



## U.S. DEPARTMENT of STATE

### Sierra Leone

#### Country Reports on Human Rights Practices - [2006](#)

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Sierra Leone is a constitutional republic with a directly elected president and a unicameral legislature, and a population of approximately five million. In 2002 the devastating 11-year civil conflict officially ended, and the government, backed by a United Nations peacekeeping force (UNAMSIL), asserted control over the whole country. In 2002 Ahmed Tejan Kabbah was reelected president, and his Sierra Leone People's Party (SLPP) won a large majority in parliament. Many international monitors declared the elections generally free and fair; however, there were numerous reports of irregularities. In 2004 UNAMSIL handed over responsibility for security countrywide to the Republic of Sierra Leone Armed Forces (RSLAF) and Sierra Leone Police (SLP). In 2005 UNAMSIL withdrew all remaining peacekeepers and handed over nonpeacekeeping responsibilities to a follow-on peacebuilding UN mission (UNIOSIL). During the year the government made little progress in addressing the recommendations of its own June 2005 white paper issued in response to the Truth and Reconciliation Commission's (TRC) final report on the causes and effects of the 1991-2002 civil war. During the year civilian authorities generally maintained effective control of security forces.

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

During the year the government made progress in combating trafficking in persons. In October parliament appointed five representatives to a newly established National Commission for Human Rights, which has the mandate to implement recommendations of the TRC. On December 11, President Kabbah swore in the five members of the commission. UNIOSIL provided financial support for the commission, which by year's end had met several times to develop a plan of action.

#### RESPECT FOR HUMAN RIGHTS

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

###### a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed any politically motivated killings during the year; however, police allegedly shot a student demonstrator who later died from his injuries (see section 1.d.).

Unlike in the previous year, no journalists were killed.

There were no developments in the 2004 case of the suspected murder of a prostitute, allegedly by UNAMSIL peacekeeping soldiers.

In December 2005 UNAMSIL concluded operations in the country.

###### b. Disappearance

There were no reports of politically motivated disappearances.

The Ministry of Social Welfare, Gender and Children's Affairs discontinued the use of a database that attempted to track children separated from their families during the war. The ministry stated that this project had been implemented as a result of the war, and that after the war's end, it was deemed no longer necessary to maintain the project.

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

The constitution and law prohibit such practices; however, there were reports that security forces beat and raped persons, and that police

stole, extorted, and demanded bribes. The Corporal Punishment Act allows boys under age 17 to receive up to 12 lashes as punishment. Prison guards reportedly beat prisoners, including juveniles, with impunity.

During the year security forces intimidated and arrested journalists.

Police use of excessive force to disperse demonstrators resulted in one death and several injuries (see section 1.d.).

On January 30, a police officer in Pujehun beat his girlfriend, who reported the beating to the SLP's Complaints Division and Internal Investigation Department (CDIID). The police officer paid the cost of her medical care and he was put on probation for six weeks.

In July RSLAF soldiers in Bo used sticks to beat and rob a man who they claim sold them contaminated fuel. The incident was reported by a human rights nongovernmental organization (NGO) in mid-July; however, no action was taken by authorities.

There were reports that security forces raped women and children (see section 2.d.). In January a police officer in Kenema raped a woman while she was in custody. The officer was suspended from duty, but he fled to Liberia before he could be tried.

In July a police officer raped a 10-year-old Liberian refugee near the Liberian border at Zimmi. His trial was ongoing at year's end (see section 2.d.).

In 2004 a magistrate court ordered the government to rearrest a soldier who had raped an eight-year-old girl; however, at year's end the soldier was still at large.

In mid-May chiefdom tax collectors beat a man in Golahun Village, Tikonko Chiefdom, Bo District for refusing to pay local tax. The man suffered a broken arm and was hospitalized for three months as a result of the beating.

During the year both men and women were forcibly initiated into tribal secret societies, a process that for women usually involved FGM. For example, in March and April the Poro Society in Manowa Kailahun District attempted to forcefully initiate a man into the society. The man ran away and reported the matter to the police, who deferred to the local paramount chief. The paramount chief then allowed Poro members to drag the man out of his home, beat him, and initiate him into their secret society.

Vigilante justice was common in urban areas, particularly for suspected thieves. For example, in early August a crowd in Freetown beat a suspected thief and left him on the street. The man suffered serious cuts and bruises and was hospitalized for two weeks. There was no record of his name, or of any arrest or investigation.

During the year Guinean forces continued to occupy the Yenga area in the eastern part of the country, contravening an agreement between the presidents of Guinea and Sierra Leone acknowledging that the town of Yenga belongs to Sierra Leone. The government and human rights groups accused Guinean troops of harassing the local population. In spite of sporadic negotiations between the two governments, the issue remained unresolved at year's end. In December Presidents Kabbah, Conte of Guinea, and Sirleaf of Liberia met to discuss the Yenga issue, and they agreed that members of parliament from the three countries should meet under the mediation of the Liberian foreign minister to discuss the Yenga issue.

#### Prison and Detention Center Conditions

During the year prison conditions improved in some locations. Improvement of detention conditions remained a focus of the Justice Sector Development Program (JSDP) funded by a foreign official donor and launched in April 2005; however, conditions in most facilities remained poor. Prison overcrowding was a severe problem, including at Freetown's maximum security Pademba Road Prison, which was designed to house 325 prisoners but held an estimated 944. Human rights observers reported that detention conditions frequently fell below minimum international standards because of overcrowding, lack of access to food, unhygienic conditions, and insufficient medical attention. Prisons were often poorly ventilated. There were no reports that such conditions resulted in any deaths during the year.

Few prisons had adequate medical facilities, and sick prisoners were treated at state hospitals. However, prisoners often received inferior treatment from doctors and nurses in these hospitals because of the social stigma associated with assisting criminals.

Prison officers were inadequately paid, poorly trained, and in many prisons were not provided private quarters or uniforms. Consequently, guards provided only minimal security, and abuse of prisoners and prison breaks occurred.

Men and women continued to share cells in Kenema's prison. During the year new prison facilities with separate cells for men and women were completed in Kailahun, Pujehun, Kabala, Moyamba, and Kambia, and the prison in Magburoka was rehabilitated and expanded.

