Freetown in January, ultimately resulted in dozens of deaths during the year (see Section 1.c.). Over the course of the decade-long conflict, rebel mutilations caused hundreds if not thousands of deaths.

Some victims of rebel kidnap attempts also were killed (see Section 1.b.).

There were a few cases of vigilante-style killings by citizens, particularly in Freetown following the January attack. For example in January youths in Kenema burned alive three rebel infiltrators.

b. Disappearance

AFRC and RUF forces continued the RUF's longstanding practice of kidnaping youngsters and women and compelling them to work for the troops and, at times, act as "shields" in battles with government and ECOMOG forces. Women also were forced to act as sexual slaves (see Sections 5, 6.c., and 6.f.). According to the U.N. Children's Fund, after the January attack on Freetown and the surrounding areas alone, families registered more than 3,800 children missing or abducted; by November there were 2,400 still registered as unaccounted for. The United Nations estimates that rebel forces abducted some 20,000 persons, throughout the country, during the 1991-99 period. Only about 1,000 of them have been released and gone through a formal reintegration process. Other thousands have escaped, but the United Nations believes that thousands still remain prisoners despite the Lome Accord's directive that all captives and prisoners of war be released.

In addition to demanding ransom payments for civilians they abducted, AFRC/RUF insurgents kidnaped religious workers and foreigners as bargaining chips and in an attempt to extort money. On January 10, the rebels abducted two Italian missionary priests, the Reverends Maurizio Boa and Giuliano Pini, in Freetown; the pair were released several days later. In mid-January, they abducted Archbishop Joseph Henry Ganda in Freetown; he escaped captivity a week later along with five other abducted missionary priests, including Father Mario Guerra, who was abducted in November 1998. On January 14, they abducted six Sisters of Charity from Freetown; they shot one, Sister Aloysius Maria from India, on January 22, and two others, Kenyan Sister Carmeline and Bangladeshi Sister Sweva, were killed during later fighting between the rebels and ECOMOG forces. Sister Hindu, a fourth captive nun, who was shot during the fighting, died on February 5 in Conakry from her wounds. Rebels abducted Father Vittorio Mosele on February 12 from Kambia; he subsequently was held in Makeni until being released on April 6.

Rebel forces also abducted 13 Indian businessmen resident in Freetown, including the honorary consul of Japan, on January 25 from Wellington. One was killed during the kidnaping; two more were murdered during captivity, and another was wounded seriously; the remaining nine businessmen were released on January 29 along with the three surviving Sisters of Charity.

On January 25, the rebels seized two European journalists near the capital but released them over the succeeding 2 days. On August 4, a splinter group of the AFRC abducted over 30 individuals, including personnel from the U.N. Observer Mission in Sierra Leone (UNOMSIL), ECOMOG officers, aid officials, journalists, and Makeni Bishop Giorgio Biguzzi, in the Occra hills northeast of Freetown. The delegation members, who had come to discuss the fate of civilian captives held by the AFRC, subsequently were released over several days; the last hostages were freed on August 10, with some 200 women and children previously held hostage whom the delegation had sought to release. Bishop Biguzzi and 15 colleagues also were caught in fighting between AFRC and RUF factions in Makeni in mid-October. They emerged unharmed several days later, but during the fighting their personal possessions were stolen by the combatants.

In December forces loyal to RUF field commander Sam Bockarie detained two foreign Medecins sans Frontieres workers, Belgian national Patrick Cloos and German national Klaus Lippold, for over a week in Kailahun. The two were released shortly before Bockarie and a number of his followers fled to Liberia on December 16.

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

The Constitution prohibits torture; however, government, and CDF and and ECOMOG forces operating in support of the Government, occasionally beat and detained noncombatants, particularly during the January attack on Freetown.

In January ECOMOG forces beat two Italian missionary priests suspected of being mercenaries before learning that rebel forces had abducted the pair.

AFRC and RUF forces continued to use rape as a terror tactic against women. Rebel forces also were responsible for many cases of deliberate mutilation, including the chopping off of hands, arms, ears and legs; attempted and successful decapitations; and severe cuts with machetes. The victims have ranged from babies 10 months old to elderly men and women. U.N. officials and humanitarian organizations estimated that hundreds if not thousands of individuals, including children, had one or both limbs amputated over the decade-long conflict, including dozens in the January attack on Freetown alone. During the overall course of the conflict, it was estimated that for every one of these wounded who eventually succeeded in securing medical aid, at least three or four died en route from their wounds, shock, and the hazards of the journey or from lack of adequate medical assistance. During the fighting in Freetown rebels inflicted machete wounds on the president of the Sierra Leone Red Cross, Mohamed Jalloh; they also amputated the left hand of Solomon Conteh, the organization's director of programs and operations and also wounded a driver. The proportion of those surviving mutilations during the fighting in Freetown in January increased because of the proximity of medical facilities. Insurgents tortured abducted Archbishop John Henry Ganda with lighted cigarettes during his captivity in January.

Prison conditions and those in police lockup facilities generally are harsh; at best they are Spartan, and at worst life threatening. The Pademba road maximum security prison, which was designed for 325 prisoners, routinely houses hundreds more. Diet and medical care were inadequate, and only a handful of toilets were available for use. Although male and female quarters were separate, adults and juveniles were incarcerated together. Convicted felons, those in the middle of the judicial process, and those who had not yet been charged

formally also were incarcerated together. Other prison facilities were equally rudimentary; the holding cells in police offices are even further from compliance with international standards.

The Government allowed the International Committee for the Red Cross (ICRC), U.N. human rights officials, and other observers to visit the prisons, assess conditions, and see inmates.

d. Arbitrary Arrest, Detention or Exile

Government and ECOMOG forces continued at times to arrest and detain persons arbitrarily. Although the Constitution and law provide for a speedy trial, in practice the lack of judicial officers and facilities often produced long delays in the judicial process. Due to the civil conflict, the judicial system did not function in some parts of the country at any time during the year and functioned in other parts of the country only during part of the year. Many criminal suspects were held for months before their cases were examined or formal charges were filed.

ECOMOG forces at times detained noncombatants, particularly those suspected of having collaborated with or supported the insurgents, for periods of weeks or longer. In some cases they were released only after their families paid a sum to free them. Several journalists were arrested in the spring in separate incidents (see Section 2.a.).

In the first major evidence of friction within the rebel ranks, in late August AFRC members detained a group of RUF commanders and aides near the same Occra hills location where the August 4 abduction (see Section 1.b.) occurred. The group, some members of which were mistreated badly, was released on September 5.

The Government does not use forced exile.

e. Denial of fair public trial

The Constitution provides for an independent judiciary, and the Government respects this provision in practice; however, the judiciary functioned only in part of the country and only during part of the year, but demonstrated substantial independence in practice when it did function.

The judicial system consists of the Supreme Court, appeals courts, and a high court whose justices are chosen by the Head of State. Local courts administer traditional law with lay judges; appeals from these lower courts move to the superior courts.

Although there are often lengthy delays between arrest, detention, the impositions of charges, and judicial proceedings, trials are usually free and fair. Traditional justice systems continued to supplement the central government judiciary extensively in cases involving family law, inheritance, and land tenure, especially in rural areas.

There were no reports of political prisoners.

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

The Constitution and law prohibit such practices, and government authorities generally respected these prohibitions.

Throughout the year, there were numerous instances in which rebel forces invaded, looted, and destroyed private property and terrorized civilians. Although at times the homes and businesses associated with members of the former government and supporters of the elected Government were particular targets, many homes of ordinary citizens also were looted, burned, or destroyed.

g. Use of Excessive Force and Violations of Humanitarian Law in Internal Conflicts

The CDF continued to accept, train, and induct children into its ranks until in June it pledged to stop the practice.