Minors were imprisoned with adult offenders, but police sometimes released juveniles suspected of committing crimes to avoid incarcerating them with adults. Juvenile detainees did not have adequate access to food, education, or vocational training, and sometimes were unable to attend court hearings due to lack of transportation from juvenile detention facilities. Violence was a problem among youth in juvenile detention homes, of which there were two, both in Freetown: Kingtom Remand Home, and the Approved School.

Pretrial detainees were held with convicted prisoners. Prison guards reportedly beat prisoners with impunity.

Many problems resulted from the lack of resources and inefficiency of the judiciary. For instance, case backlogs in the courts, which often led to long pretrial detention, resulted in severe overcrowding. Government records indicate that there were approximately 1,610 detainees in 12 prisons nationwide, 688 of whom had not yet been convicted of a crime. This figure did not include detainees in jails or detention centers.

In February the JSDP hosted a workshop to launch the development of a Prisoner Classification and Security Assessment process--one of a number of initiatives to improve living conditions for prisoners and pretrial detainee case management. Other JSDP initiatives focused on pilot literacy and numeracy programs for prisoners in the Western Area and Moyamba District, and a prison farm project in Moyamba District.

Conditions in holding cells in police stations were extremely poor, especially in small stations outside Freetown; however, overcrowding in police cells improved during the year as a result of the deployment of magistrate judges to the districts to process cases. Some police stations had no cells for suspect detention. In August a man hanged himself in the toilet while being detained at Goderich police station. A later inquiry by an NGO revealed that detainees were locked in the toilet at night and kept in open detention during the day.

The government permitted family visits, but for a short time only. The International Committee of the Red Cross (ICRC) provided a message delivery service that allowed prisoners housed in all district prisons to communicate with their families. ICRC officials were permitted to meet privately with detainees.

International monitors, including UNIOSIL and the ICRC, had unrestricted access to Pademba Road Prison and other detention facilities, including the Special Court for Sierra Leone (SCSL) detention facilities. Prison Watch, a local human rights group, reported on detention facilities throughout the country but stated that during the year it had difficulty in gaining access to some detention sites.

#### d. Arbitrary Arrest or Detention

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

#### Role of the Police and Security Apparatus

The Sierra Leone Police (SLP), which has primary responsibility for maintaining internal order, lacked investigative, forensic, and riot control capabilities. A self-assessment by the SLP found the police to be fearful of the public and unequipped for beat patrols. The SLP was widely viewed as corrupt and incompetent. Impunity was a serious problem, although less so than in previous years. During the year there were reports that police officers took bribes at checkpoints, falsely charged motorists with violations, and impounded vehicles to extort money. Police also accepted bribes from criminal suspects in exchange for dropping charges.

Using training and assistance from the donor community, during the year the SLP instituted mechanisms to improve community relations and held many officers accountable for misconduct.

There were several mechanisms available to investigate police abuses. The Police Complaints Commission and the Complaints, Discipline and Internal Investigations Department (CDIID) both heard complaints against police officers. There was also a Police Council, composed of the vice president, minister of internal affairs, inspector general, and others who accepted written complaints against police officers. Disciplinary action against officers was published in an SLP newsletter, such as the March dismissal of eight Freetown police officers found guilty of stealing from residents in Kissy. Between January and August, CDIID received 542 complaints countrywide. Of those complaints, officers were dismissed or asked to resign in 24 cases, 104 received a written letter of reprimand, 68 cases were discharged or dismissed for lack of evidence, and 74 were resolved informally. The remaining cases were at various stages of investigation or review.

During the year police continued to receive professional, leadership, and human rights training, and new recruits received a six-month introductory course before deployment. The SLP retained a full-time UN technical advisor and a number of UN Civil Police (UNCIVPOL) police advisors. During the year UNIOSIL worked with the JSDP to implement its newly developed strategic plan and develop a training program to enhance the SLP's capacity to provide security during the scheduled 2007 presidential and parliamentary elections.

During the year the SLP began to establish Local Police Partnership Boards throughout the country to improve community relations and resolve minor complaints.

On multiple occasions police were not present when crowds beat alleged thieves (see section 1.c.). Police also at times were not able to control violence at public demonstrations, particularly in reaction to police activities. On February 9, for example, police arrested a secondary school student leader in Mile 91 for suspected assault. When a magistrate judge refused bail in the case, other students at the school protested at the police station. An advance security vehicle in a vice presidential convoy that happened on the scene attempted to restore order by firing warning shots, one of which reportedly killed a demonstrating student. The students then overpowered the police, stormed the police station, released the student leader, and burned the newly refurbished police station to the ground along with several nearby vehicles.

On May 29, a motorcycle driver refused to stop at a police checkpoint in Waterloo. Police chased the driver to a local secondary school, where a group of students gathered around him. Students stoned the police and police fired tear gas. One student was wounded and hospitalized. Later, an angry student mob descended on the Lumpa police station and burned it down. Community elders, school authorities, and members of the Bike Riders' Association met to discuss the incident and resolve ongoing disputes, such as police targeting of motorcycles at traffic stops; students later built a new police post to apologize.

An investigation which had been initiated into the 2005 killings of a 16-year-old demonstrator was closed without reaching any conclusion.

## Arrest and Detention

The law requires warrants for searches and arrests in many cases; however, arrest without warrant was common. The law prohibits arbitrary arrest and detention; however, government forces occasionally arrested and detained people arbitrarily. Once arrested, a detainee must be told the reason for arrest within 24 hours, and a case must be charged to court within 72 hours or, in the case of serious crimes, within 10 days. However, detainees often were held without charge or trial for minor offenses for long periods. Detainees have the right of access to family and counsel; however, access to counsel was often delayed, and family visits to prisoners were restricted. Prison visits were allowed once every two weeks for four hours each time. Lawyers were allowed unrestricted access to detainees. Indigent detainees usually did not receive legal advice prior to trial.

There were provisions for bail, and there was a functioning bail system; however, the TRC recommended that the law concerning bail provisions be revised. Bail was sometimes set at excessively high levels. In December 2005 a judge set bail at approximately \$170,000 (500 million leones) for the release of the leader of the People's Movement for Democratic Change (PMDC) who had been arrested in November 2005.

Incommunicado detention generally was not a problem.