AFRC and RUF rebel forces routinely committed numerous serious abuses, and sought to coerce, intimidate, and terrorize those who either refused to cooperate with them or supported the Government. Both in Freetown and the country they massacred groups of persons fleeing fighting; maimed and cut off the limbs and ears of noncombatants; kidnaped children and women to work for them and men to carry equipment; raped women as a means of punishment and to inspire fear and cooperation. They forced individuals to commit atrocities under penalty of their own mutilation or death; commandeered relief supplies; and vandalized religious institutions, hospitals, and schools. Both during their attack on Freetown and their retreat from the city, rebels used civilians as human shields, leading to many civilian casualties.

After many residents fled into the bush following the January attacks on Wellington, near Freetown, rebels made forays into the bush to rape young girls who sought refuge there. Insurgents killed at least 125 civilians in Songo, near the capital, as they retreated under ECOMOG attack mid-April. When retreating from Masiaka in May, rebels performed amputations on and decapitated civilians; abducted scores of women and children; and detained others for forced labor. In mid-August rebel troops attacked commercial vehicles and relief trucks along two major highways west and north of Masiaka and a relief truck near Lunsar, looting relief food and supplies.

During the January fighting in Freetown, rebels tried to force residents to "celebrate" their "liberation" with street demonstrations; they burned the homes of those who refused and on occasion those who complied. During their retreat from the city, the insurgents looted and deliberately set on fire large sections of eastern Freetown. Up to 90 percent of the housing in the Kissy and Calaba town areas was damaged or destroyed, as were numerous mosques, churches, and businesses, and a significant percentage of the housing in Wellington was destroyed. An estimated 200,000 persons in and near Freetown were made homeless in the January fighting. Rebels attacked and looted the Catholic mission at Madina in Kambia district on February 1; when Kambia itself was attacked in February, rebels burned down city buildings, the city hospital, a polio rehabilitation center, a secondary school, and the residence of the Xaverian missionary sisters. As ECOMOG forces advanced in early May, retreating rebel forces burned virtually the entire town of Masiaka as well as nearby villages.

In early October RUF/AFRC commanders prevented an Irish nongovernmental organization (NGO), Concern Worldwide, from resuming relief activities on the road

between Magburaka and Matatoka. Also in October in Makeni, rebel forces looted supplies and vehicles belonging to a team from Medecins Sans Frontieres as they were attempting to survey the needs of the population there.

In October serious fighting between factions of the former RUF and the AFRC broke out between Makeni and Lunsar, resulting in approximately 150 combatant and 50 civilian deaths and the displacement of hundreds of civilians. On November 20, armed former combatants ambushed a bus in the Kambia district, looted the passengers, and abducted several of them. In late November, hundreds of civilians fled across the border to Guinea to escape the continued factional fighting and banditry in the northwestern part of the country.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, the Government restricted these rights in practice. The Government attempted to regulate the press through registration and attempted to control the publication of information on security-related topics. It also took action against the writers and publishers of articles considered unfavorable to the Government. For example, on February 24, plainclothes police officers arrested the managing editor of the Standard Times, Phillip Neville, after he published an article concerning Vice President Albert Joe Demby. He was released on March 8. British Broadcasting Corporation Freetown correspondent Winston Ojukutu-Macaulay was detained by ECOMOG forces on April 20, following an earlier broadcast of his story on ECOMOG vehicle impoundment, but was released later the same day. On May 5, three journalists, Ahmed Bob Kande, Thomas Gbou, and Mohamed Massaquoi, were arrested by ECOMOG following the publication of an article in the New Storm newspaper concerning the ECOMOG force commander; they were released after paying bail of \$2,500 (5 million leones) a week later. Managing Editor Jonathan Leigh of the Independent Observer newspaper was arrested by ECOMOG on May 17 following publication of an article on ECOMOG, and The Democrat newspaper's editor, Joseph Mboka, was detained on May 18 after an article about recent government-rebel fighting in Kabala. On June 10, ECOMOG forces raided the Independent Observer's offices and arrested six employees after displaying a cache of arms said to have been found in the newspaper's offices; editor Jonathan Leigh surrendered to the police in Freetown on June 15. On July 6, the state prosecutor dropped charges of spying and arms possession, which had been made against Leigh and Independent Observer staff writer Jerry Tryson. On August 27, CID officials arrested and threatened to deport Cameroonian national Emmanuel Sanossi, the editor of The Reporter newspaper, following the publication of an article on government weapons purchases.

Over 50 newspapers were published in Freetown alone, covering a wide spectrum of interests. Their number fluctuated weekly; many contained sensational, undocumented stories and repeated items carried by other newspapers. Newspapers openly and routinely criticized the Government and its officials, as well as the rebel forces.

Due to low levels of literacy and the relatively high cost of newspapers and television, radio remained the most important medium of public information. Several government and private radio and television stations broadcast; both featured domestic news coverage

and political commentary.

The government-controlled Sierratel communications company provided Internet access in Freetown, although the condition of its land lines often made internet connectivity problematic.

The rebels shot and killed several journalists during the January fighting in Freetown (see Section 1.a.). On August 20, three high-ranking RUF members ransacked the offices of For Di People newspaper and assaulted its editor, Paul Kamara, after he published an article critical of the lifestyle of rebel leaders in Freetown.

The Government generally respected academic freedom. All institutions of higher learning were wholly or partly closed during the year; most had been looted, burned, or used as quarters by rebels, and there have not yet been funds to restore infrastructure.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly, and the Government respected this right in practice. The Government was not known to deny requests to use public areas for meetings or demonstrations, many of which took place throughout the year.

The Constitution provides for freedom of association and the Government respected this right in practice. There were numerous civic, philanthropic, and social organizations, and the registration system was routine and apparently nonpolitical. No known restrictions were applied to the formation or organization of more than a dozen opposition political parties.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government respected this right in practice.

Insurgent forces targeted religious leaders for attack, including Christians and Muslims, both because of their position in the religious community and their support for the Government. During the January RUF/AFRC invasion, which occurred during Ramadan, the Freetown population was terrorized and virtually deprived of religious freedom. Muslims who were found praying in mosques were forced to drink alcoholic beverages, and some of those who refused to partake were beaten. Others reportedly were shot and killed. Three churches and two mosques were set on fire and burned down in Freetown during the January attack.

Rebel forces targeted Roman Catholic priests and nuns in particular, largely on the assumption that the church would pay ransom for their return. Another reason is that the rebels saw the use of the church's radio network by ECOMOG troops during the January RUF/AFRC invasion as church support for the Government.

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

The Constitution provides for these rights, and the Government generally respected them

in practice. Citizens were required to get a police clearance within 72 hours before international travel, but such clearances were issued nonrestrictively; the Government did not attempt to limit citizens' departure or return for political or discriminatory reasons. According to occasional reports, troops manning roadblocks attempted to extort food or money from travelers.

More than 1 million citizens--more than one-quarter of the population--still either are displaced internally or have fled the country to escape the continuing insurgency. More than 500,000 persons remain in refugee camps in Guinea and Liberia; others remain in The Gambia, Cote D'Ivoire, Ghana, and other African nations, while still others are in countries outside Africa. In October an estimated 3,000 refugees returned to the Kailahun area from Liberia, in part to escape fighting there. At least 150 persons drowned at sea in March when their overloaded watercraft capsized when they were returning home after having fled fighting.

There is no formal process for granting political asylum or refugee status. The Government cooperated with the U.N. High Commissioner for Refugees and other organizations on repatriation matters and continued to provide first asylum to over 5,000 Liberians who had fled to Sierra Leone because of conflict in their home country in earlier years of the decade. There were no reports of the forced return of persons to countries where they feared persecution.