Traditional justice systems supplemented the central government judiciary, especially in rural areas (see section 1.e.). Paramount chiefs maintained their own police and courts to enforce uncodified local laws, which acted in parallel with the government's own civil police and court system. Chieftaincy police and courts exercised the authority to arrest, try, and incarcerate individuals.

There were numerous instances in which police refused to make arrests when warranted or arrested people without charge for strictly civil causes; arrests for alleged breach of contract or failure to satisfy debt were the most common. For example, in August, chiefdom police arrested a teacher in Pujehun because of his dispute with an RSLAF soldier over an exchange of rice and palm oil. The teacher was incarcerated for two days before being released on bail. No further information was available on this case by the end of the reporting period.

During the year police arrested demonstrators (see section 1.a.).

Trials of former combatants who fought for the Revolutionary United Front (RUF) continued during the year (see section 1.e.).

Lengthy pretrial detention was a problem. Authorities held many criminal suspects for months and some for years before courts examined their cases or filed formal charges. According to government records, approximately 65 percent of the country's detainees in prison were in pretrial detention; this was a marked deterioration from the estimate of 40 percent in pretrial detention during 2005.

## Amnesty

The law provides the president with the power to grant amnesty by the "Prerogative of Mercy," which he traditionally exercised on Christmas Day (December 25) and Independence Day (April 27). During the year President Kabbah released 27 prisoners using this power.

### e. Denial of Fair Public Trial

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

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

Judicial presence outside the capital district increased during the year, and magistrate judges were assigned to all provincial capitals. A new rotation system between wards in specific districts improved magistrate presence. However, with inexperienced new magistrates, high court fees, and fewer than 10 lawyers practicing outside of Freetown, access to justice remained limited for most citizens.

## Trial Procedures

The law provides for a fair trial; however, in practice, the lack of judicial officers and facilities often produced long delays in the judicial process. Trials are public. Persons accused of crimes have a limited right to a trial by jury in the magistrate courts. Juries were drawn from a list maintained by the master and registrar of active and retired civil servants and youth groups; however, the attorney general frequently exercised his power to determine that cases be heard by a judge alone. Defendants have the right to be present and to consult with an attorney in a timely manner; however, access to counsel often was delayed. The law provides for attorneys at public expense if defendants could not afford their own; however, state-appointed attorneys often were overburdened and poorly paid, and indigent detainees usually did not receive legal advice prior to trial. Defendants can confront or question witnesses against them, present witnesses and evidence on their own behalf, and access government-held evidence relevant to their cases. Defendants enjoy a presumption of innocence as well as a right to appeal. Trials were usually fair; however, there was credible evidence that corruption influenced some cases. A majority of cases on the magistrate level were prosecuted by police officers, many of whom had little or no formal legal training (see section 3).

Traditional justice systems continued to extensively supplement the central government judiciary, especially in rural areas, in cases involving

family law, inheritance, and land tenure. However, the customary law guiding these courts is not codified, thus decisions in similar cases were often inconsistent. Local chieftains at times exceeded their mandates and administered harsh punishments. For example, there were multiple reports that paramount chiefs often judged criminal cases, such as rape, and that chiefs reportedly ordered rape victims to marry their attackers, and threatened to impose fines against or fired section chiefs for allowing opposition political parties to hold meetings in their chiefdoms (see sections 2.b. and 5).

The law does not limit the rights associated with a fair trial to any group; however, there are a number of civil laws and customary laws that discriminate against women (see section 5).

During the year cases were dismissed for 68 of 89 former combatants who fought for the RUF, the rebel group which started the country's 11-year civil war; the Armed Forces Revolutionary Council (AFRC) junta; and the West Side Boys, a splinter group of the AFRC. Of the remaining defendants, nine were sentenced, and decisions on 12 were reportedly still pending at year's end. All combatants were represented by a legal assistance NGO.

In 2004 Freetown port employees severely beat a port authority official who was investigating corruption. During the trial the port authority director allegedly bribed all 12 jurors, and the suspects who had been arrested for the beating were subsequently acquitted and released. The jurors later were arrested and charged with conspiracy to impede the cause of justice, but during the year the defendants again were acquitted, and the case was discharged. No charges were brought against the jurors.

There were reports that potential witnesses in high-level corruption cases were intimidated or bribed (see section 3).

#### Political Prisoners and Detainees

There were no reports of political prisoners; however, a journalist was detained briefly during the year for political reasons (see section 2.a.).

#### Civil Judicial Procedures and Remedies

Both the central government judiciary and customary law courts handled civil complaints; however, there was evidence that corruption influenced some cases. Customary law is not codified and decisions in similar cases often were inconsistent. Administrative and judicial remedies were available for alleged wrongs, but enforcement was difficult, and there are a number of civil laws and customary laws that discriminate against women (see section 5).

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

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

Although the ruling SLPP enjoyed broad support, the government employed informer systems and tried to coerce or forbid membership in political organizations. There were reports that SLPP members monitored opposition political party meetings. Civil servants who attended such meetings risked losing their jobs or government housing (see section 2.b.). There also were reports that the government pressured paramount chiefs (and paramount chiefs in turn pressured subordinate chiefs) to discourage the activities of opposition political parties in the provinces, particularly in remote areas (see section 3).

In March a senior mines monitoring officer in Bo who became a member of the newly-registered PMDC party was removed from government housing, which was turned over to an SLPP member. The mines monitor was transferred to a different office in Makeni and was not given government housing.

In June the Ministry of Education removed the head teacher of a primary school in Pujehun from the government payroll (the head teacher also was the Pujehun District Chairman for the PMDC). When the teacher complained, the national education secretary called him in for a meeting on August 25, during which the teacher claimed that he was told that he would not be allowed to attend the upcoming dedication ceremony of his recently refurbished school unless he joined the SLPP. The teacher, who refused to join the SLPP, had not been paid by year's end.

In June the principal of a girls' secondary school in Bo fired a teacher after he joined the PMDC.

In June the Nyawa-Leagai paramount chief fired the Nengbema town (Bo District) chief for attending an All People's Congress (APC) meeting.

In June the Soro Gbema paramount chief in Pujehun District suspended four section chiefs for attending a June 10 PMDC meeting.

There were reports that supporters of opposition political parties also faced other forms of discrimination. Early in the year Ministry of Lands officials marked a house for demolition that had been built on chiefdom-owned land. The church leader (a PMDC supporter) who owned the house claimed that he had prior permission to build on the land. The house was still marked for demolition at year's end.

There were reports that membership in the ruling SLPP was required in order to access certain government benefits, particularly micro-credit and other development assistance. On July 7, a paramount chief in Kenema district denied a woman micro-credit because she did not

possess an SLPP party card.

In August the chairman of the Kenema District Council denied the issuance of seed rice to councilors who joined the PMDC.

There were reports that the government punished family members for alleged violations by individuals. In late August a young man in Barri Chiefdom (Pujehun District) was summoned to the paramount chief's residence for wearing a PMDC tee-shirt. The paramount chief ordered the man to remove the shirt. When he refused, the paramount chief summoned the man's mother and threatened that she would be "dealt with" if her son continued to defy him.

In April the father of a PMDC member was fired from his job at the Pujehun District Council office where he had worked for 26 years after his son joined the PMDC. The father was fired from a subsequent job at the Office of National Security in August.

## Section 2 Respect for Civil Liberties, Including:

### a. Freedom of Speech and Press

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

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

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

International media could operate freely; they only needed to register with the Ministry of Information and Broadcasting and the Independent Media Commission (IMC) to obtain a license.

Unlike in the previous year, there were no reports that journalists were killed; however, security forces harassed and detained journalists.

In May 2005 five people beat Harry Yansaneh, the acting editor of the For di People newspaper, who died two and one-half months later from his injuries. Police detained a parliamentarian, Fatmata Hassan Komeh, who allegedly ordered and oversaw the beating, and two others, but released them on bail. Komeh's children, who also were suspects in the beating, returned to their residence in the United Kingdom. On August 4, the High Court requested the extradition of Komeh's children; the extraditions were pending at year's end.

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

Officials used libel laws to suppress criticism of political or other leaders, and during the year the attorney general ordered security forces to arrest a journalist. On March 20, police detained for three hours the editor of the Concord Times newspaper, Sahr Musa Yamba, reportedly to receive a reprimand from the attorney general.

The IMC regulated independent media organizations; however, it did not demonstrate independence from government influence. During the year, the IMC determined that the criminal libel provisions of the Public Order Act should remain, although many journalists later complained that the IMC's assessment of public opinion used to make the recommendation was insufficient.

During the year the paramount chief of Bo reportedly twice threatened to close a local independent radio station for airing programs that were critical of the ruling SLPP, although he did not follow through on the threats. In April the station had hosted a call-in show to discuss a letter reportedly written by SCSL indictee Hinga Norman. Callers questioned the authenticity of the letter, which instructed former kamajor fighters to support the ruling SLPP.

### Internet Freedom

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

### Academic Freedom and Cultural Events

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

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

##### Freedom of Assembly

The constitution and law provide for freedom of assembly, and the government generally respected this right in practice; however, there were numerous reports that the government monitored meetings of opposition political parties. Civil servants who attended such meetings were at risk of losing their jobs or government housing (see section 1.f.). Police forcibly dispersed demonstrators. Opposition political parties also had difficulty obtaining permission from traditional chiefs to hold meetings, especially in remote areas.

On September 5, the Banderu Chiefdom (Kenema District) section speaker fined a PMDC member approximately \$67 (200,000 leones), five gallons of palm oil, and one goat for holding a PMDC meeting. The speaker also declared that the estimated 100 persons who attended the meeting were no longer allowed to farm or mine on chiefdom lands. However, the individuals challenged the orders and continued to farm and mine without interference.

One student demonstrator reportedly died and other students were injured during a forcible dispersion of demonstrators by police (see section 1.d.).

Police were unable to control demonstration violence during the year, and demonstrators burned police stations (see section 1.d.).

The trial of 11 persons, who were arrested in November 2005 after a demonstration in support of presidential hopeful Charles Margai and charged with violation of the Public Order Act, was ongoing at year's end. All those charged remained free on bail at year's end.

There was no progress in the investigation into the death of a 16-year-old girl who was shot in the mouth during a student protest in Freetown in March 2005 (see section 1.d.).

##### Freedom of Association

The constitution and law provide for freedom of association, and the government generally respected this right in practice; however, there were reports that civil servants, traditional leaders, and others who affiliated with opposition political parties lost jobs and faced other forms of discrimination (see section 1.f.).

The Political Parties Registration Commission (PPRC) became operational during the year, and a new political party, the PMDC, registered. There were reports that members of the new party were harassed, threatened, and lost their jobs (see section 1.f.).

#### c. Freedom of Religion

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

##### Societal Abuses and Discrimination

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

There reportedly was a very small Jewish community, whose leader was a self-proclaimed rabbi. He reportedly died in November. He had claimed to have a following of about 20 persons in Makeni and had applied to the Inter-Religious Council for official recognition of his group. The application was pending at year's end because the council had not decided what procedure it would use to register new members.

For a more detailed discussion, see the [2006 International Religious Freedom Report](#).

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

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

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

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

##### Internally Displaced Persons (IDPs)

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

750,000 to two million persons.

No officially registered IDPs remained; however, one camp for war-wounded persons and their families unofficially remained open in Grafton.

At the end of 2005 the camp population was approximately 520; no update was available for the reporting period.

#### Protection of Refugees

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

According to UNHCR, during the reporting period the government did not provide temporary protection to certain individuals who may not qualify as refugees under the 1951 convention and the 1967 protocol.

At year's end, according to UNHCR, there were 21,696 Liberian refugees living in refugee camps in the country and approximately 12,000 Liberian refugees living outside of the camps. There were 5,615 non-Liberian refugees in urban areas, and 302 asylum seekers.

There were reports that Liberian refugees were victims of sexual abuse. NGO observers noted that refugees were less willing than previously to pursue cases in court against fellow refugees.

In July a police officer raped a 10-year-old Liberian refugee near the Liberian border at Zimmi. The trial was ongoing at year's end (see section 1.c.).

In February a three-year-old Liberian refugee was raped by another Liberian refugee in Tobanda Refugee Camp. The case was reported to the police's Family Support Unit (FSU), but the parties ultimately settled the case out of court.