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

The Constitution provides for the right of citizens to change their government, and the 1996 elections won by Ahmed Tejan Kabbah and his Sierra Leone People's Party were the first free and fair multiparty elections in the country in 30 years. Several political parties were represented in the unicameral legislature and in the cabinet. Locally elected councils and a traditional chieftancy system controlled local government. Preparations for local elections, which were to have taken place early in the year, were postponed because of continued fighting. In July the Parliament ratified a bill allowing the RUF to transform itself into a political party, as called for in the Lome Accord, and in November the Revolutionary United Front Party (RUF) received a provisional registration certificate from the interim National Election Commission.

Women are underrepresented in government and politics. There are relatively few women in senior government positions: Only 2 of the 18 cabinet positions were filled by women, and of the 80 members of the unicameral legislature, only 7 were women.

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

A number of domestic and international human rights groups operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were generally cooperative and responsive to their views. Representatives of various local and international NGO's, foreign diplomats, the ICRC, and U.N. human rights officers were able to monitor trials and to visit prisons and custodial facilities. Following allegations that it aided rebel forces, the ICRC was asked in January to suspend operations in the country. However, President Kabbah in June asked for the organization's return, and it subsequently resumed operations.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution prohibits discrimination against women and provides for protection against discrimination on the basis of race and ethnicity, except for the long-time prohibition against citizenship for persons with a non-African father. This provision effectively blocks citizenship for much of the sizable Lebanese community and for other persons with non-African fathers.

Women

Violence against women, especially wife beating, is common. The police are unlikely to intervene in domestic disputes except in cases involving severe injury or death. Domestic violence is not recognized as a societal problem. However, rape is recognized as a societal problem punishable by up to 14 years' imprisonment. There is a significant amount of prostitution: many women, especially those displaced from their homes and with few resources, resort to it to secure income for themselves and their children. Rebel forces used rape as a terror tactic (see Sections 1.c. and 1.g.) and forced women and girls to act as sexual slaves (see Sections 1.b., 6.c., and 6.f.).

The Constitution provides for equal rights for women, but in practice women face both legal and societal discrimination. In particular their rights and status under traditional law vary significantly depending on the ethnic group to which they belong. The Temne and Limba tribes of the north afford greater rights to women to inherit property than does the Mende tribe, which gives preference to male heirs and unmarried daughters. However, in the Temne tribe, women cannot become paramount chiefs. In the south, the Mende tribe has a number of female paramount chiefs. Women are nevertheless very active in civic organizations and NGO's, were instrumental in pressuring the previous government to allow free and fair multiparty elections in 1996, and were vocal representatives of civil society during the peace talks in Lome.

Women do not have equal access to education, economic opportunities, health facilities, or social freedoms. In rural areas, women perform much of the subsistence farming and have little opportunity for formal education. The average educational level for women is markedly below that of men: only 6 percent are literate. At the university level, men predominate. Women are very active in civic and philanthropic organizations, and a significant number are employed as civil servants.

Children

Although the Government is committed to improving children's education and welfare, it lacks the means to provide basic education and health services for them. The law requires school attendance through primary school; however, schools, clinics, and hospitals throughout the country were looted and destroyed during the 8-year insurgency, and most were not rebuilt. A large number of children receive little or no formal education. Schools are financed largely by formal and informal fees, but many families cannot afford to pay them. In July senior officials of the Ministry of Education were charged with embezzling approximately \$500,000 (1 billion leones), which was to have gone to pay arrears in teachers' salaries. The Ministry of Social Welfare, Gender, and Children's Affairs has primary responsibility for children's issues.

The recruitment for military service by the CDF and the kidnaping and forced conscription of children into rebel forces were serious problems. An estimated 5,000 youthful soldiers served alongside adults during the civil conflict; some observers place the number at almost double that figure. Children, both on the CDF and AFRC sides, fought alongside their fathers and other family members. While the CDF forces accepted children as volunteers, this practice ended with the signing of the Lome Accord. However, most children who join the insurgent ranks do so under duress. For years rebels kidnaped young boys and girls to serve them and augment their forces and to perform as sexual slaves (see Sections 5, 6.c., and 6.f.). In some cases they have forced these children to commit atrocities involving family members. However, even children who escape and wish to leave the ranks sometimes are rejected by their families and communities because of their perceived involvement in rebel activities.

Female genital mutilation (FGM), which is condemned by international health experts as damaging to both physical and psychological health, is widely practiced among all levels of society, although with varying frequency. The form practiced is excision. Some estimates of the percentage of women and girls who undergo the practice range as high as 80 to 90 percent. While UNICEF estimates the percentage of females who have undergone this procedure to be as high as 90 percent, local groups believe that this figure is overstated. No law prohibits FGM. A number of NGO's are working to inform the public about the harmful health effects of FGM and to eradicate it; however, an active mass campaign by secret societies countered the well-publicized international efforts against FGM.

People with Disabilities

Questions of public facility access and discrimination against the disabled are not public policy issues. No laws mandate accessibility to buildings or provide for other assistance for the disabled. Although a few private agencies and organizations attempted to train the disabled in useful work, there was no government policy or program directed particularly at the disabled. There does not appear to be outright discrimination against the disabled in housing or education. However, given the high rate of general unemployment, work opportunities for the disabled are few.

Some of the many individuals who were maimed in the fighting, or had their limbs amputated by rebel forces, are receiving special assistance from various local and international humanitarian organizations. Such programs involve reconstructive surgery, prostheses, and vocational training to help them acquire new work skills. The Lome Accord also called for the creation of a special fund to implement a program for rehabilitation of war victims, although the fund had not yet been established by year's end.

National/Ethnic/Racial minorities

The country's population is ethnically diverse and consists of at least 13 ethnic groups. These groups generally all speak distinct primary languages and are concentrated outside urban areas. However, all ethnic groups use Krio as a second language, little ethnic segregation is apparent in urban areas, and interethnic marriage is common. The two largest ethnic groups are the Temne in the northern part of the country and the Mende in the southern part; each of these groups is estimated to make up about 30 percent of the population.

Ethnic loyalty remained an important factor in government, the armed forces, and business. Complaints of corruption within ethnic groups and ethnic discrimination in government appointments, contracts, military commissions, and promotions were common. There did not appear to be a strong correspondence between ethnic or regional and political cleavages. Ethnic differences also did not appear to contribute appreciably to the RUF rebellion, the 1997 coup, or the civil conflict during the year. No ethnic or regional base of voluntary popular support for the rebels was identifiable, and they controlled territory by terror and coercion rather than by popular consent.

Residents of non-African descent face institutionalized political restrictions. The Constitution restricts citizenship to persons of patrilineal Negro-African descent. This constitutional restriction effectively denies citizenship to many long-term residents, notably the Lebanese community.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides for the right of association, and, in practice workers had the right to join independent trade unions of their choice. About 60 percent of the workers in urban areas, including government workers, are unionized, but attempts to organize agricultural workers and mineworkers have met with little success. All labor unions by custom join the Sierra Leone Labor Congress (SLLC), but such membership is voluntary. Police and members of the armed services are prohibited from joining unions. There are no reliable statistics on union membership, but the membership numbers have declined as a percentage of all workers with the virtual collapse of the small manufacturing sector.

The Trade Union Act provides that any five persons may form a trade union by applying to the registrar of trade unions, who has statutory powers under the act to approve the creation of trade unions. The registrar may reject applications for several reasons, including an insufficient number of members, proposed representation in an industry already served by an existing union, or incomplete documentation. If the registrar rejects an application, his decision may be appealed in the ordinary courts, but applicants seldom take such action.

Workers have the right to strike, although the Government can require 21 days' notice. Union members may be fired for participating in even a lawful strike. No strikes were reported during the year. No laws prohibit retaliation against strikers.