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

The constitution and law provide citizens the right to change their government peacefully, and citizens exercised this right in practice through generally free and fair elections held on the basis of universal suffrage; however, the 2002 and 2004 elections were marred by numerous reports of irregularities, although many observers judged them to be generally free and fair. Presidential and parliamentary elections were scheduled for July 2007, and during the year there were multiple reports of harassment and intimidation of members of opposition parties (see section 1.f.).

#### Elections and Political Participation

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

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

During the year the NEC continued to make preparations for the scheduled 2007 presidential and parliamentary elections, including delimiting electoral boundaries for the first time since 1985. On November 30, parliament approved the NEC's report on the Electoral Constituency Boundaries Delimitation Process that stipulated that parliamentary elections again be constituency-based contests. However, its ability to restrict perceived government abuses in the election process was limited. On August 12, representatives from the Ministry of Local Government conducted an election of the paramount chief of Biriwa chiefdom despite a public objection by the NEC, which had monitored chiefdom elections since 2002. The NEC objected to the conduct of the election because there was a dispute over the ministry's alteration of the register of tribal authorities and a risk of violence between the majority Limbas and minority Mandingos in the chiefdom. The sole candidate and winner of the government-run elections was an ethnic Mandingo, the same tribe as that of the president (see section 5).

Although there were no formal government restrictions on the political opposition, the incumbent party enjoyed significant advantages, and there were numerous reports that members of opposition parties were denied government jobs and government benefits (see section 1.f.).

The PPRC became operational during the year; however, its activities were severely limited by a lack of capacity. The PPRC chairman resigned in August after an extended medical leave. The president swore in a replacement and on November 23, the PPRC issued a code of conduct for political parties; however, by year's end, no political party had been sanctioned for inappropriate behavior in spite of widespread

complaints of abuse, particularly by the ruling SLPP.

Individuals and political parties could freely declare their candidacies and stand for election; however, it was sometimes difficult to do so in another political party's stronghold.

A parallel unit of local government is the paramount chief, who is elected for a life term. Candidates for the position are limited to members of local ruling houses. Only tribal authorities (i.e., those who collected local taxes from at least 20 taxpayers) were allowed to vote for paramount chief, and in the north only men could be designated as tribal authorities. Although paramount chiefs' authority exists independently of the central government and local councils, they frequently displayed party affiliations and were influenced by the party in power. The election of paramount chiefs at times exacerbated ethnic tensions.

There were 16 women in the 112-seat parliament, three women in the 28-minister cabinet, three women out of 13 deputy ministers, four female judges out of seven judges on the High Court, and three out of six judges on the Court of Appeal. A significant number of women worked as civil servants.

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

Ethnic affiliations have traditionally been a strong influence in political party membership for the country's two dominant ethnic groups, the Mende and Temne, each of which include approximately 30 percent of the population. The Mende have traditionally supported the ruling SLPP and the Temne the opposition All People's Congress (APC). Other than ethnic Limbas, the third most populous ethnic group who have traditionally supported the APC, the country's other ethnic minority groups have no strong political party affiliations (see section 5). Ethnic groups were well-represented in the SLPP government cabinet: seven members of the 28-minister cabinet were Mende, 12 members were Temne, and nine members belonged to other minorities. There were eight ethnic groups represented in the 112-seat parliament, 41 percent of whose members were Mende, 30 percent Temne, and the remainder other minorities.

#### Government Corruption and Transparency

Corruption in the executive, legislative, and judicial branches was common. Official corruption was exacerbated by low salaries and a lack of accountability. Since the Anti-Corruption Commission's (ACC) inception in July 2000, approximately 10 percent of the 560 cases investigated were charged to court. Of the 54 cases referred to court, 29 resulted in convictions. Defendants included a former minister of transport and communications, a former accountant general, a former permanent secretary for the ministry of trade, and the former Sierra Leone Ports Authority (SLPA) chairman and managing director.

In the SLPA case, six of the principal local witnesses in the case did not testify because they had left the country, reportedly because they were bribed to do so. The man who sold the forklift to the principal accused in an allegedly fraudulent transaction never came to the country to testify, reportedly because he was intimidated from testifying. The forklift case was the only corruption case involving high-level officials that was prosecuted in court during the year.

During the year the ACC continued its focus on prevention by sponsoring "integrity clubs" at 21 schools across the country, and anticorruption community theater performances in 64 communities to help citizens identify and discuss corrupt practices that prevailed in their communities. The ACC continued to focus on improving transparency in ministries where opportunities for corruption were most pronounced. The president continued to publicly support the ACC, but some observers complained that the work of the ACC's investigations department was politicized, ineffective, and that there was a lack of political will to prosecute.

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

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

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

The National Forum for Human Rights (NFHR) served as an umbrella organization for human rights groups in the country. There were 41 human rights NGOs registered with the NFHR at the end of 2005 (the most recent statistic available), and all reportedly were active. Most domestic human rights NGOs focused on human rights education. A few NGOs, including the Campaign for Good Governance, the Lawyers' Center for Legal Assistance, and Access to Justice, actively monitored and reported on human rights abuses.

Human rights monitors traveled freely throughout the country. Representatives of international NGOs, foreign diplomats, the ICRC, and UN human rights officers were able to monitor trials and to visit prisons and custodial facilities during the year; however, Prison Watch, a local human rights NGO, claimed that the director of prisons denied it access to some prison facilities, despite having written permission from the Ministry of Internal Affairs, in part because of the critical nature of the NGO's previous reports.

UNIOSIL, a UN peacebuilding mission, replaced the UNAMSIL peacekeeping mission at the end of 2005. According to the UN, the mandate

of UNIOSIL's Human Rights and Rule of Law section is to assist the government "in building the capacity of state institutions to address the root causes of the conflict, developing a national plan for human rights, establishing the National Human Rights Commission, and strengthening the capacity of rule of law institutions through training."

The UN secretary general's first report on UNIOSIL, issued on April 28, criticized the government in a number of areas, including a perception that the government was taking a heavy-handed approach in dealing with the political opposition, and not making sufficient progress in anticorruption efforts. On June 21, President Kabbah issued a statement expressing his resolve to tackle a number of negative trends in the country.

On October 3, parliament confirmed five representatives for the newly-established Human Rights Commission of Sierra Leone, who were sworn in on December 11. The commissioners convened several meetings to discuss logistical matters.

The Parliamentary Human Rights Committee took a proactive role in protecting human rights during the year. It operated without government or party interference. The committee's resources were limited but it received support from the UN Development Program (UNDP) and the UN High Commissioner for Refugees (UNHCR). The Human Rights Committee was one of the most effective oversight committees in parliament, and it enjoyed government cooperation.

The committee also promoted the passage of legislation on women's and children's rights.

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

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

On March 29, four days after the government of Nigeria declared that the government of Liberia was free to take him into custody, Nigerian security forces arrested Taylor while he was attempting to flee Nigeria. Taylor was escorted to Monrovia and UN forces then transferred him to the SCSL in Freetown. On April 3, during his arraignment, Taylor pled not guilty to an amended 11-count indictment. On June 20, he was transferred to The Hague, The Netherlands due to security concerns. At year's end, the SCSL was making preparations to begin Taylor's trial at The Hague in June 2007.

Trials began in March 2005 of AFRC leaders Alex Tamba Brima, Brima Bazzy Kamara, and Santigie Borbor Kanu, and in June 2004 of Civil Defense Force (CDF) leaders Sam Hinga Norman, Moinina Fofana, and Allieu Kondewa. The trial phase for both the AFRC and the CDF concluded, and the justices were writing their verdicts at year's end. Trials of RUF leaders Issa Sesay, Morris Kallon, and Augustine Gbao, begun in July 2004, were ongoing at year's end. The prosecution in the RUF cases had concluded its case, but the defense phase had not begun by year's end.

In 2004 the TRC, established in 2002 to provide a forum for publicly airing the grievances of victims and the confessions of perpetrators during the civil war, completed its activities and delivered its final report and recommendations to the government. In August 2005 the full version of the final report was distributed to the public. The report contained a separate child-friendly version, since children played such large roles as both victims and perpetrators of violence during the war. The report concluded that years of bad governance, endemic corruption, and denial of basic human rights created the conditions that made the conflict inevitable. The commission offered a number of recommendations on legal, political, and administrative reforms, including elimination of the death penalty. In June 2005 the government released a White Paper accepting some and rejecting or ignoring other recommendations. Members of civil society groups criticized the government's response and called the White Paper too vague. UNIOSIL collaborated with district human rights committees to disseminate the TRC final report countrywide, but by year's end, the government had made little progress in addressing any of the report's recommendations, claiming insufficient funds to implement them.

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

#### Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

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

#### Women

The law does not specifically prohibit domestic violence, and the government rarely enforced provisions in the 1861 Offenses Against the Persons Act, or the Public Order Offenses Act Number 32 of 1965, the most recent relevant legislation, for violent acts against women. Domestic violence against women, especially wife beating and forced intercourse, was common. These crimes reportedly occurred more frequently in the northern provinces but were prevalent throughout the country. The police were unlikely to intervene in domestic disputes except in cases involving severe injury or death. No figures were available on prosecutions, convictions, or punishment for domestic

violence; however, police commanders indicated that these types of crime were not frequently reported to the SLP. Women suspected of marital infidelity often were subjected to physical abuse; frequently, women were beaten until they divulged the names of their partners. Because husbands could claim monetary indemnities from their wives' partners, beatings often continued until the women named several men, even if there were no such relationships. There also were reports that women suspected of infidelity were required to undergo animistic rituals to prove their innocence.

In 2000 the government established the Family Support Units (FSUs) to deal particularly with gender-based violence. The SLP had FSU offices at 18 police stations around the country. Some international NGOs complained that the FSUs lacked basic infrastructure and communications support, and that FSU officers often told women victims simply to go back to their families, to the chief, or to simply survive on their own; however, the UN reported that the FSUs played a leading role in investigating cases of violence against women and children. They also engaged in community education and sensitization through radio and television programs.

The law prohibits rape, which was punishable by up to 14 years' imprisonment; however, rape was common and viewed as a societal problem. The law did not specifically prohibit spousal rape. Rape cases frequently were settled out of court, and rape victims sometimes were ordered to marry their attackers. Cases of rape were underreported and indictments were rare, especially in rural areas; this reluctance to pursue justice for women, combined with a lack of income and economic independence, helped perpetuate a cycle of violence and a culture of impunity for violence against women. Since the establishment of the FSUs, however, reports of rapes, especially involving child victims, steadily increased. The FSUs reported that 65 percent of rape cases reported during the year involved girls under the age of 18. Rapes were documented of children as young as a few months old. Most perpetrators were known to their victims, and included teachers, family friends, relatives, and neighbors.

Medical and psychological services for rape victims were very limited. The country has only one psychologist. Rape victims were required to obtain a medical report to file charges; however, government doctors charged \$20 (approximately 50,000 leones) for such an exam, which was prohibitively expensive for most victims. During the year the Ministry of Social Welfare concluded agreements with doctors at some government hospitals to waive the fee. The International Rescue Committee (IRC) ran centers in Freetown, Kenema, and Koidu to perform medical examinations, provide counseling for victims of sexual assault, and offer legal assistance for victims who wanted to prosecute their cases; however, most cases did not make it to trial because of inefficiencies in the judicial system. During the year some improvements were made for the protection of victims in court. Although perpetrators had the opportunity to cross-examine victims directly, judges more frequently heard such cases privately in their chambers.

No law prohibits FGM, and it was practiced widely. Even some prominent government officials continued to openly support the practice. The less severe form of excision was practiced. The UN Children's Fund (UNICEF) and other groups estimated that 80 to 90 percent of women and girls had been victims of the practice; however, some local groups believed that this figure was overstated. FGM was practiced on girls as young as five years old.

In December 2005 the country was one of 19 African countries to adopt the Dakar Declaration during the African Parliamentary Conference focused on ending violence against women. The declaration calls for the development of legislation to outlaw FGM, and a national action plan with sufficient resources allocated to help implement it. During the year the government took no action to combat the practice.

Although a number of NGOs worked to eradicate FGM and to inform the public about its harmful health effects, active resistance by women's secret societies, in which FGM commonly occurred as part of initiation rites, hindered efforts to stop the practice. However, there was progress in reducing the practice. An anti-FGM NGO reported that by year's end, 1,800 digbas (practitioners) had agreed to "lay down their knives." The NGO found that many practitioners still engaged in the practice because it represented their sole source of income, so multiple programs were created to help former practitioners find alternative sources of income.