Unions are free to form federations and to affiliate internationally. The SLLC is a member of the International Confederation of Free Trade Unions.

b. The Right to Organize and Bargain Collectively

The 1971 Regulation of Wages and Industrial Relations Act provides the legal framework for collective bargaining. Collective bargaining must take place in trade group negotiating councils, each of which has an equal number of employer and worker representatives. Most enterprises are covered by collective bargaining agreements on wages and working conditions. The SLLC provides assistance to unions in preparations for negotiations; in case of a deadlock the government may intervene.

No law prohibits retribution against strikers. An employee fired for union activities may file a complaint with a labor tribunal and seek reinstatement. Complaints of discrimination against trade unions are made to a tribunal. Individual trade unions investigate alleged violations of work conditions to try to ensure that employers take the necessary steps to correct abuses.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The Constitution prohibits forced and bonded labor, including that performed by children; however, forced labor remains a problem. Under the Chiefdom's Council Act, individual chiefs may impose compulsory labor and may require members of their villages to contribute to the improvement of common areas. This practice exists only in rural areas. There is no penalty for noncompliance. The last Saturday in each month is declared a national cleanup day; in Freetown traffic is proscribed before 10:00 a.m. so that all residents may clean their immediate areas. There was some compulsory labor, possibly including labor by children in rural areas.

The AFRC/RUF rebels forcibly impressed young boys and girls into their ranks and forced them into involuntary servitude and to perform as sexual slaves. Many later became fighters with the rebel forces. Women were also forced to act as sexual slaves (see Sections 1.b., 5, and 6.f.).

Rebel forces also forced civilians to labor as porters and workers in diamond fields under insurgent control months after the signing of the peace accord. On October 4, rebel forces seized a commercial bus on the Freetown-Bo highway and, after releasing the elderly on board, forced some 40 young male and female passengers to carry looted goods from the vehicle into the bush.

d. Status of Child Labor and Minimum Age for Employment

The minimum age for employment is officially 18 years, although children between the ages of 12 and 18 years may be employed in certain nonhazardous occupations, provided they have their parents' consent. In practice this law is not enforced because there is no government entity charged with the task. Children routinely assist in family businesses and work as petty vendors. In rural areas, children work seasonally on family subsistence farms.

Because the adult unemployment rate remains high, few children are involved in the industrial sector. Foreign employers have hired children to work as domestics overseas at extremely low wages and in poor conditions. The Department of Foreign Affairs and International Cooperation is responsible for reviewing overseas work applications to see that no one under the age of 14 is employed for this purpose.

The law requires school attendance through primary school. However, there is a shortage of schools and teachers, due both to inadequate government funding of public education and to the widespread destruction of educational facilities by rebel forces (see Section 5). Many children consequently enter the work force with few skills and with limited, if any, literacy. The Constitution prohibits forced and bonded labor, including that by children;

however, such practices exist (see Section 6.c.).

e. Acceptable Conditions of Work

A 1997 law set the minimum wage at approximately \$11 (21,000 leones) per month; it has not been adjusted since then. The minimum wage is not sufficient to provide a decent standard of living for a worker and family. Purchasing power continues to decline through inflation. Most workers support an extended family, often including relatives who have been displaced by the insurgency in the countryside, and it is common both to pool incomes and to supplement wages with subsistence farming.

The Government's suggested workweek is 38 hours, but most workweeks for those who are employed exceed that figure.

Although the Government sets health and safety standards, it lacks the funding to enforce them properly. Trade unions provide the only protection for workers who file complaints about working conditions. Initially a union makes a formal complaint about a hazardous working condition. If this complaint is rejected, the union may issue a 21-day strike notice. If workers remove themselves from dangerous work situations without making a formal complaint, they risk being fired.

f. Trafficking in Persons

No law prohibits trafficking in persons. There were no reports of persons being trafficked to or from the country; however, rebel forces kidnaped young boys and girls, forcibly impressed them, and compelled the children to serve them and to perform as sexual slaves (see Sections 5 and 6.c.). Women also were forced to act as sexual slaves (see Sections 1.b., 5, and 6.c.).

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