Although police occasionally detained practitioners on accusations of forced mutilation or manslaughter, human rights workers reported that police remained hesitant to interfere in cultural practices.

Unlike during the previous year, there were no reports that girls had died following circumcision ceremonies; however, no arrests were made by year's end in connection with such deaths reported in 2004 and 2005.

Prostitution was widespread and not prohibited by law; however, prostitutes sometimes were arrested and charged with loitering or vagrancy. Many women and girls, particularly those displaced from their homes and with few resources, resorted to prostitution to support themselves and their children. There were indications that the presence of pimps was an emerging trend. On March 25, a former combatant acting as a pimp beat a prostitute in Freetown. Young men in the area stopped the man before he stabbed her, and police arrested him. The matter was not referred to court in part because the prostitute intervened on his behalf.

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

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

The law provides for equal rights for women; however, in practice women faced both widespread legal and societal discrimination. They faced discrimination in matters of marriage, divorce, property, and inheritance, which are guided by customary law, which applies in all areas except for the capital, Freetown. Chiefs sometimes colluded with men to forcibly evict women and children from their homes or subject them to arbitrary detention. In some cases chiefs imposed arbitrary and exorbitant fines, imprisoned women unlawfully in their homes or "chiefdom jails," and expelled them from the community. Their rights and status under customary law varied significantly depending upon the ethnic group to which they belonged, but was routinely inferior to that of men. Under customary law women's status in society is equal to that of a

minor. 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, had a statutory right to own property in their own names. Women in the provinces, which are governed by customary laws that vary from chiefdom to chiefdom, did not.

As an example of discriminatory practices common in local courts, during the year a husband sued his wife in a chiefdom court after she had refused to have sex with him and filed for divorce. The woman was fined approximately \$230 (685,000 leones). The woman's brother, who took her in after she left, was fined approximately \$85 (250,000 leones) for taking the woman in without her husband's consent (see section 1.e.).

In the Temne ethnic group, women could not become paramount chiefs, subordinate chiefs, or chiefdom authorities; however, in the Mende tribe, there were several such female leaders. Women did not have equal access to education, economic opportunities, health facilities, or social freedoms. In rural areas women performed much of the subsistence farming and had little opportunity for formal education.

The Ministry of Social Welfare, Gender and Children's Affairs has a mandate to protect the rights of women; however, the ministry was underfinanced and relied on the assistance of international organizations and NGOs to help combat women's rights violations.

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

## Children

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

Public education is available up to the university level. The law requires school attendance through primary school. Primary school education is tuition-free countrywide and secondary school education is tuition-free for girls in the North. However, many parents are unable to put their children through primary school because they cannot afford school uniforms, books, and other fees charged by school authorities. Only 41 percent of primary school-aged children were enrolled in school, according to UNICEF, and many enrolled did not attend. Schools, clinics, and hospitals throughout the country were looted and destroyed during the 11-year insurgency, but the majority had been rebuilt. Many children received little or no formal education. Formal and informal fees largely financed schools, but many families could not afford to pay them. The average educational level for girls was markedly below that of boys, and only 20 percent of women were literate. At the one university, male students predominated.

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

Sexual violence against children was a problem. There were reports that children as young as three months old were raped.

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

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

Child labor, including forced child labor, occurred. According to the International Trade Union Confederation, an estimated 72 percent of children between the ages of five and 14 were engaged in some form of child labor (see section 6.d.).

The number and plight of street children were problems.

## Trafficking in Persons

The 2005 law prohibits trafficking in persons (TIP); however, there were reports that persons were trafficked to, from, and within the country.

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

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

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

A person convicted of trafficking can be sentenced to up to 10 years in prison. During the year a woman from Goderich was convicted of trafficking and sentenced to five years in prison. This was the first conviction under the new antitrafficking law, and occurred in a community whose parliamentary representative--also a member of the Parliamentary Human Rights Committee--had hosted a training session on trafficking for members of the community. Concerned community members had reported the woman's actions to the police. During the year there were approximately four TIP cases charged to court.

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

During the year the government held the first meetings of the Inter-Ministerial Committee and the TIP (Anti-Trafficking) Task Force as called for by the Anti-Trafficking Act. In July the minister of Social Welfare signed an ECOWAS/ECCAS (the West and Central African regional economic groupings) plan of action and multilateral cooperation agreement against trafficking in persons. In August the TIP Task Force attended an ECOWAS-sponsored two-day session to discuss the creation of a national action plan.

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

#### Persons with Disabilities

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

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

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

Some of the many individuals maimed in the civil war, or who had their limbs amputated by rebel forces, received special assistance from local and international humanitarian organizations. Such programs involved reconstructive surgery, prostheses, and vocational training to help victims acquire new work skills; however, amputees complained that they did not receive sufficient assistance compared to former combatants, who received aid through the demobilization process. In its White Paper reply to the recommendations of the final TRC report, the government accepted in principle the need to develop an aid program for war wounded, amputees, and victims of sexual violence; however, assistance to these groups remained limited and mostly funded by outside entities. An amputee representative in Kenema said that amputees from his region did not receive benefits commensurate with those received by amputees in Freetown. An amputee representative in Pujehun complained that the chairman of the Pujehun District Council refused to release a shipment of clothing and medicine meant for amputees, because the amputees were opposition PMDC party members (see section 1.f.).

#### National/Racial/Ethnic Minorities

The ethnically diverse population consists of about 18 ethnic groups of African origin, many of whom speak distinct primary languages and who were concentrated outside urban areas. In addition there are significant Lebanese and Indian minorities, and small groups of European and Pakistani origin. Little ethnic segregation was apparent in urban areas, where interethnic marriage was common. The two largest ethnic groups were the Temne in the North and the Mende in the South. These groups each constituted an estimated 30 percent of the population; however, the Krio, who constituted 10 percent of the population, have historically dominated the civil service and judiciary. Strong ethnic loyalties, bias, and stereotypes existed among all ethnic groups. The Temne and Mende have historically vied for political power, and the violence during the 11-year civil war had some ethnic undertones. For example, the Minorities At Risk Project reported that although the RUF did not specifically advocate for Temne issues, ethnic Temnes predominated in the RUF leadership and ranks. After the SLPP victory in the 1996 elections, the RUF objected to what they claimed was Mende hegemony and that the Mende-dominated SLPP government used ethnic criteria in appointing ministers to marginalize non-Mendes. Although the SLPP actively worked to counter this perception (President Kabbah is Mandingo), most citizens viewed the SLPP as a predominantly Mende party. However, during the year Temne cabinet ministers outnumbered Mende ministers. Ethnic loyalty remained an important factor in the government, armed forces, and business. Complaints of ethnic discrimination in government appointments, contract assignment, and military promotions were common.

On August 11, as many as 14 persons were injured in a clash between ethnic Limbas and Mandingos in a dispute over paramount chieftaincy elections in Biriwa chiefdom. Prior to the election, the Ministry of Local Government altered the voters' list to add new tribal authorities (all Mandingo) and removed others (nearly all Limba ceremonial chiefs). The Limbas protested and ultimately refused to participate in the election, so the sole candidate, a Mandingo, later won in an election run by the Ministry of Local Government over the protest of the NEC. After the election, the Limbas selected their own alternate paramount chief, and the matter was still in dispute at year's end (see section 3).

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

## Other Societal Abuses and Discrimination

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

The law prohibits homosexual acts, and there was both official and societal discrimination based on sexual orientation. In November 2005 the Ministry of Social Welfare, Gender, and Children's Affairs condemned same-sex marriage at an Inter-Religious Council meeting.

In 2004 prominent gay activist Fannyann Eddy was killed in her office. The activist's recently-dismissed domestic employee was arrested and charged with the crime. In July 2005 the defendant, along with approximately 24 other prisoners, escaped custody. At year's end, the defendant was still at large.

## Section 6 Worker Rights

### a. The Right of Association

The law allows workers to join unions of their choice without previous authorization or excessive requirements; however, police and members of the armed services are prohibited from joining unions. The law also allows workers to form unions, although restrictions exist. Approximately 30 to 60 percent of the workers in the formal sector in urban areas, including government workers, were unionized, but attempts to organize agricultural workers and mineworkers have met with little success. In general labor unions joined the Sierra Leone Labor Congress (SLLC), but membership was voluntary. There were no reliable statistics on union membership.

The law does not prohibit antiunion discrimination against union members and does not prohibit employer interference in the establishment of unions; however, during the year there were no reports of such occurrences. Complaints of discrimination against trade unions could be made to a labor tribunal, for example, by an employee fired for union activities and seeking reinstatement; there were no reports of such complaints during the year.

### b. The Right to Organize and Bargain Collectively

The law allows unions to conduct their activities without interference, and the government generally protected this right; however, by year's end the government had not granted a bargaining certificate to the Civil Servant's Union, whose application had been on file since 1986. The law provides for collective bargaining, and the government protected this right in practice. Collective bargaining must take place in trade group negotiating councils, each of which had an equal number of employer and worker representatives. Collective bargaining was widespread in the formal sector, and most enterprises were covered by collective bargaining agreements on wages and working conditions. Unions have the right to strike, although the government could require 21 days' notice, and workers exercised this right in practice. No law prohibits retaliation against strikers, even for a lawful strike. The government did not take action against strikers during the year.

There are no export processing zones.

### c. Prohibition of Forced or Compulsory Labor

The law prohibits forced and compulsory labor, including by children; however, the government did not effectively enforce the law. Under the Chiefdom's Council Act, individual chiefs may impose forced labor as punishment and have done so in the past; however, there were no reported occurrences during the year. They 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; however, in March approximately 30 young men from two communities in Bumpo Chiefdom (Bo District) were fined approximately \$100 (300,000 leones) each and incarcerated for three days because they had not assisted with a community road construction project.

There were reports of bonded labor in rural areas, and debt bondage was common among the thousands of alluvial diamond diggers and miners.

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

### d. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits forced and bonded labor by children; however, the government did not effectively enforce the law, and child labor remained a problem due to strong tradition and high levels of extreme poverty--defined as income of less than \$1 (3,000 leones) a day--which averaged 80 percent in rural areas. By year's end, the parliament had not passed the draft omnibus domestic legislation to combat child labor, modeled on the UN's International Bill of Rights for Children. The Ministry of Mineral Resources enforced regulatory prohibitions against the worst forms of child labor. The ministry also was charged with protecting children working in the diamond mining areas; however, enforcement was not effective.

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

The law does not limit working hours for children; however, it does set health and safety standards. The law requires school attendance through the age of 12, but the government did not enforce this.

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

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

There were reports that children whose parents sent them to friends or relatives in urban areas for education were forced to work on the street. There also were reports that adults asked orphanages for children to be used as household help.

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

Children continued to work in alluvial diamond mining, particularly in areas that were less accessible to government monitors. In many cases, children worked alongside parents or relatives. Children who engaged in diamond mining often abandoned educational or vocational training. According to an International Rescue Committee report completed in 2006 entitled, "Child Labor and Education in Sierra Leone: Needs and Resource Assessment in Targeted Communities," the work was inherently exploitative.

Bonded child labor was not prevalent in alluvial diamond mining. Some of the children who were hired by employers outside the country may have been victims of trafficking (see section 5).

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

#### e. Acceptable Conditions of Work

The national minimum wage, covering all occupations, including in the informal sector, was set at \$14 (40,000 leones) per month, which did not provide a decent standard of living for a worker and family. The Ministry of Labor is responsible for enforcing the minimum wage, but it lacked the resources to effectively do so, and compliance was very difficult to monitor in the informal sector. Most workers supported an extended family, often including relatives who had been displaced by the insurgency in the countryside. It was common to pool incomes and to supplement wages with subsistence farming and child labor (see section 6.d.).

Although not stipulated by law, the standard workweek was 40 hours (60 hours for security personnel). Employers negotiated work hours with employees at the time of hiring, and overtime was to be paid if an employee's work hours exceeded the standard workweek. There was no prohibition on excessive compulsory overtime.

The Ministry of Health and Sanitation was responsible for setting and enforcing health and safety standards. Although the government set these standards, it lacked the funding to properly enforce them. Trade unions provided the only protection for workers who filed complaints about working conditions. Initially, a union could make a formal complaint about a hazardous working condition; if this complaint was rejected, the union could issue a 21-day strike notice; however, no such actions were reported during the year. If workers were to remove themselves from dangerous work situations without making a formal complaint, they risked being fired.

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